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5 Attorneys for Plaintiff and Counter Defendant
 6 GOOGLE INC.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 GOOGLE INC., a Delaware corporation,
 12 Plaintiff,
 13 v.
 14 AMERICAN BLIND & WALLPAPER
 FACTORY, INC., a Delaware corporation
 15 d/b/a decoratetoday.com, Inc., and DOES 1-
 16 100, inclusive,
 Defendants.

Case No. C 03-5340-JF (RS)

**DECLARATION OF KLAUS H. HAMM
 IN SUPPORT OF GOOGLE INC.'S
 OPPOSITION TO AMERICAN BLIND &
 WALLPAPER FACTORY, INC.'S
 MOTION TO COMPEL AND FOR
 SANCTIONS PURSUANT TO F.R.C.P.
 37(a)**

Date: August 9, 2006
 Time: 9:30 a.m.
 Dept: 4
 Judge: Honorable Richard Seeborg

18 AMERICAN BLIND & WALLPAPER
 FACTORY, INC., a Delaware corporation
 19 d/b/a decoratetoday.com, Inc.,
 20 Counter Plaintiff,

Date Comp. Filed: November 26, 2003

21 v.
 22 GOOGLE INC., AMERICA ONLINE, INC.,
 NETSCAPE COMMUNICATIONS
 CORPORATION, COMPUSERVE
 23 INTERACTIVE SERVICES, INC., ASK
 JEEVES, INC. and EARTHLINK, INC.,
 24 Counter Defendant/
 25 Third-Party Defendants.

Trial Date: May 15, 2007

26
 27 **REDACTED VERSION**
 28

1 I, Klaus H. Hamm, declare as follows:

2 1. I am associated with the firm of Kecker & Van Nest LLP, counsel for Plaintiff
3 Google Inc., and am admitted to practice before this Court. Unless otherwise specified, the facts
4 set forth herein are known to me of my personal knowledge, and if called upon I can testify
5 truthfully thereto.

6 **List of Attached Exhibits**

7 2. Attached hereto as Exhibit A is a true and correct copy of a letter and attachments
8 from myself to counsel for American Blind & Wallpaper Factory, Inc. (“American Blind”),
9 Dawn M. Beery, on October 27, 2005. Google has under separate cover requested that this
10 document be filed under seal.

11 3. Attached hereto as Exhibit B is a true and correct copy of a letter from myself to
12 counsel for American Blind, David A. Rammelt, on April 6, 2006.

13 4. Attached hereto as Exhibit C is a true and correct copy of a document Bates
14 numbered GGLE0020950 – GGLE0021227, and produced by Google to American Blind on
15 April 6, 2006. Google has under separate cover requested that this document be filed under seal.

16 5. Attached hereto as Exhibit D is a true and correct copy of a document Bates
17 labeled GGL002818 – GGL002820, and is Exhibit No. 6 to the Deposition of Alana Karen, taken
18 on April 12, 2006. Google has under separate cover requested that this document be filed under
19 seal.

20 6. Attached hereto as Exhibit E is a true and correct copy of email correspondence
21 from May 2, 2006 between my colleague Michael Page, and Mr. Rammelt and Susan Greenspan
22 who are counsel for American Blind.

23 I state under penalty of perjury of the laws of the United States of America that the
24 foregoing statements are true and correct and that this declaration was executed on July 12, 2006.

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/s/ Klaus H. Hamm
KLAUS H. HAMM