

**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 OPPOSITION TO PLAINTIFF'S MOTION FOR JUDGMENT
AS A MATTER OF LAW AND FOR A NEW TRIAL**

I, Jeffrey T. Norberg, declare:

1. I am an attorney with Cooley LLP, of counsel in this action for Defendant Facebook, Inc. ("Facebook"). I make this declaration in support of Facebook, Inc.'s Opposition to Plaintiff's Motion for Judgment as a Matter of Law and for a New Trial. 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 A are true and correct copies of excerpts from the transcript of the jury trial in this action held July 19-27, 2010.

3. Attached hereto as Exhibit B is a true and correct copy of the redacted version of Leader Technologies, Inc.'s First Supplemental Responses to Facebook, Inc.'s Interrogatories Nos. 3 and 9, dated April 17, 2009, admitted as trial exhibit DTX 0963-R.

4. Attached hereto as Exhibit C is a true and correct copy of the redacted version of Leader Technologies, Inc.'s Second Supplemental Response to Facebook, Inc.'s Interrogatory No. 1 First Supplemental Responses to Facebook's Interrogatory Nos. 4, 11-17 and Third

Supplemental Response to Facebook's Interrogatory No. 9, dated October 28, 2009, admitted as trial exhibit DTX 0969-R.

5. Attached hereto as Exhibit D is a true and correct copy of Leader Technologies White Paper titled "Advanced Cross-platform Communications & Anti-terrorism Command Center Prototype," dated January 9, 2002, bearing Bates numbers LTI_048195-LTI_048206, admitted as trial exhibit DTX 0179.

6. Attached hereto as Exhibit E is a true and correct copy of Defendant Facebook, Inc.'s Notice of Deposition of Defendant Leader Technologies, Inc. Pursuant to Fed. R. Civ. P. 30(b)(6), dated February 8, 2010.

7. Attached hereto as Exhibit F is a true and correct copy of an email string from John Butler to Michael McKibben, dated December 8, 2002, bearing Bates numbers LTI078611-LTI078612, admitted as trial exhibit DTX 0766.

8. Attached hereto as Exhibit G is a true and correct copy of an email from Michael McKibben to Len Schlesinger, dated November 21, 2002, bearing Bates numbers LTI074788-LTI074789, admitted as trial exhibit DTX 0185.

9. Attached hereto as Exhibit H is a true and correct copy of an email from Steve Hanna to cwwall@computerwizards.com, dated October 10, 2002, bearing Bates numbers LTI105611-LTI105613, admitted as trial exhibit DTX 0184.

10. Attached hereto as Exhibit I is a true and correct copy of an email string from Mrfugler@aol.com to Michael McKibben, dated November 4, 2002, bearing Bates numbers LTI095216-LTI095218, admitted as trial exhibit DTX 0186.

11. Attached hereto as Exhibit J is a true and correct copy of an email from Michael McKibben to Leader Members, dated December 10, 2001, bearing Bates numbers LTI_014121-LTI014127, admitted as trial exhibit DTX 0178.

12. Attached hereto as Exhibit K is a true and correct copy of an email from Steve Hanna to Karen Houser, dated August 29, 2002, bearing Bates numbers LTI 145929-LTI 145932, admitted as trial exhibit DTX 0181.

13. Attached hereto as Exhibit L is a true and correct copy of Provisional Application for Patent, dated December 11, 2002, bearing Bates numbers LTI 000742-LTI 000760, admitted as trial exhibit PTX-3.

14. Attached hereto as Exhibit M is a true and correct copy of Confidential Disclosure Agreement between Boston Scientific Corporation and Leader Technologies Incorporated, entered into November 26, 2002, bearing Bates numbers LTI_006469-LTI_006473, admitted as trial exhibit DTX 0736.

15. Attached hereto as Exhibit N is a true and correct copy of an email from Steve Hanna to cwcall@computerwizards.com, dated November 26, 2002, bearing Bates numbers LTI 111341-LTI 111342, admitted as trial exhibit DTX 0776.

16. Attached hereto as Exhibit O is a true and correct copy of Terms of Use from Facebook's website, dated September 23, 2008, bearing Bates numbers LTI 000717-LTI 000724, admitted as trial exhibit PTX-628.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 15, 2010 in Palo Alto, California.



Jeffrey T. Norberg