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11 *Attorneys for Plaintiffs*

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

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

16 Plaintiffs,

17 vs.

18 FACEBOOK, INC.,

19 Defendant.

Case No. 3:12-CV-00668-W-KSC

**DECLARATION OF ROBERT KLINCK 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

20  
21 **DECLARATION OF ROBERT KLINCK**

22 I, Robert Klinck, declare as follows:

23 1. I am one of the attorneys representing Sambreel Holdings LLC, Yontoo LLC, and Theme  
24 Your World LLC.

25 2. Exhibit 1 to Sambreel's Notice of Lodgment is a true and correct copy of excerpts from  
26 the Form S-1 filed with the United States Securities and Exchange Commission by Facebook, Inc. on  
27 February 1, 2012. This document was downloaded on March 16, 2012.

1           3.       Exhibit 2 to Sambreel's Notice of Lodgment is a true and correct copy of an article  
2 published by Adweek entitled "Data Points: Social System Facebook is still the biggest social network,  
3 but its growth has spawned many smaller options," which is dated February 7, 2012. This article is  
4 available at: [www.adweek.com/news/advertising-branding/data-points-social-system-](http://www.adweek.com/news/advertising-branding/data-points-social-system-137981?utm_source=twitterfeed&utm_medium=twitter)  
5 [137981?utm\\_source=twitterfeed&utm\\_medium=twitter](http://www.adweek.com/news/advertising-branding/data-points-social-system-137981?utm_source=twitterfeed&utm_medium=twitter).

6           4.       Exhibit 3 to Sambreel's Notice of Lodgment is a true and correct copy of a press release  
7 by Experian Hitwise entitled "Facebook was the top search term for third straight year," which is dated  
8 December 21, 2011. This press release is available at: [http://www.experian.com/hitwise/press-release-](http://www.experian.com/hitwise/press-release-facebook-was-the-top-search-term-for-2011.html)  
9 [facebook-was-the-top-search-term-for-2011.html](http://www.experian.com/hitwise/press-release-facebook-was-the-top-search-term-for-2011.html).

10          5.       Exhibit 4 to Sambreel's Notice of Lodgment is a true and correct copy of a weblog  
11 entitled "10 Key Statistics about Facebook," which is dated February 2, 2012. This weblog is available  
12 at: [http://weblogs.hitwise.com/heather-dougherty/2012/02/10\\_key\\_statistics\\_about\\_facebo\\_1.html](http://weblogs.hitwise.com/heather-dougherty/2012/02/10_key_statistics_about_facebo_1.html).

13          6.       Exhibit 5 to Sambreel's Notice of Lodgment is a true and correct copy of a report by  
14 comScore entitled "U.S. Digital Future in Focus 2012," which is dated February 9, 2012. I downloaded a  
15 copy of this document in February 2012. The document is available for download at:  
16 [http://www.comscore.com/Press\\_Events/Presentations\\_Whitepapers/2012/2012\\_US\\_Digital\\_Future\\_in\\_](http://www.comscore.com/Press_Events/Presentations_Whitepapers/2012/2012_US_Digital_Future_in_Focus)  
17 [Focus](http://www.comscore.com/Press_Events/Presentations_Whitepapers/2012/2012_US_Digital_Future_in_Focus).

18          7.       Exhibit 6 to Sambreel's Notice of Lodgment is a true and correct copy of a press release  
19 by comScore entitled "U.S. Online Display Advertising Market Delivers 1.1 Trillion Impressions in Q1  
20 2011," which is dated May 4, 2011. This document is available at:  
21 [http://www.comscore.com/Press\\_Events/Press\\_Releases/2011/5/U.S.\\_Online\\_Display\\_Advertising\\_Mar](http://www.comscore.com/Press_Events/Press_Releases/2011/5/U.S._Online_Display_Advertising_Market_Delivers_1.1_Trillion_Impressions_in_Q1_2011)  
22 [ket\\_Delivers\\_1.1\\_Trillion\\_Impressions\\_in\\_Q1\\_2011](http://www.comscore.com/Press_Events/Press_Releases/2011/5/U.S._Online_Display_Advertising_Market_Delivers_1.1_Trillion_Impressions_in_Q1_2011).

23          8.       Exhibit 7 to Sambreel's Notice of Lodgment is a true and correct copy of a press release  
24 by comScore entitled "Americans Received 1 Trillion Display Ads in Q1 2010 as Online Advertising  
25 Market Rebounds from 2009 Recession," which is dated May 13, 2010. This document is available at:  
26 [http://www.comscore.com/Press\\_Events/Press\\_Releases/2010/5/Americans\\_Received\\_1\\_Trillion\\_Displa](http://www.comscore.com/Press_Events/Press_Releases/2010/5/Americans_Received_1_Trillion_Display_Ads_in_Q1_2010_as_Online_Advertising_Market_Rebounds_from_2009_Recession)  
27 [y\\_Ads\\_in\\_Q1\\_2010\\_as\\_Online\\_Advertising\\_Market\\_Rebounds\\_from\\_2009\\_Recession](http://www.comscore.com/Press_Events/Press_Releases/2010/5/Americans_Received_1_Trillion_Display_Ads_in_Q1_2010_as_Online_Advertising_Market_Rebounds_from_2009_Recession).

1           9.       Exhibit 8 to Sambreel's Notice of Lodgment is a true and correct copy of a screenshot of a  
2 page on Facebook's website entitled "Advertising Providers on Facebook Platform." I created this  
3 screenshot on March 3, 2012. The web address for this page is:

4 <http://developers.facebook.com/adproviders/>.

5           10.       Exhibit 9 to Sambreel's Notice of Lodgment is a true and correct copy of a screenshot of a  
6 page on Facebook's website entitled "Facebook Advertising Guidelines." I created this screenshot on  
7 March 15, 2012. The web address for this page is: [http://www.facebook.com/ad\\_guidelines.php](http://www.facebook.com/ad_guidelines.php).

8           11.       Exhibit 10 to Sambreel's Notice of Lodgment is a true and correct copy of a screenshot of  
9 a page on Facebook's website entitled "Platform Terms for Advertising Partners." I created this  
10 screenshot on March 3, 2012. The web address for this page is:

11 [http://developers.facebook.com/ad\\_provider\\_terms/](http://developers.facebook.com/ad_provider_terms/).

12           12.       Exhibit 22 to Sambreel's Notice of Lodgment is a true and correct copy of excerpts from  
13 an article by David S. Evans entitled "The Online Advertising Industry: Economics, Evolution, and  
14 Privacy." The article is available at: <http://www.intertic.org/Policy%20Papers/EvansEOAI.pdf>.

15           13.       Exhibit 23 to Sambreel's Notice of Lodgment is a true and correct copy of a report  
16 prepared by the Interactive Advertising Bureau entitled "IAB Platform Status Report: User Generated  
17 Content, Social Media, and Advertising – An Overview," which is dated April 2008. This document is  
18 available at: [http://www.iab.net/media/file/2008\\_ugc\\_platform.pdf](http://www.iab.net/media/file/2008_ugc_platform.pdf).

19           14.       Exhibit 24 to Sambreel's Notice of Lodgment is a true and correct copy of a report created  
20 by the CMO Survey entitled "Highlights and Insights," which is dated February 2012. The report is  
21 available for download at: <http://cmosurvey.org/results/>.

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

24                       Executed this 16th day of March 2012, at Washington, D.C.

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27                       Robert Klinck