

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

AMERICAN EDUCATIONAL RESEARCH)	
ASSOCIATION, INC., AMERICAN)	Civil Action No. 1:14-cv-00857-TSC-DAR
PSYCHOLOGICAL ASSOCIATION, INC.,)	
and NATIONAL COUNCIL ON)	DECLARATION OF MATTHEW B.
MEASUREMENT IN EDUCATION, INC.,)	BECKER IN SUPPORT OF
)	DEFENDANT-COUNTERCLAIMANT
Plaintiffs/Counterdefendants,)	PUBLIC.RESOURCE.ORG, INC.’S
)	MOTION TO CONSOLIDATE FOR
v.)	THE PURPOSES OF DISCOVERY
)	(DKT. 33)
PUBLIC.RESOURCE.ORG, INC.,)	
)	
Defendant/Counterclaimant.)	
)	

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

1. I am a member of the bar of the State of California and am admitted pro hac vice before this Court. I am an associate in the law firm of Fenwick & West LLP and counsel of record for Defendant-Counterclaimant Public.Resource.Org, Inc. (“Public Resource”). I submit this declaration in support of Public Resource’s Motion to Consolidate for the Purposes of Discovery.

2. On January 28, 2015, I conferred telephonically with counsel for plaintiffs in the American Society for Testing and Materials et al. v. Public.Resource.Org case (Case No. 1:13-cv-01215-TSC-DAR), along with my co-counsel, Andrew Bridges. During that conference, Mr. Bridges asked counsel for all three plaintiffs that Public Resource intended to file a motion for consolidation with the American Educational Research Association et al. v. Public.Resource.Org case (Case No. 1:14-cv-00857-TSC-DAR), and asked if they would consent to that motion. Counsel for all three plaintiffs responded that they would not consent to consolidation for the purposes of discovery.

3. On January 26, 2015 Public Resource received a second set of requests for production of documents from the AERA Plaintiffs. These requests for production included requests for “responses to all sets of Requests for Production of Documents and Things served by the ASTM Plaintiffs in the ASTM case,” “responses to all sets of Requests for Admissions served by the ASTM Plaintiffs in the ASTM case,” and “all transcripts and exhibits from any depositions taken in the ASTM Case.” A true and correct copy of the second set of requests for production of documents is attached as **Exhibit 1**.

I declare under penalty of law that the foregoing is true and correct. Executed on January 29, 2015.

/s/ Matthew B. Becker
Matthew B. Becker