

1 Erik Syverson (SBN 221933)  
PICK & BOYDSTON LLP  
2 617 S. Olive Street, Suite 400  
Los Angeles, CA 90014  
3 Telephone: (213) 624-1996  
Facsimile: (949) 624-9073  
4 E-Mail: eriksyverson@gmail.com

5 Attorneys for Petitioner and Defendant  
COMPLAINTSBOARD.COM (ERRONEOUSLY SUED AS ELIZABETH ARDEN)

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7  
8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 XCENTRIC VENTURES, LLC, an Arizona  
11 Corporation,

12 Plaintiff,

13 vs.

14 ELIZABETH ARDEN d/b/a  
COMPLAINTSBOARD.COM, et al.,

15 Defendant.

) Case No.: 2:08-cv-02299-HRH

) **DECLARATION OF ERIK SYVERSON**  
) **IN SUPPORT OF [PROPOSED]**  
) **PROTECTIVE ORDER PURSUANT TO**  
) **COURT'S JANUARY 27, 2010 ORDER**  
) **DENYING MOTION TO QUASH**

) Judge: Hon. Patricia V. Turnbull  
) Courtroom: 5

16 Xcentric Ventures, LLC v. Arden

Doc. 14 Att. 1

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**DECLARATION OF ERIK SYVERSON**

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I, Erik Syverson, declare as follows:

1. I am counsel for Defendant Complaintsboard.com in this matter.

2. I have personal knowledge of the facts set forth in this declaration and if called upon to testify under oath, I could and would testify competently thereto.

3. On January 27, 2010, this Court ordered that the parties submit a joint stipulated protective order or that each party submit their own proposed protective order for the Court's consideration.

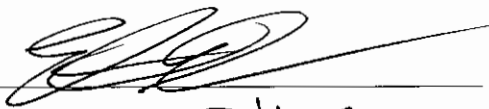
4. As shown by Exhibit "A" attached hereto, undersigned counsel attempted to work cooperatively with opposing counsel on a joint protective order. However, opposing counsel has never responded to Defendant's attempts to work cooperatively. In fact, opposing counsel has offered no input whatsoever as to the terms of the proposed protective order.

5. Given opposing counsel's failures, the Court should enter Defendant's [proposed] protective order as submitted – which is compliant with the Court's order to include a level of Attorney Eyes Only Protection.

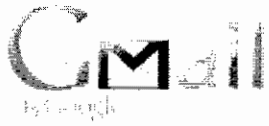
6. With regard to the Court's guidance that the parties may wish to enter into a similar protective order in the Arizona District Court in which this action originated, opposing counsel has been similarly silent.

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

Executed this 8 day in February at Los Angeles, CA, USA

  
\_\_\_\_\_  
(name) Erik Syverson

**EXHIBIT A**



erik syverson <eriksyverson@gmail.com>

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## xcentric v. complaints board,

erik syverson <eriksyverson@gmail.com>

Mon, Feb 8, 2010 at 4:34 PM

To: "Adam S. Kunz" <ask@jaburgwilk.com>

haven't heard back from you re: the protective order draft. we need to file tomorrow. if we can't agree, we just need to each submit our own version. it is due tomorrow pursuant to the court's order. let me know early am tomorrow either way, thanks,

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Erik Syverson, Attorney at Law

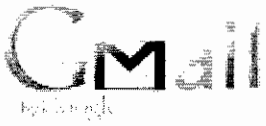
[www.syversonlaw.com](http://www.syversonlaw.com)

617 S. Olive Street, Suite 400

Los Angeles, CA 90014

T: 213-624-1996

F: 213-624-9073



erik syverson <eriksyverson@gmail.com>

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## xcentric v. complaints board,

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erik syverson <eriksyverson@gmail.com>

Fri, Jan 29, 2010 at 12:23 PM

To: "Adam S. Kunz" <ask@jaburgwilk.com>, "David S. Gingras" <dsg@jaburgwilk.com>

Bcc: bnetworksinc@gmail.com

gents, pursuant to the court's jan. 27 order, i attach a proposed protective order for your review and comment. would love to get any edits early next week - we need to file this by feb. 9. have a good weekend.

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Erik Syverson, Attorney at Law

[www.syversonlaw.com](http://www.syversonlaw.com)

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Los Angeles, CA 90014

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**Proposed Protective Orde.1-29-10.DOC**

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