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 9

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **OAKLAND DIVISION**

14 FREECYCLESUNNYVALE,
 a California unincorporated association,
 15
 Plaintiff,

16 v.

17 THE FREECYCLE NETWORK, INC.,
 18 an Arizona corporation,
 Defendant.
 19

CASE NO. C 06-00324 CW

**AMENDED DECLARATION OF LISA
 KOBIALKA IN SUPPORT OF THE
 FREECYCLE NETWORK, INC.'S
 AMENDED NOTICE OF
 ADMINISTRATIVE MOTION AND
 MOTION FOR LEAVE TO FILE
 DOCUMENTS UNDER SEAL**

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

22 THE FREECYCLE NETWORK, INC.
 an Arizona corporation,
 23
 Counterclaimant,

24 v.

25 FREECYCLESUNNYVALE,
 26 a California unincorporated association,
 27
 Counterdefendant.
 28

1 I, Lisa Kobialka, hereby declare as follows:

2 1. I am an attorney with the law firm of Perkins Coie LLP, counsel for Defendant and
3 Counterclaimant The Freecycle Network, Inc. (The Freecycle Network") in the above-captioned
4 action. I am a member of the Bar of the State of California and this Court. I have personal
5 knowledge of the facts set forth in this Declaration, and if called upon to do so, could testify
6 competently thereto.

7 2. I submit this declaration in support of The Freecycle Network's Amended
8 Administrative Motion and Motion for Leave to File Documents Under Seal.

9 3. I have reviewed the following documents and determined that they contain
10 information that The Freecycle Network considers to be confidential, proprietary, and/or trade
11 secret information:

12 1. **EXHIBITS 1, 3-5, 9-14, 16, 18-20, 26, 28-31, 33-39, 47, 50, 54, 56, 58-**
13 **59, 61, 66-69, 71-72, 74, 76-89, 90-94, 97-101, 103 AND 105-109 TO**
14 **THE DECLARATION OF LISA KOBIALKA IN SUPPORT OF THE**
15 **FREECYCLE NETWORK, INC.'S MEMORANDUM OF POINTS**
16 **AND AUTHORITIES IN OPPOSITION TO PLAINTIFF'S MOTION**
17 **FOR SUMMARY ADJUDICATION UNDER FED.R.CIV.P. 56;**

18 2. **EXHIBITS 8-11, 13, 15-16, 20 AND 23-43 TO THE DECLARATION**
19 **OF DERON BEAL IN SUPPORT OF THE FREECYCLE**
20 **NETWORK, INC.'S MEMORANDUM OF POINTS AND**
21 **AUTHORITIES IN OPPOSITION TO PLAINTIFF'S MOTION FOR**
22 **SUMMARY ADJUDICATION UNDER FED.R.CIV.P. 56.**

23 4. These documents are not available to the general public, and only certain members
24 of The Freecycle Network have access to them. See Declaration of Deron Beal in Support of The
25 Freecycle Network's Amended Notice of Administrative Motion and Motion for Leave to File
26 Documents Under Seal filed herewith, ¶¶ 2-3.

27 I declare under penalty of perjury under the laws of the State of California and the United
28 States that each of the above statements is true and correct.

Executed on September 18, 2007, in Menlo Park, California.

/s/ Lisa Kobialka
Lisa Kobialka