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12 Attorneys for Defendant,  
 13 BERT DEIXLER

14 UNITED STATES DISTRICT COURT  
 15 SOUTHERN DISTRICT OF CALIFORNIA

16 KEVIN VANGINDEREN,  
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 Plaintiff,  
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 v.  
 19 CORNELL UNIVERSITY, BERT DEIXLER,  
 20  
 Defendants.  
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) Case No. 08-CV-736-W-JMA

) Hon. Barry T. Moskowitz

) **DECLARATION OF TIMOTHY  
 STANLEY IN SUPPORT OF  
 CORNELL'S AND BERT DEIXLER'S  
 SPECIAL MOTIONS TO STRIKE  
 PLAINTIFF'S COMPLAINT  
 PURSUANT TO SECTION 425.16 OF  
 THE CALIFORNIA CODE OF CIVIL  
 PROCEDURE**

) [Per chambers, no oral argument unless  
 requested by the Court]

) [Special Motions to Strike and Davidson  
 Declaration filed concurrently]

) Hearing Date: July 3, 2008  
 Time: 11:00 a.m.  
 Place: Courtroom 15

) Action Filed: April 8, 2008

**DECLARATION OF TIMOTHY STANLEY**

I, Timothy Stanley, declare:

1. I am CEO and co-founder of Justia.com. I submit this Declaration in support of defendant Cornell University's Special Motion to Strike Plaintiff's Complaint Pursuant to Section 425.16 of the California Code of Civil Procedure and defendant Bert Deixler's Special Motion to Strike Plaintiff's Complaint Pursuant to Section 425.16 of the California Code of Civil Procedure. I make this declaration of my own personal knowledge except where otherwise stated, and if called as a witness, I could and would testify competently as set forth below.

2. Justia.com is a website that focuses on making legal information, resources and services easy to find on the Internet. The company provides Internet users with free case law, codes, regulations, legal articles and legal blog databases, as well as community resources. Justia works with educational, public interest and other socially focused organizations to bring legal and consumer information to the online community.

3. As part of Justia.com's aforementioned mission, Justia.com features certain filings in federal court cases. One such district is the Southern District of California. We tend to focus on filings related to electronic information and intellectual property. We find new cases to feature based on keeping track of filings on PACER.

4. Consistent with our focus on cases involving electronic information and intellectual property, we decided to feature the docket of *Vanginderen v. Cornell University*, 07-cv-2045-BTM-JMA (the "2007 Action"). It was our view that the case had important implications for the future of publicly-available works and the extent to which libraries will be willing to circulate information freely.

5. Attached hereto as Exhibit A is a true and correct copy of the Justia.com page covering *Vanginderen v. Cornell University*, 07-cv-2045-BTM-

1 JMA, as of May 1, 2008. The page is accessible at  
2 <http://news.justia.com/cases/featured/california/casdce/3:2007cv02045/257249/>.

3 6. I never spoke to anyone from Cornell University or Proskauer Rose  
4 LLP – including but not limited to Bert Deixler, Clifford Davidson, Charles Sims,  
5 Nelson Roth or Valerie Cross Dorn – about the 2007 Action until I was asked to  
6 submit this declaration. Further, I have surveyed Justia.com personnel, who report  
7 that they have not discussed the 2007 Action with anyone they know to be affiliated  
8 with Cornell University or Proskauer Rose LLP.

9  
10 I declare under penalty of perjury under the laws of California and the United  
11 States of America that the foregoing is true and correct.

12 Executed this 1st day of May, 2008, at Mountain View, California.

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