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6 Attorneys for Defendant Fusion Garage PTE. Ltd

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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SAN FRANCISCO DIVISION

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12 INTERSERVE, INC. dba TECHCRUNCH, a  
 Delaware corporation, and CRUNCHPAD,  
 13 INC., a Delaware corporation,

CASE NO. 09-cv-5812 RS

14 Plaintiffs,

**DECLARATION OF PATRICK C.  
 DOOLITTLE IN SUPPORT OF  
 OPPOSITION TO PLAINTIFFS'  
 MOTION FOR PRELIMINARY  
 INJUNCTION**

15 vs.

16 FUSION GARAGE PTE. LTD, a Singapore  
 company,

Date: May 13, 2010

Time: 1:30 p.m.

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Judge: Hon. Richard G. Seeborg

Defendant.

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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. Attached hereto as Exhibit A is a true and correct copy of relevant excerpts from  
7 the April 20, 2010 deposition of Plaintiff TechCrunch's 30(b)(6) representative, Michael  
8 Arrington. Counsel for TechCrunch has provisionally designated this deposition transcript as  
9 Highly Confidential-Attorneys' Eyes Only under the Stipulated Protective Order in this case.

10 3. Attached hereto as Exhibit B is a copy of an email from Nik Cubrilovic to Michael  
11 Arrington, dated August 18, 2009. Testimony authenticating this email can be found at page and  
12 line 263:15-267:12 of Mr. Arrington's April 20 deposition transcript, attached hereto as Exhibit A.  
13 This email is designated as Confidential under the Stipulated Protective Order.

14 4. Attached hereto as Exhibit C is a copy of an email from Nik Cubrilovic to Michael  
15 Arrington, dated August 23, 2009. Testimony authenticating this email can be found at page and  
16 line 270:16-272:21 of Mr. Arrington's April 20 deposition transcript, attached hereto as Exhibit A.  
17 This email is designated as Confidential under the Stipulated Protective Order.

18 5. Attached hereto as Exhibit D is a true and correct copy of Fusion Garage's Revised  
19 Notice of Rule 30(b)(6) deposition to TechCrunch, dated April 19, 2010.

20 6. Attached hereto as Exhibit E is a true and correct copy of Interserve dba  
21 TechCrunch's Supplemental Responses to Fusion Garage's First Set of Interrogatories, dated  
22 March 22, 2010.

23 7. On information and belief, attached hereto as Exhibit F is a true and correct copy of  
24 a news article entitled "JooJoo Tablet: These Court Docs Show Only 90 Preorders (with 15  
25 Returned)," available at the following web address: [http://gizmodo.com/5505724/joojoo-tablet-  
26 court-docs-show-90-preorders-and-15-returned](http://gizmodo.com/5505724/joojoo-tablet-court-docs-show-90-preorders-and-15-returned).

27 8. Attached hereto as Exhibit G is a true and correct copy of certain relevant excerpts  
28 of the April 22, 2010 rough transcript of the deposition of Chandrasekar Rathakrishnan.

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

Executed this 26<sup>th</sup> day of April 2010 at San Francisco, California.

/s/ Patrick C. Doolittle  
Patrick C. Doolittle