

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

AMERICAN SOCIETY FOR TESTING AND  
MATERIALS d/b/a ASTM INTERNATIONAL;

NATIONAL FIRE PROTECTION  
ASSOCIATION, INC.; and

AMERICAN SOCIETY OF HEATING,  
REFRIGERATING, AND AIR CONDITIONING  
ENGINEERS,

Plaintiffs-Counterdefendants,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant-Counterclaimant.

Case No. 1:13-cv-01215-TSC-DAR

**DECLARATION OF MATTHEW  
BECKER IN SUPPORT OF  
DEFENDANT-COUNTERCLAIMANT  
PUBLIC.RESOURCE.ORG, INC.'S  
MOTION FOR SUMMARY  
JUDGMENT AND OPPOSITION TO  
PLAINTIFFS' MOTION FOR  
SUMMARY JUDGMENT AND  
PERMANENT INJUNCTION**

Action Filed: August 6, 2013

**REDACTED VERSION**

I, Matthew Becker, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am an attorney admitted to practice in the District of Columbia and am an associate with the law firm of Fenwick & West LLP, counsel of record for Defendant/Counterclaimant Plaintiff Public.Resource.Org, Inc. Except where otherwise indicated, I have personal knowledge of the facts herein and could and would testify competently hereto.

2. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 4** is a true and correct copy of excerpts of Donald Bliss's deposition, as the corporate designee for NFPA, dated March 3, 2015.

3. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 5** is a

true and correct copy of excerpts of Steven Comstock's deposition, as the corporate designee for ASHRAE, dated March 5, 2015.

4. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 6** is a true and correct copy of excerpts of Christian Dubay's deposition, as the corporate designee of NFPA, dated April 1, 2015.

5. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 7** is a true and correct copy of excerpts of James Fruchterman's deposition, Public Resource's designated expert witness, dated July 31, 2015.

6. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 8** is a true and correct copy of excerpts of Jeffrey Grove's deposition, as the corporate designee for ASTM, dated March 4, 2015.

7. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 9** is a true and correct copy of excerpts of John Jarosz's deposition, Plaintiffs' designated expert witness, dated August 27, 2015.

8. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 10** is a true and correct copy of excerpts of Rebecca Malamud's deposition in this action, dated November 13, 2014.

9. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 11** is a true and correct copy of excerpts of Bruce Mullen's deposition, as the corporate designee of NFPA, dated March 31, 2015.

10. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 12** is a true and correct copy of excerpts of Stephanie Reiniche's deposition, as the corporate designee for ASHRAE, dated March 30, 2015.

11. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 13** is a true and correct copy of excerpts of **Daniel Smith's deposition**, as the corporate designee of ASTM, dated July 24, 2015.

12. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 14** are true and correct copies of ASTM's copyright registrations for the incorporated laws at issue, which were marked as Exhibit 1291 to the deposition of Daniel Smith and numbered ASTM000001-168.

13. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 15** are true and correct copies of NFPA's copyright registrations for the incorporated laws at issue, which were marked as NFPA-PR0020354-392 and NFPA-PR0038493 in NFPA's document production.

14. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 16** are true and correct copies of ASHRAE's copyright registrations for the incorporated laws at issue, which were marked as Exhibits 1175 and 1176 to the deposition of Stephanie Reiniche and numbered ASHRAE0001590-597.

15. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 17** is a true and correct copy of an email from Carl Malamud to Deborah Hunt, dated June 30, 2009, which was marked as Exhibit 33 to the deposition of Carl Malamud.

16. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 18** is a true and correct copy of a document entitled "Public Safety Standards," which was marked as Exhibit 38 to the deposition of Carl Malamud.

17. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 19** is a true and correct copy of an email to Carl Malamud, dated October 1, 2013, which was marked as

Exhibit 57 to the deposition of Carl Malamud.

18. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 20** is a true and correct copy of an email to Carl Malamud, dated October 25, 2013, which was marked as Exhibit 58 to the deposition of Carl Malamud.

19. [REDACTED]

20. [REDACTED]

21. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 23** is a true and correct copy of a document entitled "ASTM Standards Regulations & Trade, Power Point," which was marked as Exhibit 1032 to the deposition of Jeffrey Grove.

22. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 24** is a true and correct copy of an email from Sarah Petre to Jeff Grove, et. al., dated October 4, 2012, which was marked as Exhibit 1071 to the deposition of Jeffrey Grove.

23. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 25** is a true and correct copy of a document entitled "Form and Style for ASTM Standards," which was marked as Exhibit 1072 to the deposition of Jeffrey Grove.

24. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 26** is a true and correct copy of a document entitled, "Incorporation by Reference Public Workshop," dated July 13, 2012, which was marked as Exhibit 1073 to the deposition of Jeffrey Grove.

25. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 27** is a

true and correct copy of a document which was marked as Exhibit 1134 to the deposition of Stephanie Reiniche.

26. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 28** is a true and correct copy of a document which was marked as Exhibit 1135 to the deposition of Stephanie Reiniche.

27. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 29** is a true and correct copy of a document which was marked as Exhibit 1136 to the deposition of Stephanie Reiniche.

28. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 30** is a true and correct copy of a document which was marked as Exhibit 1137 to the deposition of Stephanie Reiniche.

29. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 31** is a true and correct copy of a document which was marked as Exhibit 1138 to the deposition of Stephanie Reiniche.

30. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 32** is a true and correct copy of a document which was marked as Exhibit 1139 to the deposition of Stephanie Reiniche.

31. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 33** is a true and correct copy of a document which was marked as Exhibit 1140 to the deposition of Stephanie Reiniche.

32. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 34** is a true and correct copy of a document which was marked as Exhibit 1141 to the deposition of Stephanie Reiniche.

33. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 35** is a true and correct copy of a document which was marked as Exhibit 1142 to the deposition of Stephanie Reiniche.

34. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 36** is a true and correct copy of a document which was marked as Exhibit 1143 to the deposition of Stephanie Reiniche.

35. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 37** is a true and correct copy of a document which was marked as Exhibit 1144 to the deposition of Stephanie Reiniche.

36. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 38** is a true and correct copy of a document which was marked as Exhibit 1145 to the deposition of Stephanie Reiniche.

37. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 39** is a true and correct copy of a document which was marked as Exhibit 1146 to the deposition of Stephanie Reiniche.

38. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 40** is a true and correct copy of a document which was marked as Exhibit 1147 to the deposition of Stephanie Reiniche.

39. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 41** is a true and correct copy of a document which was marked as Exhibit 1148 to the deposition of Stephanie Reiniche.

40. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 42** is a true and correct copy of a document which was marked as Exhibit 1149 to the deposition of

Stephanie Reiniche.

41. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 43** is a true and correct copy of a document which was marked as Exhibit 1150 to the deposition of Stephanie Reiniche.

42. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 44** is a true and correct copy of a document entitled "Application for Project Committee Organizational Representative Membership," which was marked as Exhibit 1151 to the deposition of Stephanie Reiniche.

43. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 45** is a true and correct copy of a document entitled "ASHRAE Standard/Guideline Project Committee Application for Individual Membership," which was marked as Exhibit 1152 to the deposition of Stephanie Reiniche.

44. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 46** is a true and correct copy of a document capturing ASHRAE website electronic signature copyright release information which was marked as Exhibit 1153 to the deposition of Stephanie Reiniche.

45. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 47** is a true and correct copy of a document which was marked as Exhibit 1154 to the deposition of Stephanie Reiniche.

46. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 48** is a true and correct copy of a document entitled "Application for Membership on ASHRAE Standard or Guideline Project Committee," which was marked as Exhibit 1155 to the deposition of Stephanie Reiniche.

47. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 49** is a

true and correct copy of a document entitled “Memorandum of Understanding Between The United States Department of Energy and The American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc.,” which was marked as Exhibit 1157 to the deposition of Stephanie Reiniche.

48. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 50** is a true and correct copy of a document entitled “Marketing Task Group,” dated June 26, 2004, which was marked as Exhibit 1159 to the deposition of Stephanie Reiniche.

49. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 51** is a true and correct copy of an email from Steve Ferguson to Doug Read, et. al., dated December 17, 2009, which was marked as Exhibit 1160 to the deposition of Stephanie Reiniche.

50. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 52** is a true and correct copy of a document entitled “ASHRAE Government Affairs: Technical Expertise to Policymakers,” which was marked as Exhibit 1163 to the deposition of Stephanie Reiniche.

[REDACTED]

52. Attached to Public Resource’s Index of Consolidated Exhibits as Exhibit **54** is a true and correct copy of a document which was marked as Exhibit 1233 to the deposition of Christian Dubay.

53. Attached to Public Resource’s Index of Consolidated Exhibits as Exhibit **55** is a true and correct copy of a document which was marked as Exhibit 1234 to the deposition of



Christian Dubay.

54. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **56** is a true and correct copy of a document which was marked as Exhibit 1235 to the deposition of Christian Dubay.

55. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **57** is a true and correct copy of a document which was marked as Exhibit 1236 to the deposition of Christian Dubay.

56. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **58** is a true and correct copy of a document which was marked as Exhibit 1237 to the deposition of Christian Dubay.

57. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **59** is a true and correct copy of a document which was marked as Exhibit 1238 to the deposition of Christian Dubay.

58. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **60** is a true and correct copy of a document which was marked as Exhibit 1239 to the deposition of Christian Dubay.

59. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **61** is a true and correct copy of a document which was marked as Exhibit 1240 to the deposition of Christian Dubay.

60. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **62** is a true and correct copy of a document which was marked as Exhibit 1241 to the deposition of Christian Dubay.

61. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **63** is a

true and correct copy of a document which was marked as Exhibit 1243 to the deposition of Christian Dubay.

62. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **64** is a true and correct copy of a document which was marked as Exhibit 1244 to the deposition of Christian Dubay.

63. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **65** is a true and correct copy of a document which was marked as Exhibit 1245 to the deposition of Christian Dubay.

64. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **66** is a true and correct copy of a document which was marked as Exhibit 1246 to the deposition of Christian Dubay.

65. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **67** is a true and correct copy of a document which was marked as Exhibit 1248 to the deposition of Christian Dubay.

66. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **68** is a true and correct copy of a document which was marked as Exhibit 1253 to the deposition of Christian Dubay.

67. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **69** is a true and correct copy of a document which was marked as Exhibit 1254 to the deposition of Christian Dubay.

68. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit **70** is a true and correct copy of a document which was marked as Exhibit 1255 to the deposition of Christian Dubay.

69. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit 71 is a true and correct copy of a document which was marked as Exhibit 1256 to the deposition of Christian Dubay.

70. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit 72 is a true and correct copy of a document which was marked as Exhibit 1257 to the deposition of Christian Dubay.

71. Attached to Public Resource's Index of Consolidated Exhibits as Exhibit 73 is a true and correct copy of a document which was marked as Exhibit 1258 to the deposition of Christian Dubay.

[REDACTED]

75. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 77** is a true and correct copy of the original Intellectual Property Policy of ASTM, dated April 28, 1999, with control number ASTM103277-284, which was marked as Exhibit 1285 to the deposition of Daniel Smith.

76. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 78** is a

true and correct copy of the 2003 redline of the Intellectual Property Policy of ASTM, as revised in 2003, with control number ASTM003445–448, which was marked as Exhibit 1287 to the deposition of Daniel Smith.

77. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 79** is a true and correct copy of the current Intellectual Property Policy of ASTM, as amended on April 13, 2010, with control number ASTM003437–41, which was marked as Exhibit 1288 to the deposition of Daniel Smith.

[REDACTED]

79. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 81** is a true and correct copy of a document entitled “Organizational Membership Directory,” which was marked as Exhibit 1294 to the deposition of Daniel Smith.

[REDACTED]

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95. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 97** is a chart created by Public Resource that shows which of the ASTM standards at issue have been superseded by a newer version of the same standard. The chart is based on the standards identified in Plaintiffs' complaint and information available on ASTM's online catalog. The source documents for this chart are available to ASTM.

96. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 98** is a chart created by Public Resource that shows which of the NFPA standards at issue have been superseded by a newer version of the same standard. The chart is based on the standards identified in Plaintiffs' complaint and information available on NFPA's online catalog. The source documents for this chart are available to NFPA.

97. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 99** is a chart created by Public Resource that shows which of the ASHRAE standards at issue have been superseded by a newer version of the same standard. The chart is based on the standards identified in Plaintiffs' complaint and information available on ASHRAE's online catalog. The source documents for this chart are available to ASHRAE.

98. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 100** is a true and correct copy of the webpage appearing at <http://www.astm.org/ABOUT/mission-statement.html>.

99. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 101** is a true and correct copy of the webpage appearing at <http://www.nfpa.org/about-nfpa>.

100. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 102** is a true and correct copy of the webpage appearing at <https://www.ashrae.org/about-ashrae>.

101. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 103** is a

true and correct copy of a document titled “ASHRAE Guide to Writing Standards in Code Intended Language,” which is available on ASHRAE’s website.

102. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 104** is a true and correct copy of the webpage entitled “Capitol Hill Event to Feature Policy and Business Leader Insights on Voluntary Standards and Conformance” appearing at [http://www.ansi.org/news\\_publications/news\\_story.aspx?menuid=7&articleid=920dcf8b-8eda-45ab-9eae-ec0bec2edf27](http://www.ansi.org/news_publications/news_story.aspx?menuid=7&articleid=920dcf8b-8eda-45ab-9eae-ec0bec2edf27).

103. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 105** is a true and correct copy of a Resolution submitted to the ABA House of Delegates on November 17, 2015 by the ABA Section of Administrative Law and Regulatory Practice.

104. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 106** is a true and correct copy of a document entitled Public Policy & Corporate Outreach, dated September 2015.

105. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 107** is a true and correct copy of a document produced by Plaintiffs as ASTM095635-641.

106. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 108** is a true and correct copy of a document produced by Plaintiffs as ASTM095718-720.

107. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 109** is a true and correct copy of a document produced by Plaintiffs as ASTM095747-748.

108. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 110** is a true and correct copy of a document produced by Plaintiffs as ASTM091055.

109. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 111** is a true and correct copy of a document produced by Plaintiffs as ASTM096390.



110. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 112** is a true and correct copy of a document produced by Plaintiffs as ASTM089102–104.

111. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 113** is a true and correct copy of a document produced by Plaintiffs as ASTM095371–372.



113. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 115** is a true and correct copy of a document produced by Plaintiffs as ASTM095396.

114. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 116** is a true and correct copy of a document produced by Plaintiffs as ASTM095437–438.

115. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 117** is a true and correct copy of a document produced by Plaintiffs as ASTM095485–486.

116. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 118** is a true and correct copy of a document produced by Plaintiffs as ASTM089102–104.

117. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 119** is a true and correct copy of a document produced by Plaintiffs as ASTM091243-245.

118. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 120** is a true and correct copy of a document produced by Plaintiffs as ASTM095342-343

119. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 121** is a true and correct copy of the Brief for Amici Curiae American Medical Association et al., in *Veeck v. Southern Building Code Congress Int'l Inc.*, Case No. 99-40632 in the United States Court of Appeals for the Fifth Circuit, obtained from ANSI at <http://publicaa.ansi.org/sites/apdl/Documents/ANSI%20Position%20on%20Protection%20of%2>



[REDACTED]

128. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 130** is a true and correct copy of a document produced by Plaintiffs as ASTM095359-362.

129. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 131** is a true and correct copy of a document produced by Plaintiff’s as ASTM095373–376.

130. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 132** is a true and correct copy of a document entitled “ASTM Reading Library Registration” Screen, Page 1.

131. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 133** is a true and correct copy of a document “ASTM Reading Library Registration” Screen, Page 2.

132. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 134** is a true and correct copy of a document entitled “ASTM – International Reading Room” disclaimer information.

133. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 135** is a true and correct copy of a document of ASTM Reading Room terms.

134. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 136** is a true and correct copy of a document entitled “ASTM License Agreement,” displaying a portion of the text from Exhibit 135, as it appears to users who visit the website.

135. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 137** is a true and correct copy of a document of NFPA’s “Free Access” Terms.

136. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 138** is a true and correct copy of a document entitled “National Fire Protection Association Sign In.”

137. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 139** is a true and correct copy of a screen capture of the ASHRAE Reading Room.

138. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 140** is a true and correct copy of a document marked as Exhibit 1033 in the deposition of Jeffrey Grove.

[REDACTED]

141. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 143** is a true and correct copy of a document marked as Exhibit 1060 in the deposition of Jeffrey Grove.

142. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 144** is a true and correct copy of a document marked as Exhibit 1068 in the deposition of Jeffrey Grove.

143. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 145** is a true and correct copy of a document marked as Exhibit 1069 in the deposition of Jeffrey Grove.

[REDACTED]

145. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 147** is a true and correct copy of a printout of the ASTM website information page for ASTM D396-98: Standard Specification for Fuel Oils, listing the citation format on the bottom of the last page.

146. Attached to Public Resource’s Index of Consolidated Exhibits as **Exhibit 148** is a true and correct copy of a “Memorandum in Support of Defendant’s Motion for Summary Judgment,” filed in *International Code Council, Inc., v. National Fire Protection Association, Inc.*, Case No. 02-5610, dated February 28, 2005.

147. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 149** is a true and correct copy of the online ASTM Membership Renewal as produced by ASTM as ASTM001792-800.

[REDACTED]

149. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 151** is a true and correct copy of ASTM D1217-93 (Reapproved 1998), as it existed on the Public Resource website, as produced by Plaintiffs as PRO\_00170513-517.

150. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 152** is a true and correct copy of a document comprised of website images from Internet Archive Wayback Machine for www.astm.org, captured on December 21, 2015.

[REDACTED]

152. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 154** is a true and correct copy of NFPA website images, produced at NFPA-PR0038497-507, (Exhibit 1230 to the deposition of Christian Dubay).

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of December, 2015 at San Francisco, CA.

/s/ Matthew Becker  
Matthew Becker