

1 Andrew P. Bridges (SBN: 122761)  
 2 [ABridges@winston.com](mailto:ABridges@winston.com)  
 3 David S. Bloch (SBN: 184530)  
 4 [DBloch@winston.com](mailto:DBloch@winston.com)  
 5 Matthew A. Scherb (SBN: 237461)  
 6 [MScherb@winston.com](mailto:MScherb@winston.com)  
 7 WINSTON & STRAWN LLP  
 8 101 California Street, 39th Floor  
 9 San Francisco, CA 94111-5802  
 10 Telephone: (415) 591-1000  
 11 Facsimile: (415) 591-1400

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

15  
 16  
 17 **UNITED STATES DISTRICT COURT**  
 18  
 19 **NORTHERN DISTRICT OF CALIFORNIA**

Winston & Strawn LLP  
 101 California Street  
 San Francisco, CA 94111-5894

20 **INTERSERVE, INC., dba TECHCRUNCH, )**  
 21 **a Delaware corporation, and CRUNCHPAD, )**  
 22 **INC., a Delaware corporation, )**  
 23  
 24 Plaintiffs, )  
 25  
 26 vs. )  
 27  
 28 **FUSION GARAGE PTE. LTD., a Singapore )**  
 29 **company, )**  
 30  
 31 Defendant. )  
 32 )  
 33 )  
 34 )  
 35 )  
 36 )  
 37 )  
 38 )  
 39 )  
 40 )  
 41 )  
 42 )  
 43 )  
 44 )  
 45 )  
 46 )  
 47 )  
 48 )  
 49 )  
 50 )

**Case No. CV-09-5812 RS (PVT)**

**ADMINISTRATIVE MOTION FOR  
 LEAVE TO FILE SUPPLEMENTAL  
 DECLARATIONS IN SUPPORT OF  
 PLAINTIFFS' MOTION FOR  
 PRELIMINARY INJUNCTION**

1 Pursuant to Local Civil Rules 7-11, Plaintiffs seek leave to file two documents in further  
2 support of their preliminary injunction motion:

3 (1) Supplemental Declaration of Andrew P. Bridges in Further Support of Plaintiffs' Motion  
4 for Preliminary Injunction ("Bridges Declaration"); and

5 (2) Supplemental Declaration of Keith Teare in Further Support of Plaintiffs' Motion for  
6 Preliminary Injunction ("Teare Declaration")

7 (collectively the "Proposed Declarations"). Plaintiffs lodge the Proposed Declarations along with  
8 this motion.

9 Plaintiffs filed their reply brief supporting their preliminary injunction motion on May 3,  
10 2010. On May 3, 2010 and again on May 5, 2010, Defendant and third-party McGrath Power  
11 produced approximately 38,000 pages of additional documents. Defendant produced approximately  
12 9,200 additional pages and McGrath Power produced approximately 27,000 pages. Plaintiffs did not  
13 have the opportunity to incorporate these documents into their reply brief. Plaintiffs nonetheless  
14 believe that the Court should have the opportunity to review a small number of these documents  
15 before the hearing on Plaintiffs' preliminary injunction motion this Thursday.

16 The Bridges Declaration contains three new, highly relevant documents from Fusion Garage  
17 and McGrath Power that were unavailable to Plaintiffs for use in their reply brief. (Bridges Decl. ¶¶  
18 2-5 & Exs. 1-3.) These three documents bear a "Confidential" designation, so Plaintiffs cannot  
19 discuss them in detail in this public brief. But the Bridges Declaration, lodged under seal, attaches  
20 and describes each of these documents. At a high level, the documents shed additional light on  
21 Defendant's plot to end its relationship with Plaintiffs and Defendant's misappropriation of one  
22 particular fruit of the CrunchPad venture in breach of its duty to Plaintiffs. The Bridges Declaration  
23 also contains one email that Plaintiffs produced earlier in the litigation but whose true relevance only  
24 became apparent after discovery of Exhibit 3. *Id.* ¶ 6 & Ex. 4.

25 The Teare Declaration, like Exhibit 4 to the Bridges Declaration, sheds further light on  
26 Exhibit 3. *Id.* ¶ 7.

27 Defendant has informed Plaintiffs that it does not consent to the relief this motion seeks.  
28

