

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TIMELINES, INC.	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.: 11 CV 6867
	)	
FACEBOOK, INC.	)	HONORABLE JOHN W. DARRAH
	)	
Defendant.	)	

**DECLARATION OF BRENDAN J. HUGHES IN SUPPORT OF  
FACEBOOK, INC.’S REPLY TO ITS MOTION FOR SUMMARY JUDGMENT**

I, Brendan J. Hughes, declare:

1. I am an associate with the law firm Cooley LLP, counsel for Defendant Facebook, Inc. (“Facebook”) in connection with the above-titled action. I submit this declaration in support of Facebook’s Reply to Its Motion for Summary Judgment (“Reply”). I make this declaration upon personal knowledge and, if called and sworn as a witness, I could and would testify as to the matters set forth herein.

2. With respect to printouts and screenshots of web pages in which Plaintiff Timelines, Inc. (“Plaintiff”) objects to as not properly submitted into evidence because they are not self-authenticating (Exhibits 2-3, 6-9, 16-17, 26-32, 41, 43, 49, 54-56, 58-61, 66-70, FB\_TL00000534-544 and FB\_TL\_00000553 of Exhibit 33, and FB\_TL\_00000607-608 of Exhibit 34 attached to my previous declaration, Declaration of Brendan J. Hughes in Support of Facebook’s Motion for Summary Judgment (“Hughes Decl.”)), as I previously attested, these were all created at my direction, and are all true and correct printouts and screenshots of web pages from the web-location indicated in my declaration and/or the web addresses stamped at the bottom of each exhibit, on the date indicated in my declaration and/or the date stamped at the

bottom of each exhibit to the extent available. Plaintiff has not denied that these exhibits are what I claim them to be or argued that these exhibits are in any way unreliable.

3. Attached hereto as Exhibit 1 is a true and correct copy of Plaintiff Timelines, Inc.'s Responses to Defendant Facebook, Inc.'s Second Set of Requests for Admission whereby Plaintiff admits the veracity of the following exhibits attached to my previous declaration:

- Response No. 37 admitting Exhibit 2 of Hughes Decl. is a true and correct copy;
- Response No. 40 admitting Exhibit 3 of Hughes Decl. is a true and correct copy;
- Response No. 20 admitting Exhibit 4 of Hughes Decl. is a true and correct copy;
- Response No. 17 admitting Exhibit 6 of Hughes Decl. is a true and correct copy;
- Response No. 27 admitting Exhibit 8 of Hughes Decl. is a true and correct copy;
- Response No. 29 admitting Exhibit 22 of Hughes Decl. is a true and correct copy;
- Response No. 19 admitting Exhibit 23 of Hughes Decl. is a true and correct copy;
- Response No. 38 admitting Exhibit 30 of Hughes Decl. is a true and correct copy;
- Response No. 39 admitting Exhibit 31 of Hughes Decl. is a true and correct copy;
- Response Nos. 30 and 31 admitting Exhibit 32 of Hughes Decl. is a true and correct copy;
- Response No. 18 admitting FB\_TL\_00000534-544 and Response No. 21 admitting FB\_TL\_00000553 of Exhibit 33 of Hughes Decl. are a true and correct copies; and
- Response No. 33 admitting FB\_TL\_00000607-608 of Exhibit 34 of Hughes Dec. is a true and correct copy.

4. Attached hereto as Exhibit 2 are true and correct excerpts from the deposition transcript of Plaintiff's Rule 30(b)(6) witness, Mr. Brian Hand, Co-Founder and Chairman of Plaintiff Timelines, Inc. (Hand Depo. pp 190-191.)

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

Executed in Washington, D.C. this 21st day of February, 2013.

/s/ *Brendan J. Hughes*  
Brendan J. Hughes (*pro hac vice*)  
COOLEY LLP  
1299 Pennsylvania Avenue, NW  
Suite 700  
Washington, DC 20004

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that he served the foregoing **DECLARATION OF BRENDAN J. HUGHES IN SUPPORT OF FACEBOOK, INC.'S REPLY TO ITS MOTION FOR SUMMARY JUDGMENT** by means of the Court's CM/ECF System, which causes a true and correct copy of the same to be served electronically on all CM/ECF registered counsel of record, on February 21, 2013.

Dated: February 21, 2013

*/s/ Brendan J. Hughes*  
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