

**Case C 06-02057 JF**

**DECLARATION OF DANIEL D. SAVAGE IN SUPPORT OF PLAINTIFFS'  
OPPOSITION TO DEFENDANT'S MOTION TO DISMISS UNDER  
FED.R.CIV.P. 12(b)(6)**

**Filed October 26, 2006**

**Declaration of Daniel D. Savage**  
**Exhibit 1**

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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

<p>11 KINDERSTART.COM LLC, a California 12 limited liability company, on behalf of itself and 13 all others similarly situated, 14 15 Plaintiffs, 16 17 v. 18 19 GOOGLE, INC., a Delaware corporation, 20 21 Defendant.</p>	<p>Case No. C 06-2057 JF <b>DECLARATION OF DANIEL D. SAVAGE IN SUPPORT OF PLAINTIFFS' OPPOSITION TO GOOGLE'S MOTION TO DISMISS UNDER FED.R.CIV.P. 12(B)(6)</b></p>
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22 I, DANIEL D. SAVAGE, HEREBY DECLARE AS FOLLOWS:

23 1. My name is Daniel D. Savage, and I am a resident of the City of New York, NY.

24 I submit this Declaration in support of Plaintiffs' opposition to Google, Inc.'s motion to dismiss.

25 2. I have worked over 20 years in the publishing business. I am a graduate of  
26 Harvard College and obtained an MBA from Harvard Business School.

27 3. I am a member and a manager of TradeComet.com LLC, a Delaware limited  
28 liability company ("TradeComet"), which is headquartered in New York, NY. We launched a  
website known as [www.sourcetool.com](http://www.sourcetool.com) ("sourcetool.com") in November 2005. As an online  
information tool and advertiser, TradeComet competes against Google.

4. Our site, sourcetool.com, joined Google's AdWords and AdSense programs in  
November 2005. By March 2006, sourcetool.com was receiving over 600,000 daily visits.

1           5.       To reach online audiences on the Internet, TradeComet has had no viable options  
2 besides search-led advertising where ads are matched to search results. TradeComet advertises  
3 this way using both Google (through AdWords) and MSN. Search-led advertising is crucial  
4 because search users see our ads at the very instant they are ready to view key information and  
5 make dynamic commercial decisions over the Web. TradeComet would not have launched  
6 sourcetool.com or succeeded as a B2B online business without using paid search advertising.

7           6.       During the first quarter of 2006, TradeComet spent over \$400,000 each month on  
8 AdWords for our site. During this same period, our revenues reached over \$600,000 per month  
9 through AdSense from Google.

10          7.       On or about July 13, 2006, sourcetool.com's minimum bids for key words under  
11 AdWords set by Google rose without warning by 10-fold. With such a massive price increase,  
12 TradeComet was not able to secure the funds or raise financing to meet these newly created  
13 minimum bids. As a result, from that date to present, sourcetool.com was forced to surrender at  
14 least 80% of our original monthly traffic and over \$500,000 in monthly revenues per month.

15          8.       On or about August 3, 2006, three executives of TradeComet, including myself,  
16 met with certain employees of Google in Mountain View, California. During the meeting, one  
17 Google employee stated that Google was hesitant to link to sites that also carried online paid  
18 advertising links as Google does.

19          9.       The very first time I learned of this lawsuit and began considering to join  
20 Plaintiffs as a potential class member and representative was October 23, 2006. It is  
21 TradeComet's intention to join this class action as a co-representative plaintiff on behalf of the  
22 classes.

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

25           Executed on this 26th day of October, 2006, in New York, New York.

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By:           s/s Daniel D. Savage            
          DANIEL D. SAVAGE