

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

PRAGMATUS AV, LLC,)	Civil Action No. 1:10-cv-1288
)	(LMB/JFA)
Plaintiff)	
)	
v.)	
)	
FACEBOOK, INC., YOUTUBE, LLC,)	
LINKEDIN CORPORATION, and)	
PHOTOBUCKET.COM, INC.,)	
)	
Defendants.)	
)	

**DECLARATION OF SCOTT A. COLE IN SUPPORT OF DEFENDANTS’
JOINT MOTION TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(a)**

I, Scott A. Cole, hereby declare and state as follows:

1. I am an attorney licensed to practice in the Commonwealth of Virginia, where I am an associate at the law firm of Cooley LLP, counsel in the above-captioned matter for Defendant Facebook, Inc. (“Facebook”). This declaration is based on my own personal knowledge. If called upon to testify, I could and would testify competently thereto.
2. Attached as Exhibit 1 is a true and correct copy of Pragmatius AV, LLC’s LLC Data Inquiry from the State Corporation Commission, dated June 9, 2010.
3. Attached as Exhibit 2 is a true and correct copy of an article entitled, “*Myhrvold-Connected Firm Sues YouTube, Facebook and LinkedIn Over Patents*,” dated November 18, 2010 (available at <http://paidcontent.org/article/419-myhrvold-connected-firm-targets-youtube-facebook-linkedin-over-patents/> (last visited Jan. 7, 2011)).

4. Attached as Exhibit 3 is a true and correct copy of the assignments of U.S. Patents 7,730,132; 7,822,813; and 7,831,663.
5. Attached as Exhibit 4 is a true and correct copy of excerpts from an IRBSearch comprehensive report regarding Chris Lauwers, dated January 5, 2011.
6. Attached as Exhibit 5 is a true and correct copy of excerpts from an IRBSearch comprehensive report regarding Keith Allen Lantz, dated January 5, 2011.
7. Attached as Exhibit 6 is a true and correct copy of excerpts from an IRBSearch comprehensive report regarding Gerald Burnett, dated January 5, 2011.
8. Attached as Exhibit 7 is a true and correct copy of excerpts from an IRBSearch comprehensive report regarding Lester Ludwig, dated January 5, 2011.
9. Attached as Exhibit 8 is a true and correct copy of excerpts from an IRBSearch comprehensive report regarding Emmett Burns, dated January 6, 2011.
10. Attached as Exhibit 9 is a true and correct copy of Polycom, Inc.'s Second Amended Answer and Counterclaims in *Collaboration Properties, Inc. v. Polycom Inc.*, Case No. 02-04591 MMC (N.D. Cal.), dated June 23, 2003.
11. Attached as Exhibit 10 is a true and correct copy of the Civil Docket Report in *Collaboration Properties, Inc. v. Tandberg Asa, et al.*, Case No. 05-01940-MHP (N.D. Cal.).
12. Attached as Exhibit 11 is a true and correct copy of the Civil Docket Report in *Collaboration Properties, Inc. v. Polycom Inc.*, Case No. 02-04591 MMC (N.D. Cal.).
13. Attached as Exhibit 12 is a true and correct copy of Tandberg's Memorandum of Points and Authorities in Support of their Motion to Amend Their Answer in

CERTIFICATE OF SERVICE

I hereby certify that the all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on January 7, 2011. Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date

/s/ Scott A. Cole
Scott A. Cole (Va. Bar No. 74771)