

GAUNTLETT & ASSOCIATES

David A. Gauntlett (SBN 96399)
James A. Lowe (SBN 214383)
Brian S. Edwards (SBN 166258)
Christopher Lai (SBN 249425)
18400 Von Karman, Suite 300
Irvine, California 92612
Telephone: (949) 553-1010
Facsimile: (949) 553-2050
jal@gauntlettlaw.com
bse@gauntlettlaw.com
cl@gauntlettlaw.com

Attorneys for Defendants
Akanoc Solutions, Inc.,
Managed Solutions Group, Inc.
and Steve Chen

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

LOUIS VUITTON MALLETIER, S.A.,

Plaintiff,

vs.

AKANOC SOLUTIONS, INC., et al.,

Defendants.

) Case No.: C 07-3952 JW

) Magistrate Judge Howard R. Lloyd

) **DECLARATION OF STEVE CHEN**
) **IN SUPPORT OF DEFENDANTS'**
) **OPPOSITION TO VUITTON'S MOTION**
) **FOR MODIFICATION OF ORDER AND**
) **SANCTIONS**

) Date: May 26, 2009

) Time: 10:00 a.m.

) Ctrm: 2, 5th Floor

1 I, STEVE CHEN, declare as follows:

2 I am the President and manager of Managed Solutions Group, Inc. ("MSG") and Akanoc
3 Solutions, Inc. ("Akanoc"). I am also a named Defendant in this action. The facts set forth in this
4 declaration are of my own personal knowledge and I could competently testify to them if called as a
5 witness.

6 1. I am submitting this declaration in support of Defendants' opposition to Louis
7 Vuitton Malletier's ("Vuitton") motion for modification of order and sanctions.

8 2. The photographs attached as Exhibit "A" to Vuitton's motion for modification of
9 order and sanctions are photographs of the CPRO database used by Defendants in the course of their
10 business about which I testified during my depositions in April 2008 and which was provided to
11 Vuitton.

12 3. The CPRO database is a real-time database that lists the Internet protocol ("IP")
13 addresses currently in use, the corresponding customer number of the customer leasing that IP
14 address and the physical location, in Defendants' warehouse, of Internet servers associated with
15 those IP addresses. The CPRO database also may contain notes that are input by Defendants'
16 technical staff, such as when IP addresses are added to servers or removed from servers or when a
17 server is reset or rebooted.

18 4. The CPRO database does not give Defendants the ability to distinguish, examine or
19 monitor any content on Internet servers.

20 5. The CPRO database does not give Defendants the ability to distinguish between
21 publicly available content and private content stored on Internet servers.

22 6. One of the five servers identified by Vuitton for inspection was no longer in service
23 so it had been stored without change to be ready for the inspection on March 25, 2009.

24 ///

25 ///

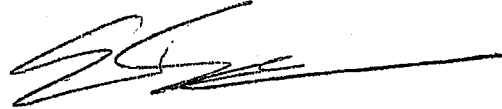
26 ///

27 ///

28 164847.1-10562-002-4/24/2009

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed at Fremont, California on April 24, 2009.

4 

5
6 STEVE CHEN

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28