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9 Attorneys for Defendant
 10 Google Inc.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

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

17 Plaintiffs,

18 v.

19 GOOGLE INC., a Delaware corporation,

20 Defendant.

) CASE NO.: C 06-2057 JF (RS)
)
) **DECLARATION OF DAVID H.**
) **KRAMER IN SUPPORT OF**
) **DEFENDANT'S ADMINISTRATIVE**
) **MOTION TO CONSIDER**
) **WHETHER CASES SHOULD BE**
) **RELATED**

21 Before: Hon. Jeremy Fogel

1 I, David H. Kramer, declare as follows:

2 1. I am a partner with Wilson Sonsini Goodrich & Rosati (“WSGR”) and counsel of
3 record for Defendant Google Inc. (“Google”) in this action. The following facts are true of my
4 personal knowledge and if called and sworn as a witness, I could and would testify competently
5 to them.

6 2. On November 30, 2006, I contacted counsel for plaintiff Kinderstart.com LLC
7 (“Kinderstart”) and requested that counsel consent to Google’s request that the action captioned
8 *Person v. Google*, C 06-7297 JCS (“*Person*”), be accepted as a related case to the above-
9 captioned action. KinderStart’s Counsel, Greg Yu, Esq., consented to this request.

10 3. On November 30, 2006, I left a telephonic message for plaintiff Carl E. Person,
11 seeking to determine whether he would consent to Google’s request that his action be accepted
12 as a related case to the above-captioned action. Mr. Person did not respond to my inquiry. I
13 telephoned Mr. Person again on the morning of December 1, 2006, and left a further message
14 reiterating my request. Again, I did not receive a response.

15 4. Annexed hereto as Exhibit A is a copy of the Second Amended Complaint filed in
16 the above-captioned action.

17 5. Annexed hereto as Exhibit B is a copy of the docket sheet for Mr. Person’s
18 action, initially filed in the United States Court for the Southern District of New York.

19 6. Annexed hereto as Exhibit C is a copy of the Complaint filed in the *Person* action.

20 7. Annexed hereto as Exhibit D is a copy of the Opinion and Order, filed October
21 11, 2006 in *Person*, granting Google’s motion to dismiss the complaint for improper venue and
22 transferring the case to this Court.

23 I declare under penalty of perjury under the laws of the United States that the foregoing is
24 true and correct to the best of my knowledge.

25 Executed on December 1, 2006 at Palo Alto, California.

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By: /s/ David H. Kramer
David H. Kramer