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10 Attorneys for Defendants  
 MILLENNIAL MEDIA, INC.

11  
 12  
 13 UNITED STATES DISTRICT COURT  
 14 SOUTHERN DISTRICT OF CALIFORNIA

16 STREETSPLACE, INC.,

17 Plaintiff,

18 v.

19 GOOGLE INC.; ADMOB, INC.; APPLE  
 INC.; QUATTRO WIRELESS, INC.; NOKIA  
 20 CORPORATION; NOKIA INC.; NAVTEQ  
 CORPORATION; MILLENNIAL MEDIA,  
 21 INC.; JUMPTAP, INC.; and DOES 1 through  
 20,

22 Defendants.  
 23

Case No. 3:10-CV-01757-LAB-WMC

**DECLARATION OF JOHN S. KYLE  
 IN SUPPORT OF MILLENNIAL  
 MEDIA'S EX PARTE MOTION FOR  
 LEAVE TO FILE A SUR-REPLY TO  
 STREETSPLACE'S REPLY IN  
 SUPPORT OF MOTION TO  
 DISQUALIFY COUNSEL;**

Date: TBD  
 Time: TBD  
 Courtroom: 9, 2nd Floor  
 Judge: Hon. Larry Alan Burns

1 I, John S. Kyle, hereby declare as follows:

2 1. I am counsel to Defendant Millennial Media, Inc. (“Millennial Media”) in the case  
3 Streetspace v. Google et al., Case No. 3:10-CV-01757-LAB-AJB. I am an attorney licensed to  
4 practice in the State of California. I provide this declaration in support of Millennial Media’s *Ex*  
5 *Parte* Motion to Leave to to File a Sur-Reply. If called to testify regarding the contents of this  
6 declaration, I could competently testify thereto.

7 2. I believe there is good cause for the Court to consider Millennial Media’s sur-reply  
8 in order to correct the record and to maintain the highest standards of professionalism expected of  
9 the lawyers who practice before this Court as required by Local Rule 83.4.

10 3. On March 11, 2011, I provided written notice of Millennial Media’s intent to  
11 submit this ex parte motion to Streetspace’s counsel. Exhibit A is a true and correct copy of the  
12 March 11, 2011 letter from John S. Kyle to Trevor Q. Coddington, Streetspace’s counsel. As of  
13 the time this application was filed, Streetspace has not indicated whether it intends to oppose  
14 Streetspace’s *ex parte* motion.

15 4. Exhibit B is a true and correct copy of Millennial Media’s Sur-Reply to  
16 Streetspace’s Reply in Support of Motion to Disqualify Counsel.

17 5. Exhibit C is a true and correct copy of the Sur-Reply Declaration of Christopher  
18 Campbell in support of Millennial Media’s Sur-Reply to Streetspace’s Reply in Support of  
19 Motion to Disqualify Counsel.

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

22  
23 Dated: March 14, 2011

24  
25 /s/ John S. Kyle

26 By: JOHN S. KYLE

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on March 14, 2011, to all counsel of record who are deemed to have consented to electronic service via the Court’s CM/ECF system per Civil Local Rule 5.4. Any counsel of record who have not consented to electronic service through the Court’s CM/ECF system will be served by electronic mail, first class mail, facsimile and/or overnight delivery.

/s/ John Kyle  
John Kyle, Esq.