

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

MARKET AMERICA, INC.

Plaintiff,

v.

GOOGLE INC. and
LTECH CONSULTING, LLC,

Defendants.

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Civil Action No.: 1:09-cv-00494-GMS

JURY TRIAL DEMANDED

DECLARATION OF DONALD P. JACOBS

I, Donald P. Jacobs, declare and state:

1. I am an attorney-at-law of the State of New Jersey and a member of the firm of Budd Larner, P.C., co-counsel to defendant LTech Consulting, LLC (LTech).

2. Attached hereto as Exhibit A is a true copy of the Services Agreement between Market America, Inc. and LTech.

3. Attached hereto as Exhibit B is a true copy of the License Agreement between Google Inc. and Market America, Inc.

4. Attached hereto as Exhibit C is a true copy of the "LTech Google Search Appliance Order Form."

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on August 28, 2009.

/s/ Donald P. Jacobs
DONALD P. JACOBS