

1 Gregory P. Olson (Ca. Bar No. 177942)  
LAW OFFICE OF GREGORY P. OLSON  
2 501 West Broadway, Suite 1370  
San Diego, CA 92101  
3 Telephone: (619) 564-3650  
Facsimile: (619) 233-1969  
4 [greg@olsonesq.com](mailto:greg@olsonesq.com)

5 Daniel Kotchen (*Pro Hac Vice Application Forthcoming*)  
Daniel Low (*Pro Hac Vice Application Forthcoming*)  
6 Robert Klinck (*Pro Hac Vice Application Forthcoming*)  
KOTCHEN & LOW LLP  
7 2300 M. Street NW, Suite 800  
Washington, DC 20037  
8 Telephone (202) 416-1848  
Facsimile: (202) 280-1128  
9 [dkotchen@kotchen.com](mailto:dkotchen@kotchen.com)  
[dlow@kotchen.com](mailto:dlow@kotchen.com)  
10 [rklinck@kotchen.com](mailto:rklinck@kotchen.com)

11 *Attorneys for Plaintiffs*

12  
13 IN THE UNITED STATES DISTRICT COURT  
14 SOUTHERN DISTRICT OF CALIFORNIA

15 SAMBREEL HOLDINGS LLC; YONTOO LLC;  
16 and THEME YOUR WORLD LLC,

17 Plaintiffs,

18 vs.

19 FACEBOOK, INC.,  
Sambreel Holdings LLC et al v. Facebook, Inc. Doc. 3 Att. 4

20 Defendant.

Case No. 3:12-CV-0068-W-KSC

**DECLARATION OF BRAD MILLER IN  
SUPPORT OF MOTION FOR  
PRELIMINARY INJUNCTION**

Hon. Thomas J. Whelan

Hearing Date: April 23, 2012  
Hearing Time: 10:00 a.m.  
Dept: Courtroom 7

21  
22 **DECLARATION OF BRAD MILLER**

23 I, Brad Miller, declare as follows:

24 1. I am the Chief Revenue Officer of Sambreel Holdings LLC. Throughout this declaration,  
25 I will refer to Sambreel Holdings LLC, Yontoo LLC, and Theme Your World LLC collectively as  
26 "Sambreel" unless there is a reason to refer only to a specific entity.  
27  
28





1 campaign.

2 16. In addition to the existing users who were lost, Sambreel significantly reduced its  
3 marketing spend in direct response to the gating campaign. Sambreel estimates that there were  
4 approximately 300,000 users that were never acquired as a result of this marketing spend reduction.

5 17. The loss of users resulted in a significant decrease in the number of advertising  
6 impressions that Sambreel had available to sell across its product line.

7 18. In late December 2011, Sambreel had to agree to cease all advertising on PageRage so  
8 that Facebook would stop its gating campaign. As a direct result, Sambreel has been losing the \$100,000  
9 to \$150,000 in revenue that PageRage was generating by late 2011.

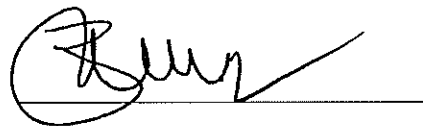
10 19. The timing of Facebook's gating campaign caused particular problems for Sambreel  
11 because December should have been its most profitable month. Instead, Sambreel's revenues for  
12 December fell precipitously, and Sambreel posted a loss of almost \$2 million for that month.

13 20. Sambreel has posted a loss in every month since December 2011. Theme Your World has  
14 been operating at a significant loss during that same period because PageRage has not been generating  
15 advertising revenue.

16 21. Exhibit 17 to Sambreel's Notice of Lodgment is a true and correct copy of an e-mail I  
17 received from Joe Prusz of Rubicon Project on August 17, 2011. The e-mail contains a communications  
18 that Rubicon Project received from Facebook on August 15, 2011.

19 I declare, under penalty of perjury, that the foregoing is true and correct to the best of my  
20 knowledge.

21 Executed this 16th day of March 2012, at Carlsbad, California.

22  
23 

24 Brad Miller