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13 Attorneys for Defendant  
 14 GOOGLE INC.

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

19 ORACLE AMERICA, INC.,  
 20 Plaintiff,  
 21 v.  
 22 GOOGLE INC.,  
 23 Defendant.

Case No. 3:10-cv-03561-WHA  
**DECLARATION OF DANIEL  
 PURCELL IN SUPPORT OF GOOGLE  
 INC.'S OPPOSITION TO ORACLE'S  
 RENEWED MOTION TO STRIKE  
 PORTIONS OF DR. JAMES KEARL'S  
 EXPERT REPORT**  
 Dept.: Courtroom 8, 19<sup>th</sup> Floor  
 Judge: Hon. William Alsup

1 I, DANIEL PURCELL, declare as follows:

2 1. I am a partner with the law firm of Kecker & Van Nest LLP, counsel to Google  
3 Inc. (“Google”) in the present case. I submit this declaration in support of Google’s Opposition  
4 to Oracle America, Inc.’s (“Oracle”) Renewed Motion to Strike Portions of Dr. James Kearl’s  
5 Expert Report. I have knowledge of the facts set forth herein, and if called to testify as a witness  
6 thereto could do so competently under oath.

7 2. Attached as **Exhibit A** are true and correct copies of excerpted pages from the  
8 transcript of the deposition of Andrew Rubin, taken April 27, 2012.

9 I declare under penalty of perjury that the foregoing is true and correct and that this  
10 declaration was executed at San Francisco, California on May 1, 2012.

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By:  /s/ Daniel Purcell  
DANIEL PURCELL

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