

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

LEADER TECHNOLOGIES, INC., )  
a Delaware corporation, )  
 )  
Plaintiff-Counterdefendant, ) Civil Action No. 08-862-JJF  
 )  
v. )  
 ) **PUBLIC VERSION**  
FACEBOOK, INC., )  
a Delaware corporation, )  
 )  
Defendant-Counterclaimant )  
 )

**DECLARATION OF PAUL J. ANDRÉ IN SUPPORT OF  
LEADER TECHNOLOGIES, INC.'S MOTIONS *IN LIMINE* NOS. 1-7**

**VOLUME II  
EXHIBITS 8-23**

OF COUNSEL:

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*Attorneys for Plaintiff  
Leader Technologies, Inc.*

Dated: May 20, 2010  
Public Version: May 26, 2010

I, Paul J. Andre, declare as follows:

1. I am an attorney with the law firm of King & Spalding LLP, counsel of record for Leader Technologies, Inc. I have personal knowledge of the facts set forth in this declaration and can testify competently to those facts.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Expert Report of Saul Greenberg, Ph.D., (“Greenberg Report”) dated April 8, 2010.

3. Attached hereto as Exhibit 2 is a true and correct copy of Exhibit C-1 from the Greenberg Report.

4. Attached hereto as Exhibit 3 is a true and correct copy of Exhibit C-7 from the Greenberg Report.

5. Attached hereto as Exhibit 4 is a true and correct copy of pages 27-31, 34, and 162-63 from the transcript of the deposition of Saul Greenberg taken April 30, 2010.

6. Attached hereto as Exhibit 5 is a true and correct copy of the Expert Report of Michael Kearns, Ph.D., dated April 22, 2010.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Defendant Facebook, Inc.’s Supplemental Responses to Plaintiff Leader Technologies, Inc.’s Interrogatories Nos. 1-5, 7-11, 15-16, 18, served on November 20, 2009.

8. Attached hereto as Exhibit 7 is a true and correct copy of pages 7-8, 26-27, 50-52, 126-28, 178, 180-81, and 207-08 from the transcript of the deposition of Michael Kearns taken May 6, 2010.

9. Attached hereto as Exhibit 8 is a true and correct copy of the Expert Report of Christopher J. Bokhart dated April 22, 2010.

10. Attached hereto as Exhibit 9 is a true and correct copy of pages 17-18, 24, 47-49, 53-56, 62-64, 67-68, 73-74, 111-12, and 236 from the transcript of the deposition of Christopher J. Bokhart taken May 4, 2010.

11. Attached hereto as Exhibit 10 is a true and correct copy of Facebook, Inc.'s Objections and Responses to Plaintiff Leader Technologies, Inc.'s First Set of Interrogatories (1-13) served on March 20, 2009.

12. Attached hereto as Exhibit 11 is a true and correct copy of Plaintiff Leader Technologies, Inc.'s First Set of Requests for Production of Documents and Things to Defendant Facebook, Inc. (1-73) served on February 20, 2009.

13. Attached hereto as Exhibit 12 is a true and correct copy of Defendant Facebook, Inc.'s Responses to Plaintiff Leader Technologies, Inc.'s Fifth Set of Interrogatories served on November 20, 2009.

14. Attached hereto as Exhibit 13 is a true and correct copy of a Memorandum Opinion and Order dated April 9, 2009, filed in Intel Corp. v. Commonwealth Sci. & Indus. Rsch. Org., Civil No. 6:06-cv-551 (E.D. Tex. Apr. 9, 2009).

15. Attached hereto as Exhibit 14 is a true and correct copy of Plaintiff Leader Technologies, Inc.'s First Set of Interrogatories to Defendant Facebook, Inc. (Nos. 1-13) served on February 20, 2009.

16. Attached hereto as Exhibit 15 is a true and correct copy of Plaintiff Leader Technologies, Inc.'s Fourth Set of Interrogatories to Defendant Facebook, Inc. (No. 18) served on September 28, 2009.

17. Attached hereto as Exhibit 16 is a true and correct copy of Defendant Facebook, Inc.'s Third Supplemental Response to Plaintiff Leader Technologies, Inc.'s Interrogatory No. 4 served on April 16, 2010.

18. Attached hereto as Exhibit 17 is a true and correct copy of Defendant Facebook, Inc.'s Fourth Supplemental Response to Plaintiff Leader Technologies, Inc.'s Interrogatory No. 4 served on April 19, 2010.

19. Attached hereto as Exhibit 18 is a true and correct copy of pages 58-65 from a hearing transcript dated December 23, 2009, in the present action.

20. Attached hereto as Exhibit 19 is a true and correct copy of pages 55-64 and 74-75 from a hearing transcript dated March 12, 2010, in the present action.

21. Attached hereto as Exhibit 20 is a true and correct copy of Leader Technologies, Inc.'s First Supplemental Responses to Facebook, Inc.'s Interrogatories Nos. 3 and 9 served on April 17, 2009.

22. Attached hereto as Exhibit 21 is a true and correct copy of correspondence from Meghan Wharton, counsel for Leader, to Craig W. Clark, counsel for Facebook, dated April 14, 2009.

23. Attached hereto as Exhibit 22 is a true and correct copy of correspondence from Gladys Tong, a paralegal for counsel of Leader, to Mr. Clark dated August 3, 2009.

24. Attached hereto as Exhibit 23 is a true and correct copy of correspondence from Ms. Tong to Mr. Clark dated August 18, 2009.

I declare under penalty of perjury under the laws of the State of California and the United States that each of the above statements is true and correct.

Executed on May 20, 2010 in Redwood Shores, California.

/s/ Paul J. Andre  
Paul J. Andre

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

**CERTIFICATE OF SERVICE**

I, Philip A. Rovner, hereby certify that on May 26, 2010, the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following counsel as indicated; and that the document is available for viewing and downloading from CM/ECF.

**BY CM-ECF AND E-MAIL**

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I hereby certify that on May 26, 2010 I have sent by E-mail the foregoing document to the following non-registered participants:

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