1 John A Stottlemire
2 33103 Lake Garrison Street
   Fremont, CA 94555
3 Telephone: (614) 358-4185
   Email: jstottl@comcast.net
4 Defendant, *pro se*

5   UNITED STATES DISTRICT COURT

6   NORTHERN DISTRICT OF CALIFORNIA

7   SAN JOSE DIVISION

8

9 COUPONS, INC., a California corporation,   ) Case No.: 5:07-cv-03457-HRL
)
10   Plaintiff,   ) **DECLARATION OF JOHN**
) **STOTTLEMIRE IN SUPPORT OF**
11   vs.   ) **DEFENDANT'S MOTION TO DISMISS**
) **OR IN THE ALTERNATIVE MOTION**
12 JOHN STOTTLEMIRE, and DOES 1-10,   ) **FOR SUMMARY JUDGMENT**
) **PURSUANT TO FED. R. CIV. P. 56**
13   Defendant   )
) Date: December 4, 2007
14   ) Time: 10:00 a.m.
) Courtroom: 2, 5th Floor
15   ) Judge: Hon. Howard R. Lloyd

16   I, John Stottlemire, hereby declare:

17   1.   I am one of the Defendants in this action. I state all facts herein of my own

18 first hand knowledge, and if called as a witness, I could and would competently testify thereto.

19   2.   I personally printed the webpage attached as Exhibit A to this declaration and

20 attached as Exhibit A to Request for Judicial Notice in Support of John Stottlemire's Motion to

21 Dismiss Coupons, Inc's First Amended Complaint, or in the Alternative, for Summary Judgment.

22 This document was printed by me on August 28, 2007 and is a true and accurate copy of the

23 webpage shown when visiting Plaintiff's website at the internet address of

24 http://couponbar.coupons.com/CBInstall2.asp

25   3.   I personally printed the coupons attached as Exhibit B to this declaration and

26 attached as Exhibit B to Request for Judicial Notice in Support of John Stottlemire's Motion to

27 Dismiss Coupons, Inc's First Amended Complaint, or in the Alternative, for Summary Judgment.

28 These coupons were printed by me on September 14, 2007 and were obtained from Plaintiff's

Declaration of John Stottlemire in Support of Defendant's Motion to Dismiss or in the Alternative Motion for
Summary Judgment
No. C-07-03457 HRL

1

website. These coupons were printed using version 3.3.0.2 of the coupon printer software provided by the Plaintiff.

4.   I personally printed the coupons attached as Exhibit C to this declaration and attached as Exhibit C to Request for Judicial Notice in Support of John Stottlemire's Motion to Dismiss Coupons, Inc's First Amended Complaint, or in the Alternative, for Summary Judgment. These coupons were printed by me on September 14, 2007 and were obtained from Plaintiff's website. These coupons were printed using version 4.0.0.2 of the coupon printer software provided by the Plaintiff.

5.   I personally printed webpages attached as Exhibit D to this declaration and attached as Exhibit D to Request for Judicial Notice in Support of John Stottlemire's Motion to Dismiss Coupons, Inc's First Amended Complaint, or in the Alternative, for Summary Judgment. The first webpage was printed by me on July 12, 2007 and is a true and accurate copy of the webpage shown when visiting Plaintiff's website at the internet address of http://print.coupons.com/gmsa/Install.asp when using Microsoft Internet Explorer web browser. The second webpage was printed by me on July 12, 2007 and is a true and accurate copy of the webpage shown when visiting Plaintiff's website at the internet address of http://print.coupons.com/couponweb/Install.asp when using the Mozilla Firefox web browser. The third webpage is a google cached copy of a webpage printed by me on August 7, 2007 and is a true and accurate copy of the webpage shown when visiting Plaintiff's website at the internet address of http://print.coupons.com/gmsa/InstallAMac.asp on May 22, 2007.

6.   I personally printed the pdf file attached as Exhibit E to this declaration and attached as Exhibit E to Request for Judicial Notice in Support of John Stottlemire's Motion to Dismiss Coupons, Inc's First Amended Complaint, or in the Alternative, for Summary Judgment. The pdf file was printed on September 24, 2007 and is Plaintiff's response to Professor Benjamin Edelman's article entitled "A Closer Look At Coupons.com" as it appeared on Professor Edelman's website on September 24, 2007.
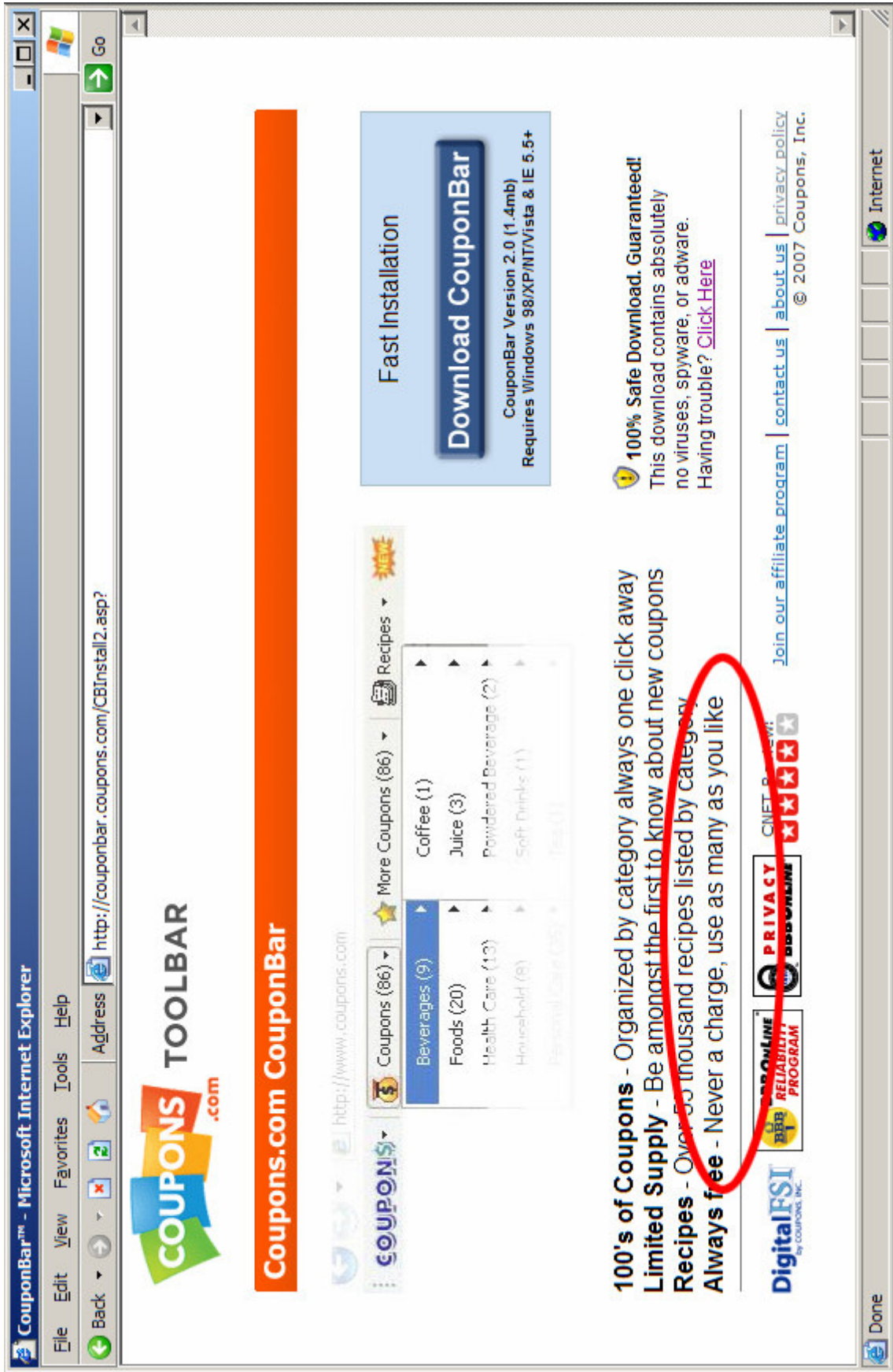
7.   I personally printed the webpage attached as Exhibit F to this declaration and attached as Exhibit F to Request for Judicial Notice in Support of John Stottlemire's Motion to

Declaration of John Stottlemire in Support of Defendant's Motion to Dismiss or in the Alternative Motion for Summary Judgment
No. C-07-03457 HRL

2

Dismiss Coupons, Inc's First Amended Complaint, or in the Alternative, for Summary Judgment. The webpage was printed by me on September 15, 2007 and is a true and accurate copy of the webpage shown when visiting Plaintiff's website at the internet address http://www.couponsinc.com/corp/source/oc_ourtechnology.asp

8. I personally printed the document shown as Exhibit G to this declaration and attached as Exhibit G to Request for Judicial Notice in Support of John Stottlemire's Motion to Dismiss Coupons, Inc's First Amended Complaint, or in the Alternative, for Summary Judgment. The document was printed on September 15, 2007 from the PACER database and is a true and accurate copy of that document.

9. I personally printed the webpage attached as Exhibit H to this declaration and attached as Exhibit H to Request for Judicial Notice in Support of John Stottlemire's Motion to Dismiss Coupons, Inc's First Amended Complaint, or in the Alternative, for Summary Judgment. This webpage was printed by me on September 22, 2007 and is a true and accurate copy of the webpage shown when visiting Defendant's website at the internet address http://www.tenbucks.net/index.cfm/2007/7/15

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 19th day of November, 2007 at Fremont, California.

Dated: November 19, 2007 _____/s/_____

John A Stottlemire, *pro se*

Declaration of John Stottlemire in Support of Defendant's Motion to Dismiss or in the Alternative Motion for Summary Judgment
No. C-07-03457 HRL

3

EXHIBIT A

File   Edit   View   Favorites   Tools   Help

Back   Address http://couponbar.coupons.com/CBInstall2.asp?   Go

COUPONS .com

TOOLBAR

Coupons.com CouponBar

http://www.coupons.com

COUPONS

Coupons (86) ▸   More Coupons (86) ▸   Recipes ▸   NEW!

Beverages (9)   Coffee (1)
Foods (20)   Juice (3)
Health Care (13)   Powdered Beverage (2)
Household (8)   Soft Drinks (1)
Personal Care (36)   Tea (1)

Fast Installation

Download CouponBar

CouponBar Version 2.0 (1.4mb)
Requires Windows 98/XP/NT/Vista & IE 5.5+

100% Safe Download. Guaranteed!
This download contains absolutely
no viruses, spyware, or adware.
Having trouble? Click Here

Join our affiliate program | contact us | about us | privacy policy
© 2007 Coupons, Inc.

100's of Coupons - Organized by category always one click away
Limited Supply - Be amongst the first to know about new coupons
Recipes - Over 65 thousand recipes listed by category
Always free - Never a charge, use as many as you like

DigitalFSI
by COUPONS INC.

BBB RELIABILITY PROGRAM   PRIVACY BBBONLINE   CNET Review!

Done   Internet

EXHIBIT B

Coupons.com

| MANUFACTURER'S COUPON | Expires 10/14/2007 |

Save $2.00

On (1) Bertolli Mediterranean Style variety or,
on any (1) Bertolli Complete Skillet Meal for Two variety

CONSUMER: Limit one coupon per purchase on product specified. Void if reproduced, transferred, used to purchase products for resale or where prohibited/regulated by law. Consumer pays sales tax. Redeemable at participating stores. RETAILER: Unilever, P.O. Box 880460, El Paso, TX 88588-0460 will reimburse the face value of this coupon, plus 8¢, if submitted in compliance with our redemption policy, available upon request. Cash value 1/100 of 1¢. Any use of this coupon not specified herein constitutes fraud. Valid only in the U.S. © 2007 Unilever.

RETAILER: Authenticate at www.veri-fi.com. Do not accept without a dot-scan barcode below the expiration date.

In Your Grocer's Freezer

57309142 wnex
000014463124 99999
01 09/14/07 10:19AM
752982

5 36200 64182 3   (8100)0 75298

www.villabertolli.com

MANUFACTURER'S COUPON

| DO NOT DOUBLE OR TRIPLE | Expires 10/14/2007 |

SAVE $1.10 ON THREE

when you buy THREE any variety
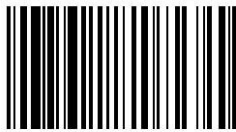**Green Giant® Frozen Boxed Vegetables**

Void if altered, copied, sold, purchased, transferred, exchanged or where prohibited or restricted by law. One coupon per purchase of specified product(s). Good only in USA, APOs & FPOs.

RETAILER: General Mills will reimburse you the face value of this coupon plus 8 cents if submitted in compliance with our redemption policy. Copy available upon request. Cash value 1/100 cent. Send to GENERAL MILLS, P.O. Box 880588, El Paso TX 88588-0588 or an authorized clearinghouse.

RETAILER: Authenticate at www.veri-fi.com. Do not accept without a dot-scan barcode below the expiration date.

CONSUMER: No other coupon may be used with this coupon. Consumer pays any sales tax.

57309142 wnex
000014466045 99999
01 09/14/07 10:19AM
618460

5 20000 31043 0   (8100)0 61846

www.greengiant.com

MANUFACTURER'S COUPON

| DO NOT DOUBLE OR TRIPLE | Expires 10/14/2007 |

SAVE $1.10 ON TWO

when you buy TWO any flavor Box or Pouch
Betty Crocker® Potatoes (Except Potato Buds®)

Void if altered, copied, sold, purchased, transferred, exchanged or where prohibited or restricted by law. One coupon per purchase of specified product(s). Good only in USA, APOs & FPOs.

RETAILER: General Mills will reimburse you the face value of this coupon plus 8 cents if submitted in compliance with our redemption policy. Copy available upon request. Cash value 1/100 cent. Send to GENERAL MILLS, P.O. Box 880588, El Paso TX 88588-0588 or an authorized clearinghouse.

RETAILER: Authenticate at www.veri-fi.com. Do not accept without a dot-scan barcode below the expiration date.

CONSUMER: No other coupon may be used with this coupon. Consumer pays any sales tax.

57309142 wnex
000014466041 99999
01 09/14/07 10:19AM
618351

5 16000 53143 2   (8100)0 61835

EXHIBIT C

Coupons.com

MANUFACTURER'S COUPON

Expires 10/14/2007

5958 3253 6302 3761

SAVE $2.00

On (1) Bertolli Mediterranean Style variety or, on any (1) Bertolli Complete Skillet Meal for Two variety

CONSUMER: Limit one coupon per purchase on product specified. Void if reproduced, transferred, used to purchase products for resale or where prohibited/regulated by law. Consumer pays sales tax. Redeemable at participating stores. RETAILER: Unilever, P.O. Box 880460, El Paso, TX 88588-0460 will reimburse the face value of this coupon, plus 8¢, if submitted in compliance with our redemption policy, available upon request. Cash value 1/100 of 1¢. Any use of this coupon not specified herein constitutes fraud. Valid only in the U.S. © 2007 Unilever.

752982

RETAILER: Authenticate at www.veri-fi.com. Do not accept without a dot-scan barcode below the expiration date.

In Your Grocer's Freezer   091407 029

5 36200 64182 3   (8100)0 75298

www.villabertolli.com

DO NOT DOUBLE OR TRIPLE

Expires 10/14/2007

5958 3253 6302 4589

MANUFACTURER'S COUPON

SAVE $1.10 ON THREE

when you buy THREE any variety
Green Giant® Frozen Boxed Vegetables

Void if altered, copied, sold, purchased, transferred, exchanged or where prohibited or restricted by law. One coupon per purchase of specified product(s). Good only in USA, APOs & FPOs.

RETAILER: General Mills will reimburse you the face value of this coupon plus 8 cents if submitted in compliance with our redemption policy. Copy available upon request. Cash value 1/100 cent. Send to GENERAL MILLS, P.O. Box 880588, El Paso TX 88588-0588 or an authorized clearinghouse.

618460

RETAILER: Authenticate at www.veri-fi.com. Do not accept without a dot-scan barcode below the expiration date.

CONSUMER: No other coupon may be used with this coupon. Consumer pays any sales tax.   091407 029

5 20000 31043 0   (8100)0 61846

www.greengiant.com

DO NOT DOUBLE OR TRIPLE

Expires 10/14/2007

5958 3253 6302 5042

MANUFACTURER'S COUPON

SAVE $1.10 ON TWO

when you buy TWO any flavor Box or Pouch
Betty Crocker® Potatoes (Except Potato Buds®)

Void if altered, copied, sold, purchased, transferred, exchanged or where prohibited or restricted by law. One coupon per purchase of specified product(s). Good only in USA, APOs & FPOs.

RETAILER: General Mills will reimburse you the face value of this coupon plus 8 cents if submitted in compliance with our redemption policy. Copy available upon request. Cash value 1/100 cent. Send to GENERAL MILLS, P.O. Box 880588, El Paso TX 88588-0588 or an authorized clearinghouse.

618351

RETAILER: Authenticate at www.veri-fi.com. Do not accept without a dot-scan barcode below the expiration date.

CONSUMER: No other coupon may be used with this coupon. Consumer pays any sales tax.   091407 029

5 16000 53143 2   (8100)0 61835

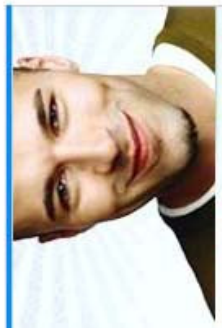# EXHIBIT D

INSTALLING COUPON PRINTER

You're just a minute away from printing the coupons you've selected! Please follow the instructions below to install our safe and secure Coupon Printer software. Once it's installed, your coupons will automatically be sent to your printer.

Installation Instructions

1. Click on the "install coupon printer" button below.
2. Click "Run" in the information window that appears.

Install Coupon Printer »

This will install the Coupon Printer. The Coupon Printer is needed to print barcodes properly so that they scan when you use them at the store.

Having trouble? Click here

Why Install the Coupon Printer?

The Coupon Printer contains security features needed to provide you with coupons you can use in a store. It does not install any third-party software, adware, or spyware, nor does it collect any personal information.

Privacy Policy

To install the Coupon Printer follow the installation instructions on the left. Happy Savings!

Coupons.com - Coupon Printer Install - Mozilla Firefox

File   Edit   View   History   Bookmarks   Tools   Help

http://print.coupons.com/couponweb/Install.aspx?pid=1290008zid=oh488nid=108qpt=RvNUAyDxVE20514455060

Google

Getting Started   Latest Headlines

Who We Are | Business Solutions | Affiliate Program | Privacy Policy

+ MY YAHOO!   + Google   + MY AOL   MY MSN+   RSS   COUPONS

COUPONS
.com

coupons   recipes

INSTALLING COUPON PRINTER

You're just a minute away from printing the coupons you've selected! Follow the instructions below to install our safe and secure Coupon Printer software. Once it's installed, your coupons will automatically be sent to your printer.

Installation Instructions

1. Click on "Install coupon printer" button below.
2. Download and Save the installer to your machine and then run the installer to install the print manager.

INSTALL COUPON PRINTER >>

If you experience problems during installation, please click here to read our troubleshooting instructions.

Why Install the Coupon Printer?

The Coupon Printer contains security features needed to provide you with coupons you can use in a store. It does not install any third-party software, adware, or spyware, nor does it collect any personal information.

Privacy Policy

To install the Coupon Printer follow the installation instructions on the left. Happy Savings!

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Help | Privacy Policy

DigitalFSI
by COUPONS, INC.

TRUSTe
CERTIFIED PRIVACY

BBBOnLine
RELIABILITY
PROGRAM

PRIVACY
BBBOnLine

NIVEA body

Good-bye
Cellulite

Hello
bikini

CLICK
NOW TO
SAVE
$ 2

Done

start   Coupons.com - Coup...   Project 1 - Colasoft C....   2:06 PM

Who We Are | Business Solutions | Affiliate
Program | Privacy Policy

coupons | recipes

INSTALLING COUPON PRINTER

You're just a minute away from printing the coupons you've selected! Please follow the instructions below to **install** our safe and secure Coupon Printer software. Once it's installed, your coupons will automatically be sent to your printer.

Installation Instructions

1. Click on "**install** coupon printer" button below.
2. Download and Save the package to your machine and then run the package installer to **install** the print manager.
3. Click "get coupons" after installing the print manager.

»» install coupon printer

Installed the Coupon Printer?

> get coupons

Why Install the Coupon Printer?

The Coupon Printer contains security features needed to provide you with coupons you can use in a store. It does not **install** any third-party software, adware, or spyware, nor does it collect any personal information.

Privacy Policy

To **install** the Coupon Printer follow the installation instructions on the left. Happy Savings!

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