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 Level 3 Communications, LLC
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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11 DEBORAH SALACH
 12 Plaintiff,

13 v.

14 LEVEL (3) COMMUNICATIONS, INC.,
 DAVID BELOVE, MIKE KOKINOS,
 15 DAVID ROSENBERG, and DOES 1
 through 100, inclusive,
 16 Defendants.
 17

) Case No. C 03 3712 MJJ
) Superior Court Case No.
) CGC 03418550

) **DECLARATION OF ANN HALEY**
) **FROMHOLZ IN SUPPORT OF**
) **DEFENDANT'S MOTION IN**
) **LIMINE TO EXCLUDE EVIDENCE**
) **OF ALLEGED HARASSMENT**

) Pretrial Conf. Date: October 19, 2004
) Time: 3:30 p.m.
) Ctrm: 11
) Judge: Hon. Martin J. Jenkins

) Complaint Filed: March 20, 2003
) Trial Date: November 1, 2004

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DECLARATION OF ANN HALEY FROMHOLZ

1. I am an associate with Seyfarth Shaw LLP, counsel for Defendant Level 3 Communications LLC (“Level 3” or “Defendant”) in the above-captioned case. I make this declaration on the basis of my own personal knowledge and if called upon to testify, I could and would competently testify to the following facts:

2. On or about July 19, 2004, Plaintiff Deborah Salach (“Salach” or “Plaintiff”) filed an opposition to Defendant’s Motion for Summary Judgment or Partial Summary Judgment. A true and correct copy of Plaintiff’s opposition is attached hereto as Exhibit A.

3. I attended the deposition of Plaintiff on January 8, 2004. True and correct copies of the certified transcript of the deposition of Plaintiff are attached hereto as Exhibit B.

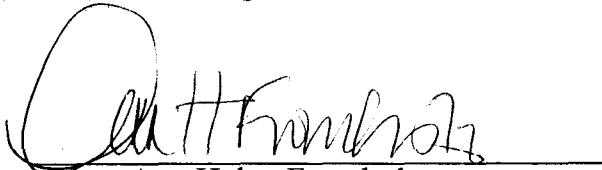
4. On or about September 21, 2004, I received a proposed exhibit list from Plaintiff. That list included two exhibits, numbers 18 and 23, entitled “Level 3 Working Environment Experience.” Exhibit 18 bears the date of February 2, 2002, and is addressed to Deborah Salach from Julie Riley Harrison. It describes Ms. Harrison’s perception of the Level 3 work environment. Exhibit 23 is undated and is not addressed to anyone. Although the document itself does not indicate an author, Plaintiff’s exhibit list states that it was authored by Ms. Harrison. Exhibit 23 also describes Ms. Harrison’s perception of the Level 3 work environment. True and correct copies of Plaintiff’s proposed Exhibits 18 and 23 are attached hereto as Exhibit C.

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I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Executed this 5th day of October, 2004, at Los Angeles, California.


Ann Haley Fromholz