

**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.	)	
	)	
FACEBOOK, INC., a Delaware corporation,	)	
	)	
Defendant-Counterclaimant.	)	

**DECLARATION OF PAUL ANDRE IN SUPPORT OF LEADER TECHNOLOGIES, INC.'S ANSWERING BRIEF IN OPPOSITION TO FACEBOOK'S MOTION COMPELLING LEADER'S RESPONSE TO FACEBOOK'S INTERROGATORY NO. 1**

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*Attorneys for Plaintiff  
 Leader Technologies, Inc.*

Dated: May 18, 2009

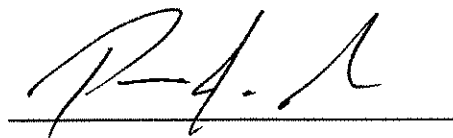
I, Paul Andre, hereby declare:

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

2. On April 2, 2009, the parties had a telephone conference regarding Facebook's disapproval of Leader's definition of the Facebook Website and Leader's preliminary infringement contentions. During the call, Leader explained that Claim 1 of the '761 Patent was essentially comprised of two elements, a "context component" and a "tracking component." Leader also stated that it would need back-end technical information in order to provide further detail to its preliminary infringement contentions. However, Facebook refused to provide Leader with any technical information.

3. In an attempt to resolve the dispute regarding Leader's preliminary infringement contentions, Leader provided further detail to its infringement contentions relating to specific representative elements of the asserted claims on April 6, 2009.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct. Executed this 17<sup>th</sup> day of May 2009, at Redwood Shores, California.

A handwritten signature in cursive script, appearing to read "P. Andre", is written over a horizontal line.

Paul Andre

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**CERTIFICATE OF SERVICE**

I, Philip A. Rovner, hereby certify that on May 18, 2009, 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, E-MAIL AND FIRST CLASS MAIL**

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I hereby certify that on May 18, 2009 I have sent by E-mail and first class mail the foregoing document to the following non-registered participants:

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