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

14 WANG XIAONING, YU LING, SHI TAO,
 and ADDITIONAL PRESENTLY
 15 UNNAMED AND TO BE IDENTIFIED
 INDIVIDUALS,

16 Plaintiffs,

17 v.

18 YAHOO, INC., a Delaware Corporation,
 YAHOO! HONG KONG LTD., a Foreign
 Subsidiary of Yahoo!, ALIBABA.COM, INC.
 19 a Delaware Corporation, AND OTHER
 PRESENTLY UNNAMED AND TO BE
 20 IDENTIFIED CORPORATE DEFENDANTS
 AND UNNAMED AND TO BE
 21 IDENTIFIED INDIVIDUAL EMPLOYEES
 OF SAID CORPORATIONS,

22 Defendants.

Case No. C07-02151 CW

TORT DAMAGES CLAIM

**DECLARATION OF MORTON SKLAR IN
 SUPPORT OF MOTION FOR LEAVE TO
 FILE A SECOND AMENDED COMPLAINT**

Judge: Hon. Claudia Wilken

23
 24 I, MORTON SKLAR, declare:

- 25 1. I am the Executive Director of the World Organization for Human Rights USA,
 26 attorney of record and lead counsel for the Plaintiffs in the above-captioned case, and
 27 a former Judge (for nine years) with one of the two international courts operated by
 28

1 the Organization of American States. This declaration is being submitted pursuant to
2 Civil Local Rule 7-5 in support of Plaintiffs' Motion For Leave To File A Second
3 Amended Complaint. Except where otherwise indicated, I have personal knowledge
4 of the facts stated herein and, if called as a witness, I could and would testify
5 competently thereto.
6

7 2. In a motion filed today, Plaintiffs are requesting the Court to grant Plaintiffs' Motion
8 For Leave To File A Second Amended Complaint and to allow for entry of such
9 Complaint.

10 3. Over the past several weeks, there have been a number of telephone discussions and
11 email exchanges among Plaintiffs' and Defendants' Counsel pursuant to initial case
12 management communications. During these discussions, Defendants' Counsel
13 frequently expressed concerns regarding the basis for extending this Court's
14 jurisdiction over the Defendants and have requested more detailed information
15 regarding the factual and legal basis for the Plaintiffs' positions on these jurisdictional
16 matters. The Second Amended Complaint is being filed largely in response to these
17 requests, and as a means for providing additional details regarding the basis for
18 Plaintiffs' jurisdictional claims. Given the complexity of the Defendants'
19 organizational structure and relationships with respect to one another, and the fact that
20 a truly comprehensive understanding of these structures and relationships requires
21 information largely in the possession of the Defendants and unavailable to Plaintiffs
22 until discovery begins, this Second Amended Complaint attempts, to the best of our
23 understanding, to provide additional factual details concerning the Defendants and
24 their organizational structures and methods of relationship and operation as they relate
25 to the Defendants' expressed jurisdictional concerns.
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4. This Motion and Second Amended Complaint are being filed on July 13, 2007, as that is the last day, according to our calculations, that an amended complaint can be filed without requiring changes to the Defendants' response date set by the court of July 27, 2007.

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

Executed in Washington, D.C. on this 13th day of July 2007.

/s/ Morton Sklar
Morton Sklar