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12 Attorneys for Plaintiffs
 13 INTERSERVE, INC., dba TECHCRUNCH
 14 and CRUNCHPAD, INC.

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 17 **UNITED STATES DISTRICT COURT**
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 19 **NORTHERN DISTRICT OF CALIFORNIA**
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 21 **SAN JOSE DIVISION**

22 **INTERSERVE, INC., dba TECHCRUNCH,)**
 23 **a Delaware corporation, and CRUNCHPAD,)**
 24 **INC., a Delaware corporation,)**
 25
 26 Plaintiffs,)
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 28 vs.)
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 30 **FUSION GARAGE PTE. LTD., a Singapore)**
 31 **company,)**
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 33 Defendant.)
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Case No. CV-09-5812 RS (PVT)

**DECLARATION OF MATTHEW SCHERB
 IN SUPPORT OF MOTION FOR LEAVE
 TO FILE ENLARGED REPLY BRIEF**

Winston & Strawn LLP
 101 California Street
 San Francisco, CA 94111-5802

1 I, Matthew Scherb, declare pursuant to 28 U.S.C. § 1746:

2 1. I am an attorney at law duly licensed to practice before all the Courts of the State of
3 California, and a member in good standing of the Bar of the United States District Court for the
4 Northern District of California. I am an associate with the law firm of Winston & Strawn LLP,
5 counsel of record in this action for Plaintiffs.

6 2. Counsel for Plaintiffs attempted to secure a stipulation to this motion for leave to file
7 an enlarged reply brief from Defendant by sending an email on Monday, May 3, 2010. Plaintiffs
8 requested five additional pages. Defendants were willing to stipulate to two. Plaintiffs believe they
9 need five additional pages to adequately integrate new evidence and respond to Defendant's
10 arguments.

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

12 Executed May 3, 2010.

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14 /s/
Matthew A. Scherb

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