

EXHIBIT 1

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

<p>PRAGMATUS AV, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>FACEBOOK, INC., YOUTUBE, LLC, LINKEDIN CORPORATION, and PHOTOBUCKET.COM, INC.,</p> <p style="text-align: center;">Defendants.</p>	<p>Civil Action No. 1:10-cv-1288 (LMB/JFA)</p>
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DECLARATION OF WILLIAM A. MARINO

I, William A. Marino, declare the following:

1. I am William A. Marino. I make this declaration based on my personal knowledge.
2. I am providing this declaration in connection with the opposition of Pragmatus AV, LLC ("Pragmatus") to the motions to transfer venue filed by the defendants in this case, Facebook, Inc.; YouTube, LLC; LinkedIn Corporation; and Photobucket.com, Inc.
3. Pragmatus is a limited liability company formed under the Virginia Limited Liability Company Act. Pragmatus has only two members, who own it on a 50-50 basis. I am one member, and the other is Anthony Grillo.
4. I have been a resident of Alexandria, Virginia since 2005 and I have been paying Virginia state income taxes since that time. I currently own a home in Alexandria, Virginia that my wife and I purchased in 2007, several years before Pragmatus was formed. Mr. Grillo lives in Pennsylvania.

EXHIBIT

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5. Pragmatus has one office located at 601 North King Street, Alexandria, Virginia 22314. Pragmatus' documents and records are located at its Alexandria office. I work in Pragmatus' Alexandria office four days per week.

6. Pragmatus is engaged in the business of owning and managing intellectual property. Pragmatus owns more than 100 patents.

7. Pragmatus holds all rights, title and interest in several patents that are the subject of this litigation. Such patents include United States Patents 7,730,132 and 7,822,813 both entitled "Storing and Accessing Media Files" and United States Patent 7,831,663 entitled "Storage and Playback of Media Files."

8. At its Alexandria office, Pragmatus, among other things, manages its intellectual property portfolio, including the patents-in-suit, acquires patent rights and licenses its patents.

9. Pragmatus filed this case in Virginia because it is located here in Virginia, and litigating here is convenient for it. In contrast, litigating this case in California would be extremely inconvenient for Pragmatus because it will have to litigate in a very distant forum where the time to trial is substantially longer than here in Virginia.

10. I certainly did not purchase my home in Alexandria back in 2007 for the purpose of bringing this lawsuit, or any lawsuits, in the United States District Court for the Eastern District of Virginia.

11. Furthermore, Pragmatus certainly did not open an office in Alexandria for the sole purpose of having access to the United States District Court for the Eastern District of Virginia.

12. Based upon my review of publically available information, I understand that Facebook currently maintains three large data center facilities in Ashburn, Virginia. Each data center houses computer servers which receive information and distribute it to Facebook users. I believe that Facebook's infringement is occurring on these servers.

13. Based upon my review of publically available information, I understand that YouTube uses data centers, which are owned by Google, and are located in Reston, Ashburn and Virginia Beach. I believe these data centers contain servers where YouTube's infringement is occurring.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 21, 2011



William A. Marino
William A. Marino