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11 Attorneys for Plaintiff  
GOOGLE INC.

12  
13 UNITED STATES DISTRICT COURT FOR THE  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 OAKLAND DIVISION

16 GOOGLE INC.

17 Plaintiff,

18 v.

19 NETLIST, INC.,

20 Defendant.  
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C08-04144 SBA  
[Related to Case No: C 09-05718 SBA ]

**DECLARATION OF ALLISON  
ALTERSOHN IN SUPPORT OF GOOGLE  
INC.'S MOTION TO STAY PENDING  
REEXAMINATION OF U.S. PATENT NO.  
7,289,386**

1 I, Allison Altersohn, declare as follows:

2 1. I am an attorney with the law firm of King & Spalding LLP, counsel for Plaintiff  
3 Google Inc. ("Google") in the above-captioned action. I submit this Declaration in support of  
4 Google Inc's Motion to Stay Pending Reexamination of U.S. Patent No. 7,289,386 filed  
5 concurrently herewith under separate cover. I have personal knowledge of all facts stated herein  
6 and, if sworn as a witness, I could and would testify completely thereto.

7 2. Attached hereto as Exhibit 1 is a true and correct copy of Defendant Netlist Inc.'s  
8 Disclosure of Asserted Claims and Preliminary Infringement Contentions (Patent L.R. 3-1 and 3-  
9 2) but not including its accompanying Exhibit A.

10 3. Attached hereto as Exhibit 2 is a true and correct copy of the Request for *Inter*  
11 *Partes* Reexamination Under 35 U.S.C. § 311 and 37 C.F.R. § 1.913 of claims 1-12 of U.S. Patent  
12 No. 7,289,386 submitted to the United States Patent and Trademark Office ("USPTO") on May  
13 11, 2010 on behalf of the Requester Google.

14 4. Attached hereto as Exhibit 3 is a true and correct copy of the USPTO's Order  
15 Granting Request for *Inter Partes* Reexamination of U.S. Patent No. 7,289,386, which was mailed  
16 on August 9, 2010.

17  
18 I declare under the penalty of perjury that the foregoing is true and correct and that this  
19 Declaration is executed on this 26th day of August, 2010 in New York, New York.

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23 ALLISON ALTERSOHN