

**IN THE UNITED STATES COURT
FOR THE DISTRICT OF DELAWARE**

LEADER TECHNOLOGIES, INC., a Delaware corporation,)	
)	CIVIL ACTION
)	
Plaintiff and Counterdefendant,)	No. 1:08-cv-00862-JJF
)	
v.)	
)	PUBLIC VERSION
FACEBOOK, INC., a Delaware corporation,)	
)	
Defendant and Counterclaimant.)	
)	

**DECLARATION OF JEFFREY NORBERG IN SUPPORT OF DEFENDANT
FACEBOOK, INC.'S ANSWERING BRIEF IN RESPONSE TO PLAINTIFF'S LEADER
TECHNOLOGY, INC.'S ASSERTION OF PRIVILEGE**

I, Jeffrey Norberg, declare:

1. I am an attorney with Cooley Godward Kronish LLP, of counsel in this action for defendant Facebook, Inc. I make this declaration in support of Defendant Facebook's Answering Brief in Response to Plaintiff's Leader Technology, Inc.'s Assertion of Privilege. I have personal knowledge of the facts contained within this declaration, and if called as a witness, could testify competently to the matters contained herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of a letter I received on October 30, 2009 from Leader Technologies, Inc.'s ("LTI's") Counsel Lisa Kobialka.

3. Attached hereto as Exhibit 2 is a true and correct copy of a document bearing production label numbers LTI078262-64, which was produced in this litigation by LTI.

4. Attached hereto as Exhibit 3 is a true and correct copy of an e-mail exchange dated November 4, 2009 between me and LTI's counsel James Hannah.

DATED FILED: March 8, 2010

PUBLIC VERSION FILED: March 18, 2010

5. Attached hereto as Exhibit 4 is a true and correct copy of a November 11, 2009 letter from Heidi Keefe, counsel to Facebook, to Paul Andre, counsel to LTI.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts of the transcript from the November 13, 2009 discovery hearing in this case.

7. Attached hereto as Exhibit 6 is a true and correct copy of a document bearing production label number NEYER000103, which was produced in this litigation by Neyer Holding Co.

8. Attached hereto as Exhibit 7 is a true and correct copy of a document bearing production label numbers NEYER000208-218, which was produced in this litigation by Neyer Holding Co.

9. Attached hereto as Exhibit 8 is a true and correct copy of a December 15, 2009 e-mail exchange between me and LTI's counsel Kristopher Kastens. Relevant sections of the e-mail have been marked for the convenience of the Court.

10. Attached hereto as Exhibit 9 is a true and correct copy of the November 20, 2009 IP Investments privilege log prepared and issued by King & Spalding.

11. Attached hereto as Exhibit 10 is a true and correct copy of excerpts of the transcript of the December 23, 2009 discovery hearing held in this case.

12. Attached hereto as Exhibit 11 is a true and correct copy of a January 15, 2010 letter from Paul Andre to Heidi Keefe.

13. Attached hereto as Exhibit 12 is a true and correct copy of a January 20 e-mail from me to James Hannah.

14. Attached hereto as Exhibit 13 is a true and correct copy of Mr. Hannah's January 27, 2010 response to my January 20 e-mail.

15. Attached hereto as Exhibit 14 is a true and correct copy of excerpts from the rough transcript of Volume II of the deposition of Michael McKibben and LTI. Relevant sections of the transcript have been marked for the convenience of the Court.

16. Attached hereto as Exhibit 15 is a true and correct copy of excerpts from the

rough transcript of the deposition of Jonathan Piurko and NW Patent Funding Co. (“Northwater”). Relevant sections of the transcript have been marked for the convenience of the Court.

17. Attached hereto as Exhibit 16 is a true and correct copy of excerpts from the transcript of the deposition of L. Stephen Boord and Neyer Holding Co. Relevant sections of the transcript have been marked for the convenience of the Court.

18. Attached hereto as Exhibit 17 is a true and correct copy of a document bearing production label numbers NEYER000104, which was produced in this litigation by Neyer Holding Co.

19. Attached hereto as Exhibit 18 is a true and correct copy of a December 8, 2009 from Dan Segal, counsel to Northwater and James Hannah.

20. Attached hereto as Exhibit 19 is a true and correct copy of a document entitled “Privilege Log of NW Patent Funding Corporation.” This document was prepared by and provided to Facebook by LTI’s counsel, not Northwater’s counsel.

21. Attached hereto as Exhibit 20 is a true and correct copy of a document bearing production label numbers LTII46049-52, which was produced in this litigation by LTI. This document was produced as a result of this Court’s November 13, 2009 Order requiring LTI to produce all NDAs.

22. Attached hereto as Exhibit 21 is a true and correct copy of a document bearing production label numbers LTII46099-113, which was produced in this litigation by LTI. This document was produced as a result of this Court’s November 13, 2009 Order requiring LTI to produce all NDAs.

23. Attached hereto as Exhibit 22 is a true and correct copy of a document bearing production label numbers NWPF0020-23, which was produced in this litigation by Northwater.

24. Attached hereto as Exhibit 23 is a true and correct copy of excerpts from the transcript of the deposition of Ryan Strong and IP Investments.

25. Attached hereto as Exhibit 24 is a true and correct copy of the rough transcript of

the deposition of David Tierney and The Marston Group. Relevant sections of the transcript have been marked for the convenience of the Court. At his deposition, Mr. Tierney produced a copy of the same document produced by Neyer at NEYER 000208-218 entitled "The Provenance of an Internet Invention." This document was marked as Exhibit No. 313.

26. Attached hereto as Exhibit 25 is a true and correct copy of LTI's first Privilege Log, produced by LTI on May 28, 2009.

27. Attached hereto as Exhibit 26 is a true and correct copy of LTI's second Privilege Log, produced by LTI on July 16, 2009.

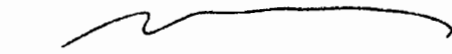
28. Attached hereto as Exhibit 27 is a true and correct copy of LTI's third Privilege Log, produced by LTI on November 20, 2009.

29. Attached hereto as Exhibit 28 is a true and correct copy of excerpts from the transcript of the deposition of Sol Saad and Ladenburg Thalmann.

30. Attached hereto as Exhibit 29 is a true and correct copy of a letter dated February 17, 2010 from Kristopher Kastens to me.

31. Attached hereto as Exhibit 30 is a true and correct copy of an article I printed from the "Your ABA" website entitled "Litigation Financing." Relevant sections of the article have been marked for the convenience of the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 8, 2010 in Palo Alto, California.



Jeffrey Norberg