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10 Attorneys for Defendant Fusion Garage PTE Ltd.

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION
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16 INTERSERVE, INC. dba TECHCRUNCH, a
 Delaware corporation, and CRUNCHPAD,
 17 INC., a Delaware corporation,

18 Plaintiffs,

19 vs.

20 FUSION GARAGE PTE. LTD, a Singapore
 company,

21 Defendant.
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CASE NO. 09-cv-5812 RS (PVT)

**DECLARATION OF EVETTE D.
 PENNYPACKER IN SUPPORT OF
 FURTHER CHALLENGES TO
 CONFIDENTIALITY DESIGNATIONS**

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I, EVETTE D. PENNYPACKER, declare as follows:

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

2. Attached hereto as Exhibit A is a true and correct copy of excerpts from the May 13, 2010 hearing before Judge Seeborg regarding Fusion Garage’s Motion to Dismiss and Plaintiffs’ Motion for Preliminary Injunction.

3. Attached hereto as Exhibit B is a true and correct copy of excerpts from Plaintiff CrunchPad, Inc.’s Supplemental Responses to Fusion Garage’s First Set of Interrogatories, dated March 22, 2010. Both Plaintiffs’ Responses to Fusion Garage’s First Set of Interrogatories are identical to each other in all material respects.

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

Executed this 25th day of May 2010 at Redwood Shores, California.

/s/ Evette D. Pennypacker
Evette D. Pennypacker