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 GOOGLE INC. and KAI-FU LEE  
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10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN JOSE DIVISION

13 GOOGLE INC. and KAI-FU LEE,  
 14 Plaintiffs,  
 15 v.  
 16 MICROSOFT CORPORATION,  
 17 Defendant.

Case No.: CV 05-03095 (RMW)

**DECLARATION OF STACEY L.  
 WEXLER IN SUPPORT OF  
 PLAINTIFFS GOOGLE INC.'S  
 AND KAI-FU LEE'S OPPOSITION  
 TO MICROSOFT'S MOTION TO  
 DISMISS, TRANSFER OR STAY**

Date: October 14, 2005  
 Time: 9:00 a.m.  
 Place: Courtroom 6

Honorable Ronald M. Whyte

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I, STACEY L. WEXLER, declare as follows:

1. I am an attorney with Taylor & Company Law Offices, Inc., counsel for plaintiffs Google Inc. (“Google”) and Kai-Fu Lee (“Dr. Lee”) in the above-captioned litigation. I have personal knowledge of the facts set forth in this declaration and, if called upon to do so, I could and would testify competently to all of the matters contained herein. This declaration is submitted in support of Plaintiffs Google Inc.’s and Kai-Fu Lee’s Opposition to Microsoft’s Motion to Dismiss, Transfer or Stay.

2. On or about July 19, 2005, Microsoft filed an action against Google and Dr. Lee in the Superior Court of the State of Washington, in and for King County (“the Washington Action”). On July 28, 2005, the Washington state court issued a Temporary Restraining Order against Google and Dr. Lee. The court then held hearings on September 6 and 7, 2005, and on September 13, 2005 issued a preliminary injunction in the Washington Action. A true and correct copy of the September 13, 2005 Preliminary Injunction order entered in the Washington Action is attached to this declaration as Exhibit A.

I declare under the penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct. Executed this 23rd day of September, 2005.

/s/ Stacey L. Wexler  
STACEY L. WEXLER