

1 RICHARD L. KELLNER, SBN 171416
 FRANK E. MARCHETTI, SBN 203185
 2 KABATECK BROWN KELLNER LLP
 350 South Grand Avenue, 39th Floor
 3 Los Angeles, California 90071-3801
 Telephone: (213) 217-5000
 4 Facsimile: (213) 217-5010

5 DARREN T. KAPLAN (Admitted *Pro Hac Vice*)
 GREGORY E. KELLER (To be admitted *Pro Hac Vice*)
 6 CHITWOOD HARLEY HARNES LLP
 2300 Promenade II
 7 1230 Peachtree Street, NE
 Atlanta, Georgia 30309
 8 Telephone: (404) 873-3900
 Facsimile: (404) 876-4476

9 SHAWN KHORRAMI, SBN 180411
 10 LAW OFFICES OF SHAWN KHORRAMI
 14550 Haynes Street, Third Floor
 11 Van Nuys, California 91411
 Telephone: (818) 947-5111
 12 Facsimile: (818) 947-5121

13 Attorneys for Plaintiff

14
 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN JOSE DIVISION

19	CLICK DEFENSE, INC., a Colorado)	Case No.: 5:05-cv-02579-RMW
20	corporation, Individually and on behalf of all)	
21	others similarly situated,)	E-FILING
22)	
23	Plaintiff,)	DECLARATION OF CLARENCE E.
24)	BRIGGS IN SUPPORT OF MOTION TO
25	vs.)	SUBSTITUTE INTO ACTION AS
26)	REPRESENTATIVE PLAINTIFF
27	GOOGLE, INC., et al,)	
28)	Date: January 13, 2006
29	Defendant)	Time: 9:00 a.m.
30)	Judge: Hon. Ronald M. Whyte

31
 32 **DECLARATION OF CLARENCE E. BRIGGS**
 33 **IN SUPPORT OF MOTION TO SUBSTITUTE**

1
2 I, Clarence E. Briggs, declare as follows

3 1. I am the founder and Chief Executive Officer of Advanced Internet Technologies,
4 Inc. ("AIT"). AIT is a privately held North Carolina corporation whose primary business is
5 internet hosting for other businesses. AIT currently hosts over 210,000 web sites on behalf of
6 thousands of entities including Time Warner, Microsoft, the U.S. federal government, the United
7 Nations, the Oakridge Boys, the Sate of North Carolina, the Department of Defense, Pizza Hut,
8 Goodyear, Discover Radio and many more.

9
10 2. AIT's 140 employees oversee and operate a vast network of servers from our
11 93,000 Square foot data center in Fayetteville, North Carolina. AIT has annual revenue of \$30
12 million and is a two time INC 500 Winner and a four time Deloitte & Touche Winner. In 2000,
13 the North Carolina Technological Development Authority, Inc. selected me to be the recipient of
14 the Entrepreneur of the Year award.

15
16 3. I submit this declaration in support of the motion to substitute AIT as the
17 representative plaintiff in this putative class action against Google, Inc. ("Google") on behalf of
18 all participants in Google's "AdWords" program.

19
20 4. AIT began its participation in Google's AdWords program in 2003. From that
21 time until we ended our relationship with Google in 2005, AIT spent approximately \$475,000 on
22 Google's AdWords program. Our experience with the AdWords program was not a good one
23 and our own investigation showed that we were routinely charged for literally thousands of
24 fraudulent clicks.

25
26 5. I have extensively reviewed the Complaint filed in this action on June 24, 2005
27 and adopt it as AIT's own complaint in the action.

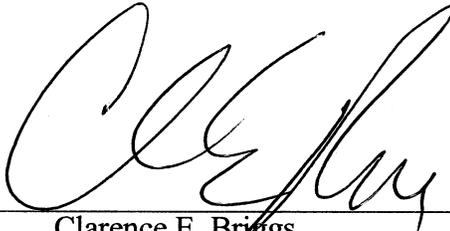
1 6. AIT is also prepared to discharge its responsibilities as representative plaintiff in
2 this action and has the necessary resources and staff to see this case through to resolution. I am
3 prepared to testify at deposition and at trial.
4

5 7. AIT will not accept payment for serving as a representative plaintiff beyond its
6 pro rata share of any recovery, except reasonable costs and expenses directly related to the class
7 representation, as ordered or approved by the Court pursuant to law.

8 8. I understand that AIT's ability to share in any recovery as a member of the
9 proposed class is unaffected by its decision to serve as a representative plaintiff.
10

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

13
14 Date: December 5, 2005

15 
16 _____
17 Clarence E. Briggs
18
19
20
21
22
23
24
25
26
27
28
29