

Gregory J. Yu (State Bar No. 133955)  
GLOBAL LAW GROUP  
2015 Pioneer Court, Suite P-1  
San Mateo, CA 94403  
Telephone: (650) 570-4140  
Facsimile: (650) 570-4142  
E-mail: glgroup [at] inreach [dot] com

Attorney for Plaintiffs and Proposed Class and Subclasses

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

KINDERSTART.COM LLC, a California  
limited liability company, on behalf of itself and  
all others similarly situated,

Plaintiffs,

v.

GOOGLE, INC., a Delaware corporation,  
Defendant.

Case No. C 06-2057 JF

**DECLARATION OF GREGORY J. YU  
IN SUPPORT OF PLAINTIFF'S  
MOTION FOR PRELIMINARY  
INJUNCTION AGAINST FURTHER  
FREE SPEECH VIOLATIONS**

I, GREGORY J. YU, HEREBY DECLARE AS FOLLOWS:

1. My name is Gregory J. Yu, and I am an attorney duly admitted to practice in the State of California. My office is located in San Mateo, California.

2. I am legal counsel to plaintiff KinderStart.com LLC ("KSC") in the above action and am authorized by my client to make this declaration in support of plaintiff's motion for a preliminary injunction, based upon my personal knowledge.

3. On April 3, 2006, I had a telephone conversation with counsel to Defendant, David H. Kramer, of Wilson, Sonsini, Goodrich & Rosati about this case. During such phone call, Attorney Kramer on behalf of Defendant acknowledged that plaintiff KSC's website, [www.kinderstart.com](http://www.kinderstart.com) had not been included within Google's index of searchable Websites.

1           4.       During the same phone call, Attorney Kramer on behalf of Defendant Google  
2 offered to consider "re-inclusion" of KSC's Website within Google's index, but declined to  
3 guarantee re-inclusion of the site by Google.

4           I DECLARE UNDER PENALTY OF PERJURY, that the above is based on my personal  
5 knowledge.

6           Executed on this 25<sup>th</sup> day of May, 2006 in San Mateo, California.

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8           By: \_\_\_\_\_

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10                               GREGORY J. YU  
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