

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PERSONALIZED USER MODEL, L.L.P.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 09-525 (LPS)
	)	
GOOGLE, INC.,	)	REDACTED -
	)	PUBLIC VERSION
Defendant.	)	

**DECLARATION OF MICHAEL J. PAZZANI IN SUPPORT OF PLAINTIFF  
PERSONALIZED USER MODEL, L.L.P.'S LETTER REGARDING REQUEST FOR  
INSPECTION OF GOOGLE, INC.'S SOURCE CODE REPOSITORY**

MORRIS, NICHOLS, ARSHT & TUNNELL LLP  
Karen Jacobs Louden (#2881)  
Jeremy A. Tigan (#5239)  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
(302) 658-9200  
klouden@mnat.com  
jtigan@mnat.com

OF COUNSEL:

Marc S. Friedman  
SNR Denton US LLP  
1221 Avenue of the Americas  
New York, NY 10020-1089  
(212) 768-6700

Jennifer D. Bennett  
SNR Denton US LLP  
1530 Page Mill Road, Ste. 200  
Palo Alto, CA 94304-1125  
(650) 798-0300

*Attorneys for Plaintiff Personalized User Model,  
L.L.P.*

February 18, 2011 - Original Filing Date  
February 24, 2011 - Redacted Filing Date

I, Michael J. Pazzani, declare:

1. I am the Vice President of Research and Graduate and Professional Education at Rutgers, The State University of New Jersey located in New Brunswick, NJ. I hold a Ph.D. in Computer Science, an M.S. in Computer Engineering, and a B.S. in Computer Engineering, and have been retained as an expert witness for Plaintiff Personalized User Model, L.L.P. (“P.U.M.”) in this action. I make this declaration in support of P.U.M.’s letter regarding the refusal of Google, Inc. (“Google”) to permit P.U.M. to inspect Google’s source code repository.

2. I have reviewed the source code made available by Google in this case on the following dates: June 4, 2010; June 5, 2010; June 13, 2010; June 14, 2010; June 15, 2010; June 28, 2010; September 26, 2010; October 19, 2010; November 21, 2010; November 27, 2010; December 5, 2010; and January 17, 2011. I have spent more than 100 hours reviewing source code on such dates.

3. During my review of the source code made available by Google, I have discovered that numerous code files referenced in the produced code are missing and many of the code files produced are either experimental or duplicative files.

4. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5. In general, as I “chain” through the relevant produced code file (i.e., move from one source code file to another source code file referenced therein), I often find that referenced code files are missing from Google’s production.

6. Absent going through the exercise of listing all seemingly relevant code files that are referenced in the produced code, there is no means by which to identify all of the potentially relevant code files that are missing from Google's production. This is especially true as there is absolutely no way to know what files are in turn referenced by the identifiable missing files.

7. Inspecting the code as it exists in Google's repository will allow me to follow chains of code, determine what libraries and files are referenced by each of the relevant code files, and proceed with my analysis without wasting unnecessary time continuously requesting files that I discover to be missing.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 18<sup>th</sup> day of February 2011, at Piscataway, New Jersey.

*/s/ Michael J. Pazzani*

---

Michael J. Pazzani

**CERTIFICATE OF SERVICE**

I hereby certify that on February 18, 2011, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered participants.

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on February 18, 2011, upon the following individuals in the manner indicated:

**BY E-MAIL**

Richard L. Horwitz  
David E. Moore  
POTTER ANDERSON & CORROON LLP  
1313 N. Market St., 6th Floor  
Wilmington, DE 19801

**BY E-MAIL**

Brian C. Cannon  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
555 Twin Dolphin Dr., 5th Floor  
Redwood Shores, CA 94065

Charles K. Verhoeven  
David A. Perlson  
Antonio R. Sistos  
Eugene Novikov  
Andrea Pallios Roberts  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111

*/s/ Jeremy A. Tigan*

---

Jeremy A. Tigan (#5239)

**CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 2011, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered participants.

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on February 24, 2011, upon the following individuals in the manner indicated:

**BY E-MAIL**

Richard L. Horwitz  
David E. Moore  
POTTER ANDERSON & CORROON LLP  
1313 N. Market St., 6th Floor  
Wilmington, DE 19801

**BY E-MAIL**

Brian C. Cannon  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
555 Twin Dolphin Dr., 5th Floor  
Redwood Shores, CA 94065

Charles K. Verhoeven  
David A. Perlson  
Antonio R. Sistos  
Andrea Pallios Roberts  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111

*/s/ Jeremy A. Tigan*

---

Jeremy A. Tigan (#5239)