

# EXHIBIT 38

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PAUL J. ANDRE, Bar No. 196585  
(pandre@perkinscoie.com)  
LISA KOBIALKA, Bar No. 191404  
(lkobialka@perkinscoie.com)  
ESHA BANDYOPADHYAY, Bar. No. 212249  
(ebandyopadhyay@perkinscoie.com)  
SEAN M. BOYLE, Bar No. 238128  
(sboyle@perkinscoie.com)  
PERKINS COIE LLP  
101 Jefferson Drive  
Menlo Park, CA 94025  
Telephone: (650) 838-4300  
Facsimile: (650) 838-4350  
  
Attorneys for Defendant  
The Freecycle Network, Inc.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

FREECYCLESUNNYVALE,  
a California unincorporated association,  
  
Plaintiff,

v.

THE FREECYCLE NETWORK, INC.,  
an Arizona corporation,  
  
Defendant.

THE FREECYCLE NETWORK, INC.  
an Arizona corporation,  
  
Counterclaimant,

v.

FREECYCLESUNNYVALE,  
a California unincorporated association,  
  
Counterdefendant,

CASE NO. C 06-00324 CW  
**MANUAL FILING NOTIFICATION**  
**EXHIBIT TO 38**  
**DECLARATION OF DERON BEAL IN  
SUPPORT OF THE FREECYCLE  
NETWORK, INC.'S OPPOSITION TO  
PLAINTIFF'S MOTION FOR SUMMARY  
ADJUDICATION UNDER FED.R.CIV.P. 56**

Date: September 27, 2007  
Time: 2:00 p.m.  
Before: Honorable Claudia Wilken  
Location: Courtroom 2

