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9 Attorneys for Defendant Fusion Garage PTE Ltd.

10
 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION
 14

15 INTERSERVE, INC. dba TECHCRUNCH, a
 16 Delaware corporation, and CRUNCHPAD,
 INC., a Delaware corporation,

17 Plaintiffs,

18 vs.

19 FUSION GARAGE PTE LTD., a Singapore
 20 company,

21 Defendant.

CASE NO. C 09-cv-5812 RS (PVT)

**DECLARATION OF PATRICK C.
 DOOLITTLE IN SUPPORT OF FUSION
 GARAGE'S NOTICE OF FURTHER
 CHALLENGES TO CONFIDENTIALITY
 DESIGNATIONS FROM TRANSCRIPT
 OF TECHCRUNCH 30(B)(6)
 DEPOSITION**

(Exhibits Lodged Under Seal)

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1 I, PATRICK C. DOOLITTLE declare as follows:

2 1. I am a member of the bar of the State of California and a partner in Quinn Emanuel
3 Urquhart & Sullivan, LLP, attorneys for Defendant Fusion Garage. Unless otherwise noted, I
4 make this declaration of personal knowledge, and if called and sworn as a witness, I could and
5 would testify competently thereto.

6 2. Exhibit A is a true and correct copy of a May 6, 2010 letter from Plaintiffs’
7 counsel Matthew Scherb to myself, in which Plaintiffs designated certain testimony and exhibits
8 from the TechCrunch 30(b)(6) deposition as “Confidential” or “Highly Confidential- Attorneys’
9 Eyes Only.”

10 3. Exhibit B is a true a correct copy of a document that Plaintiffs produced in this
11 litigation. This document purports to be an email exchange between TechCrunch personnel
12 Michael Arrington and Nik Cubrilovic, which was introduced as Exhibit 9 to the TechCrunch Rule
13 30(b)(6) deposition. This document should be provisionally filed under seal because TechCrunch
14 designated it as Confidential, although Fusion Garage is presently challenging this confidentiality
15 designation.

16 4. Exhibit C is a true a correct copy of a document that Plaintiffs produced in this
17 litigation. This document purports to be an email exchange between TechCrunch personnel
18 Michael Arrington and Nik Cubrilovic, which was introduced as Exhibit 10 to the TechCrunch
19 Rule 30(b)(6) deposition. This document should be provisionally filed under seal because
20 TechCrunch designated it as Confidential, although Fusion Garage is presently challenging this
21 confidentiality designation.

22 5. Exhibit D is a true and correct copy of excerpts from the transcript of the
23 TechCrunch Rule 30(b)(6) deposition. These excerpts should be provisionally filed under seal
24 because TechCrunch designated them as Confidential, although Fusion Garage is presently
25 challenging this confidentiality designation.

26 6. Fusion Garage’s Notice of Further Challenges to Confidentiality Designations
27 From the Transcript of TechCrunch’s 30(b)(6) Deposition (“Notice”) discusses certain portions of
28 Exhibits B, C, and D. Accordingly, the Motion should be provisionally filed under seal as well, in

1 order to protect the confidentiality of Exhibits B, C, and D. I will instruct my colleagues to file a
2 redacted version in the public record.

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

5 Executed this 12th day of May 2010 at San Francisco, California.

6 /s/ Patrick C. Doolittle
7 Patrick C. Doolittle

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