

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

LEADER TECHNOLOGIES, INC., a  
Delaware corporation,

Plaintiff-Counterdefendant,

v.

FACEBOOK, INC., a Delaware corporation,

Defendant-Counterclaimant.

Civil Action No. 08-862-JJF/LPS

**DECLARATION OF JEFFREY T. NORBERG IN SUPPORT OF DEFENDANT  
FACEBOOK, INC.'s MOTION FOR SUMMARY JUDGMENT OF NO WILLFUL  
INFRINGEMENT OF U.S. PATENT NO. 7,139,761**

**[MOTION NO. 4 OF 6]**

I, Jeffrey T. Norberg, declare:

1. I am an attorney with Cooley Godward Kronish LLP, of counsel in this action for Defendant Facebook, Inc. ("Facebook"). I make this declaration in support of Facebook's Motion for Summary Judgment of No Willful Infringement of U.S. Patent No. 7,139,761. 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 excerpts from the rough transcript of the May 11, 2010 deposition of Mark Zuckerberg, including pages 5-6 and 13-20.

3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of Facebook, Inc.'s Response to Leader Technologies, Inc.'s First Set of Requests for Admission (Nos. 1-34), served by Facebook on Leader Technologies Inc. ("LTI") on May 21, 2009, including pages 1-5 and 15-17.

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from Leader Technologies, Inc.'s Objections and Responses to Facebook Inc.'s Request for Admissions (I-

20), Set One, served by Leader Technologies, Inc. (“LTI”) on Facebook on September 4, 2009, including pages 1-7 and 14-16.

5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from Plaintiff Leader Technologies, Inc.’s Supplemental Responses to Defendant Facebook, Inc.’s Interrogatory Nos. 1, 4, 5, 7, 10, 12-18, served by LTI on Facebook on April 1, 2010, including pages 1, 63-65, and 150-51.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the transcript of the February 23, 2010 deposition of Michael McKibben, including pages 1, 5, 197-212, 214-226, and 230-231.

7. Attached hereto as Exhibit 6 is a true and correct copy of a document produced by LTI to Facebook in this litigation, bearing production label numbers LTI 126220-21.

8. Attached hereto as Exhibit 7 is a true and correct copy of a document produced by LTI to Facebook in this litigation, bearing production label numbers LTI 015709-15715. This document is entitled “White Paper: Leader2Leader – What convergence was meant to be,” and purports to be authored by Michael T. McKibben with a copyright date of 2003. This document was offered as Exhibit 311 to the February 23, 2010 deposition of Michael McKibben.

9. Attached hereto as Exhibit 8 is a true and correct copy of a document produced by LTI to Facebook in this litigation, bearing production label numbers LTI 019933-19941. This document is entitled “Leadership Software Overcomes Data Silo Barriers; Offers A New Way to Work,” and purports to be authored by Michael T. McKibben with a copyright date of February 22, 2003.

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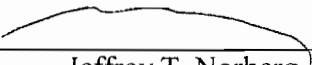
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10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from the transcript of the April 29, 2010 deposition of Russell Parr, including pages 1-2, 5, 118, and 168.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 14, 2010 in Palo Alto, California.

/s/   
Jeffrey T. Norberg