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14 Attorneys for Plaintiffs  
 15 SKYRIVER TECHNOLOGY SOLUTIONS, LLC  
 16 and INNOVATIVE INTERFACES, INC.

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN FRANCISCO DIVISION

SHARTSIS FRIESE LLP  
 ONE MARITIME PLAZA  
 EIGHTEENTH FLOOR  
 SAN FRANCISCO, CA 94111

20 SKYRIVER TECHNOLOGY  
 21 SOLUTIONS, LLC, a California limited  
 22 liability company, and INNOVATIVE  
 23 INTERFACES, INC., a California  
 24 corporation,

25 Plaintiffs,

26 v.

27 OCLC ONLINE COMPUTER LIBRARY  
 28 CENTER, INC., an Ohio corporation,

Defendant.

Case No. C 10-03305 JSW

**DECLARATION OF MARY JO SHARTSIS  
 IN OPPOSITION TO DEFENDANT'S  
 MOTION TO TRANSFER VENUE TO  
 THE SOUTHERN DISTRICT OF OHIO**

Date: October 29, 2010  
 Time: 9:00 a.m.  
 Judge: Hon. Jeffrey S. White  
 Crtrm: 11, 19th Floor

Complaint Filed: July 28, 2010  
 Trial Date: None

1 I, MARY JO SHARTSIS, declare:

2 1. I am a member of Shartsis Friese LLP, attorneys of record for Plaintiffs SkyRiver  
3 Technology Solutions, LLC And Innovative Interfaces, Inc. (collectively “Plaintiffs”), and am  
4 duly authorized to practice law in the State of California. I have personal knowledge of the facts  
5 set forth herein and if sworn to testify would and could competently testify thereto.

6 2. Attached hereto as Exhibit A are true and correct copies of OCLC’s Articles of  
7 Incorporation, Governance statement, Board of Trustees information and other relevant  
8 documents concerning governance obtained from its website at www.oclc.org. These documents  
9 show that OCLC’s Board of Trustees establishes OCLC’s policies and strategic goals. Further  
10 information regarding each member of the Board of Trustees is available from OCLC’s website,  
11 which indicates that David P. Lauer is the only Trustee residing in Ohio.

12 3. Attached hereto as Exhibit B are true and correct copies of OCLC’s WorldCat use  
13 and transfer policy now known as “WorldCat Rights and Responsibilities for the OCLC  
14 Cooperative,” effective August 1, 2010, and related documents, including the members of the  
15 review committee, obtained from OCLC’s website at www.oclc.org. Brian E.C. Schottlaender,  
16 University Librarian at the University of California at San Diego, served on the review committee  
17 and has been elected to the Board of Trustees according to OCLC’s website. *See* Exhibit A.

18 4. Attached hereto as Exhibit C is a true and correct copy of OCLC’s office locations  
19 obtained from its website at www.oclc.org.

20 5. Attached hereto as Exhibit D is a true and correct copy of the Supreme Court of  
21 Ohio’s decision regarding OCLC’s nonprofit exemption from Ohio property taxes, *OCLC Online*  
22 *Computer Library Center, Inc. v. Kinney*, Commissioner, 11 Ohio St. 3d 198, 464 N.E. 2d 572;  
23 1984 Ohio LEXIS 1136.

24 6. Attached hereto as Exhibit E is a chart derived from Judicial Caseload Profiles  
25 through September 30, 2009 comparing Civil Filings By Year for the Northern District of  
26 California and the Southern District of Ohio for the period 2004 through 2009. Plaintiffs have  
27 separately requested that the Court take judicial notice of the underlying statistics published by  
28 the Administrative Office of the U.S. Courts on behalf of the Federal Judiciary,

1 <http://www.uscourts.gov/Statistics/FederalCourtManagementStatistics.aspx>. Plaintiffs' Request  
2 for Judicial Notice, Exhs. B and C.

3 I declare under penalty of perjury under the laws of the State of California that the  
4 foregoing is true and correct.

5 DATED: September 27, 2010

By: /s/ Mary Jo Shartsis  
MARY JO SHARTSIS

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