

KinderStart.com LLC v. Google, Inc.

C 06-2057 JF

EXHIBIT 2

Declaration of Randall McCarley
In support of
Plaintiff's Motion for Sanctions
Against Google, Inc. and its Legal Counsel
under Rule 11

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

<p>12 KINDERSTART.COM LLC, a California 13 limited liability company, on behalf of itself and 14 all others similarly situated, 15 Plaintiffs, 16 v. 17 GOOGLE, INC., a Delaware corporation, 18 Defendant.</p>	<p>19 Case No. C 06-2057 JF 20 DECLARATION OF RANDALL 21 McCARLEY IN SUPPORT OF 22 PLAINTIFF'S MOTION FOR 23 SANCTIONS AGAINST GOOGLE, INC. 24 AND ITS LEGAL COUNSEL DAVID H. 25 KRAMER UNDER FED. R. CIV. P. 11</p>
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18 I, RANDALL McCARLEY, HEREBY DECLARE AS FOLLOWS:

- 19 1. I am sole proprietor of a firm called 14th Colony based in Sacramento, California.
- 20 2. For the past 10 years, I have worked with numerous clients and their Websites to
21 determine if their sites are designed in a way and manner to make them appealing, user-friendly,
22 and accessible through a search engine.
- 23 3. Since 1999, I have regularly used the search engine of Google at www.google.com
24 multiple times each week on various topics. I have used the engine for both personal reasons
25 and client-related reasons. For client work, I carefully examine key word search engine results
26 pages generated by Google's engine. In all of my searches with Google's engine within the
27 U.S., I have never seen on a search engine results page any notice that the certain search results
28 were removed from view because of censorship or violation of Webmaster guidelines. Before

1 September 22, 2006, I communicated to Plaintiffs' counsel by telephone the foregoing
2 information about my search engine use and experience.

3 I DECLARE UNDER PENALTY OF PERJURY, that the above is based on my personal
4 knowledge, except for those matters above stated on information and belief.

5 Executed on this 19th day of October, 2006 in Sacramento, California.

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By: /s/ Randall McCarley
RANDALL McCARLEY

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