

**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
DEFENDANT FACEBOOK, INC.'S MOTION *IN LIMINE* NO. 4**

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 Motion *in Limine* No. 4: To Exclude Evidence, Argument, and Testimony Regarding Non-Actionable Alleged “Confusion” (“Motion”). 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. Attached hereto as Exhibit A are true and correct copies of excerpts from the deposition transcript of John Randolph Cassidy, dated September 18, 2012.

3. Attached hereto as Exhibit B are true and correct copies of excerpts from the deposition transcript of Keith Koeneman, dated September 19, 2012.

4. Attached hereto as Exhibit C are true and correct copies of excerpts from the deposition transcript of Esther Barron, dated September 21, 2012.

5. Attached hereto as Exhibit D are true and correct copies of excerpts from the deposition transcript of Don Jenkins, dated September 21, 2012.

6. Attached hereto as Exhibit E are true and correct copies of excerpts from the deposition transcript of Pam Cole, dated September 18, 2012.

7. Attached hereto as Exhibit F are true and correct copies of excerpts from the deposition transcript of Thomas R. Fallon, dated September 25, 2012.

I declare under penalty of perjury that the foregoing statements are true and correct.
Executed in Washington, D.C. this 8th day of April, 2013.

/s/ Brendan J. Hughes
Brendan J. Hughes (*pro hac vice*)
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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that he served the foregoing **DECLARATION OF BRENDAN J. HUGHES IN SUPPORT OF DEFENDANT FACEBOOK, INC.’S MOTION *IN LIMINE* NO. 4: TO EXCLUDE EVIDENCE, ARGUMENT, AND TESTIMONY REGARDING NON-ACTIONABLE ALLEGED “CONFUSION”** 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 April 8, 2013.

Dated: April 8, 2013

/s/ Brendan J. Hughes _____
Brendan J. Hughes (*pro hac vice*)
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