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9 Attorneys for Defendant, The Board of Trustees of the California State University
 10 System, a public entity acting through its subdivision San Diego State University;
 11 and Robert A. Rauch, an individual

12 UNITED STATES DISTRICT COURT
 13 SOUTHERN DISTRICT OF CALIFORNIA

14 MARKETING INFORMATION
 15 MASTERS, INC., a California
 16 corporation,

17 Plaintiff,

18 v.

19 THE BOARD OF TRUSTEES OF THE
 20 CALIFORNIA STATE UNIVERSITY
 21 SYSTEM, a public entity acting through
 22 its subdivision SAN DIEGO STATE
 23 UNIVERSITY; and ROBERT A
 24 RAUCH, an individual,

25 Defendants.

26 CASE NO. 06CV 1682 JAH JMA

27 **DECLARATION OF ROBERT A.
 28 RAUCH IN SUPPORT OF MOTION
 TO DISMISS**

ACTION FILED: August 18, 2006

Hearing Date: January 18, 2007
 Time: 3:00 p.m.
 Dept: 11

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DECLARATION OF ROBERT A. RAUCH

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I, Robert A. Rauch, declare as follows:

1. I am a defendant in this action, and have personal knowledge of the facts set forth herein. If called upon as a witness to testify thereto, I could competently and truthfully do so.

2. At all times relevant to the facts alleged in the complaint, I was the Director of the Center for Hospitality and Tourism Management (the "Center") at San Diego State University ("SDSU"). The Center is part of the College of Professional Studies and Fine Arts at SDSU. As the Director of the Center, I was an employee of the State of California.

3. At all times relevant herein, the work I performed at the Center, including the work giving rise to this lawsuit, was done in course and scope of my employment as Director of the Center.

4. Specifically, with respect to my involvement in the creation of the "Estimated Economic Impact on San Diego Due to the 2004 Holiday Bowl" (the "Survey") the work I performed was entirely done pursuant to my employment at SDSU. I had no individual involvement in the creation of that Survey outside the scope of my employment at SDSU.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration was executed on November 15, 2006 at San Diego, California.



Robert A. Rauch

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