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and CRUNCHPAD, INC.

# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA 

SAN JOSE DIVISION
INTERSERVE, INC., dba TECHCRUNCH, ) Case No. CV-09-5812 RS (PVT)
a Delaware corporation, and CRUNCHPAD, ) INC., a Delaware corporation,

Plaintiffs,
vs.
FUSION GARAGE PTE. LTD., a Singapore ) company,

Defendant.
Date: May 13, 2010
Time: 1:30 P.M.
) Place: Courtroom 3, 17th Floor ) )

DECLARATION OF MATTHEW SCHERB IN OPPOSITION TO FUSION GARAGE'S MOTION TO DISMISS THE COMPLAINT
)
)

I, Matthew A. Scherb, declare:

1. I am an attorney at law duly licensed to practice before all the Courts of the State of California, and a member in good standing of the Bar of the United States District Court for the Northern District of California. I am an associate with the law firm of Winston \& Strawn LLP, counsel of record in this action for Plaintiffs.
2. Exhibit A to this declaration is a true and correct copy of the document that Defendant produced in this litigation starting with Bates number FG0029727.
3. Exhibit B to this declaration is a true and correct copy of the document that Defendant produced in this litigation starting with Bates number FG0013268.
4. Exhibit C to this declaration is a true and correct copy of the document that Defendant produced in this litigation starting with Bates number FG0013395.
5. Exhibit D to this declaration is a true and correct copy of the document that Defendant produced in this litigation starting with Bates number FG0029940.
6. Exhibit E to this declaration is a true and correct copy of the document that Defendant produced in this litigation starting with Bates number FG0029960.
7. Exhibit F to this declaration is a true and correct copy of the document that Defendant produced in this litigation starting with Bates number FG0030068.
8. Exhibit G to this declaration is a true and correct copy of the document that Defendant produced in this litigation starting with Bates number FG0029927.
9. Exhibit H to this declaration is a true and correct copy of page 379 of the April 20, 2010 deposition transcript of Plaintiffs' Michael Arrington in this litigation.
10. Exhibit I to this declaration is a true and correct copy of the document that Defendant produced in this litigation starting with Bates Number FG0000250.
11. Exhibit J to this declaration is a true and correct copy of the document that Defendant produced in this litigation starting with Bates Number FG0030010.

I declare under penalty of perjury that the foregoing is true and correct.
Executed this $26^{\text {th }}$ day of April, 2010, in San Francisco, California.

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\frac{\mathrm{ls} /}{\text { Matthew A. Scherb }}
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