Plaintiff,) Hon. Barry T. Moskowitz
v. CORNELL UNIVERSITY, BERT DEIXLER, Defendants.	DECLARATION OF TIMOTHY STANLEY IN SUPPORT OF CORNELL'S AND BERT DEIXLER'S SPECIAL MOTIONS TO STRIKE PLAINTIFF'S FIRST AMENDED 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: August 22, 2008

Action Filed: April 8, 2008

11:00 a.m.

Courtroom 15

Time:

Place:

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- 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 First Amended Complaint Pursuant to Section 425.16 of the California Code of Civil Procedure and defendant Bert Deixler's Special Motion to Strike Plaintiff's First Amended 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. Justia.com commenced its coverage of *Vanginderen v. Cornell University*, 07-cv-2045-BTM-JMA (the "2007 Action") based on these criteria.
- 4. Consistent with our focus on cases involving electronic information and intellectual property, we decided to feature the docket of 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 ı	page covering Vanginderen v. Cornell University, 07-cv-2045-BTM-
JMA, as of May 1, 2008. The page is accessible at		
http://	news.	justia.com/cases/featured/california/casdce/3:2007cv02045/257249/

6. Prior to the filing of the above-captioned litigation on April 8,2008, there was no communication whatsoever between anyone at Justia.com and anyone from Cornell University or Proskauer Rose who was involved in case No. 07-cv-2045 BTM (JMA) (the "2007 Action"). There were no faxes, no e-mails and no written correspondence between anyone at Justia.com and anyone involved in the 2007 Action.

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

Executed this 27 day of June, 2008, at Mountain View, California.

Timothy Stanley