

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
 Claude M. Stern (Bar No. 96737)
 2 claudestern@quinnemanuel.com
 Evette D. Pennypacker (Bar No. 203515)
 3 evettepennypacker@quinnemanuel.com
 555 Twin Dolphin Dr., 5th floor
 4 Redwood Shores, CA 94065
 Telephone: (650) 801-5000
 5 Facsimile: (650) 801-5100

6 Joshua L. Sohn (Bar No. 250105)
 Sam S. Stake (Bar No. 257916)
 7 50 California St., 22nd floor
 San Francisco, CA 94111
 8 Telephone: (650) 875-6600
 Facsimile: (650) 875-6700
 9

10 Attorneys for Defendant Fusion Garage PTE Ltd.

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION
 15

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.
 22

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

**DECLARATION OF EVETTE D.
 PENNYPACKER IN SUPPORT OF
 REPLY TO FUSION GARAGE'S
 RENEWED MOTION FOR PROTECTIVE
 ORDER**

Date: June 8, 2010
 Time: 10:00 a.m.
 Judge: Hon. Patricia Trumbull

1 I, EVETTE D. PENNYPACKER, 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. Attached hereto as Exhibit A is a true and correct copy of excerpts from the May
7 13, 2010 hearing before Judge Seeborg regarding Fusion Garage's Motion to Dismiss and
8 Plaintiffs' Motion for Preliminary Injunction.

9 3. Attached hereto as Exhibit B is a true and correct copy of excerpts from the
10 deposition of TechCrunch 30(b)(6) representative Michael Arrington, dated April 20, 2010.

11 4. Attached hereto as Exhibit C is a true and correct copy of excerpts from Plaintiff
12 CrunchPad, Inc.'s Supplemental Responses to Fusion Garage's First Set of Interrogatories, dated
13 March 22, 2010. I am informed that Plaintiff Interserve, Inc. dba TechCrunch's Responses to
14 Fusion Garage's First Set of Interrogatories are identical to the attached responses in all material
15 respects. Thus, for efficiency, those responses are not also attached here but can be made
16 available upon request.

17 5. Attached hereto as Exhibit D is a true and correct copy of a TechCrunch blog post
18 entitled "CrunchPad Federal Lawsuit filed; Some Additional Thoughts," dated December 19,
19 2009, available at [http://techcrunch.com/2009/12/11/crunchpad-federal-lawsuit-filed-some-
20 additional-thoughts/](http://techcrunch.com/2009/12/11/crunchpad-federal-lawsuit-filed-some-additional-thoughts/).

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

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

24 /s/ Evette D. Pennypacker
25 Evette D. Pennypacker
26
27
28