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 RICHARD W. WIEBING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

8 Attorneys for Plaintiff and Counterclaim Defendant
 9 INTERNET ARCHIVE

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN FRANCISCO DIVISION**

ORIGINAL

13 INTERNET ARCHIVE, a California 501(c)(3)
 14 non-profit organization,

15 Plaintiff,

16 v.

17 SUZANNE SHELL, a Colorado resident,

18 Defendant.

Case No.: C 06 0397 (JSW)

**DECLARATION OF MICHAEL H.
 RUBIN IN SUPPORT OF
 INTERNET ARCHIVE'S
 OPPOSITION TO SHELL'S
 MOTION TO TRANSFER**

Date: May 19, 2006
 Time: 9:00 a.m.
 Before: Hon. Jeffrey S. White
 Location: Courtroom 2, 17th Floor

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 20 I, Michael H. Rubin, declare as follows:

21 1. I am an attorney duly admitted to practice in California and before this Court. I
 22 am an attorney at the law firm of Perkins Coie LLP in San Francisco, California, counsel for
 23 plaintiff Internet Archive in the above-captioned action. I make this declaration of my own
 24 personal knowledge, and, if called as a witness, I could and would testify competently to the
 25 facts set forth herein.

26 2. On April 24, 2006, I spoke with William Tower, a paralegal and law student who
 27 resides in Sacramento, California. Mr. Tower is also the President of the American Family
 28 Rights Association and it is in that capacity that he has come to know Defendant and

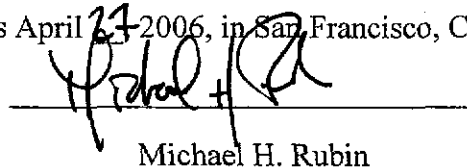
1 Counterclaimant Suzanne Shell (Shell”).

2 3. Mr. Tower detailed to me a meeting that he had with Shell in San Jose, California
3 in or about September 2005. According to Mr. Tower, Ms. Shell was in California working with
4 a paying client in connection with her advocacy business. He informed me that the meeting took
5 place in San Jose because that was close to the court in which Shell was appearing as an
6 advocate.

7 4. Mr. Tower also advised me that Shell has been seeking to establish branches of
8 her Family Rights Advocacy Institute in California.

9 5. Based on my conversations with Mr. Tower, I believe that discovery limited to
10 issues of personal jurisdiction and venue would yield admissible evidence regarding not only
11 those contacts, but also information regarding additional contacts between Shell and this district.
12

13 I declare under penalty of perjury under the laws of the United States that the foregoing is
14 true and correct. This declaration is executed this April 27, 2006, in San Francisco, California.

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16 _____
17 Michael H. Rubin

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