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8 Attorneys for Plaintiffs
SKYRIVER TECHNOLOGY SOLUTIONS, LLC
9 and INNOVATIVE INTERFACES, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

14 SKYRIVER TECHNOLOGY
SOLUTIONS, LLC, a California limited
15 liability company, and INNOVATIVE
INTERFACES, INC., a California
16 corporation,

17 Plaintiffs,

18 v.

19 OCLC ONLINE COMPUTER LIBRARY
CENTER, INC., an Ohio corporation,

20 Defendant.
21

Case No. C 10-03305 JSW

**DECLARATION OF JAMES HOFBAUER
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, JAMES HOFBAUER, declare:

2 1. I am the Executive Vice President and CFO of Plaintiff Innovative Interfaces, Inc.
3 (“Innovative”), a California corporation. I have personal knowledge of the facts set forth herein
4 and if sworn to testify would and could competently testify thereto.

5 2. Innovative has its headquarters in Emeryville, California, and has been in business
6 for almost 30 years. All corporate and transactional records and related documents, software and
7 servers are maintained in Emeryville at its corporate headquarters. I have personal knowledge of
8 the conduct and events described in the Complaint that have harmed Innovative.

9 3. Innovative has been in discussions with several representatives of statewide
10 management of the University of California (“UC”), whose principal offices are located in
11 Oakland, California, concerning the installation and use of OCLC’s product known as WorldCat
12 Local as a replacement for a “next generation” of UC’s Melvyl Catalog. This OCLC commercial
13 product was developed with the assistance of many UC resources, including librarians at several
14 UC campuses, without competitive bidding and without following required procurement practices
15 because, UC officials have stated, such assistance was an obligation of OCLC membership.
16 Several librarians and executives at UC are critical witnesses in this case and are identified in
17 Exhibit A of Ms. Straus’s Declaration.

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

20 DATED: September 27, 2010

By: /s/ James Hofbauer
JAMES HOFBAUER

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ATTESTATION PURSUANT TO GENERAL ORDER 45 § X(B)

The ECF registered attorney, by virtue of his/her electronic filing of this document, attests that in concurrence with the filing of this document, original signatures have been obtained from each of the signatories named herein.

DATED: September 27, 2010

By: /s/ Mary Jo Shartsis
MARY JO SHARTSIS

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