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Attorneys for Defendant
GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. 3:10-cv-03561 WHA

**DECLARATION OF DAVID ZIMMER IN
SUPPORT OF GOOGLE INC.'S MOTION
FOR SUMMARY JUDGMENT RE
COPYRIGHT DAMAGES**

Dept.: Courtroom 8, 19th Floor
Judge: Hon. William Alsup

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I, David Zimmer, declare as follows:

1. I am an associate in the law firm of Kecker & Van Nest LLP, counsel to Google Inc. (“Google”) in the present case. I submit this declaration in support of Google Inc.’s Motion for Summary Judgment Re Copyright Damages. I have knowledge of the facts set forth herein, and if called to testify as a witness thereto could do so competently under oath.

2. Attached hereto as **Exhibit A** is a true and correct copy of Oracle America, Inc.’s Initial Disclosures, served on December 2, 2010.

3. Attached hereto as **Exhibit B** is a true and correct copy of Oracle America, Inc.’s Supplemental and Amended Initial Disclosures, served on June 3, 2011.

4. Attached hereto as **Exhibit C** is a true and correct copy of Oracle America, Inc.’s Second Amended Initial Disclosures, served on August 10, 2011.

5. Attached hereto as **Exhibit D** are true and correct copies of excerpted pages from Plaintiff’s Responses and Objections to Defendant Google Inc.’s First Set of Interrogatories to Plaintiff Oracle America, Inc. (Nos. 1-10), served on January 6, 2011.

6. Attached hereto as **Exhibit E** are true and correct copies of excerpted pages from Plaintiff’s Supplemental Responses to Defendant’s Interrogatories, Set No. 1 (Interrogatory Nos. 1-10), served on April 25, 2011.

7. Attached hereto as **Exhibit F** are true and correct copies of excerpted pages from Plaintiff’s Supplemental Responses to Defendant’s Interrogatories, Set No. 1 (Interrogatory Nos. 1-10), served on July 29, 2011.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at San Francisco, California on May 12, 2012.

By: /s David Zimmer
 DAVID ZIMMER