

1 CINDY A. COHN, (California Bar No. 145997)
 cindy@eff.org
 2 JENNIFER STISA GRANICK (California Bar No. 168423)
 jennifer@eff.org
 3 ELECTRONIC FRONTIER FOUNDATION
 454 Shotwell Street
 4 San Francisco, CA 94110
 Telephone: (415) 436-9333 x108
 5 Facsimile: (415) 436-9993

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 7 Attorneys for *Amicus Curiae*
 Electronic Frontier Foundation

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 10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

13 FACEBOOK,

14 Plaintiff[s],

15 v.

16 POWER VENTURES,

17 Defendant[s].

No. 5:08-cv-05780-JW

DECLARATION OF JENNIFER STISA GRANICK IN SUPPORT OF MOTION FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE* ELECTRONIC FRONTIER FOUNDATION IN SUPPORT OF DEFENDANT POWER VENTURES' MOTION FOR SUMMARY JUDGMENT ON CAL. PENAL CODE 502(C)

Date: June 7, 2010
 Time: 1:30 p.m.
 Dept.: Hon. Judge James Ware

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 22 I, Jennifer Stisa Granick, declare and state:

23 1. I am an attorney duly licensed to practice before this court and all of the courts of the
 24 State of California. I am the Civil Liberties Director of *amicus* Electronic Frontier Foundation. I
 25 have personal knowledge of the matters stated herein. If called upon to do so, I could and would
 26 competently testify thereto.

27 2. In the course of preparing this brief I have discussed it and its contents with counsel for

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 DECLARATION OF JENNIFER STISA GRANICK IN SUPPORT
 OF MOTION FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE*
 EFF IN SUPPORT OF DEFENDANT POWER VENTURES'
 MOTION FOR SUMMARY JUDGMENT ON CAL. P. C. SEC.
 502(C)

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plaintiff and defendants.

3. Counsel for defendant Power.com, Scott Bursor, has stated that defendant consents to the filing of this *amicus* brief.

4. On April 29, 2009, after several discussions, counsel for plaintiff Facebook, Neel Chatterjee, stated that plaintiff objects to the filing of this *amicus* brief.

5. I declare under penalty of perjury that the foregoing is true and correct.

DATED: May 3, 2010

By /s/Jennifer Stisa Granick
Jennifer Stisa Granick, Esq