

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE AT BANGOR

SHANA SANDLER,)	
)	
Plaintiff)	
)	
v.)	Case No. 1:07-CV-00029-GZS
)	
MIA CALCAGNI,)	
RALPH CALCAGNI,)	
MAUREEN CALCAGNI,)	
PETER MARS,)	
and)	
BOOKSURGE, LLC,)	
)	
Defendants.)	

**DECLARATION OF MATTHEW J. SEGAL IN SUPPORT OF
BOOKSURGE, LLC’S REPLY MEMORANDUM
FOR SUMMARY JUDGMENT ON ALL CLAIMS OF
PLAINTIFF SHANA SANDLER**

THE UNDERSIGNED, under penalty of perjury, declares as follows:

1. I hereby submit this Declaration in Support of BookSurge, LLC’s Reply Memorandum for Summary Judgment on All Claims of Plaintiff Shana Sandler.
2. I am a partner in the law firm of Kirkpatrick & Lockhart Preston Gates Ellis, LLP, counsel for BookSurge, LLC (“BookSurge”) in this case. I am over the age of 18, have personal knowledge of the facts herein, and am competent to testify thereto.
3. I deposed H. Allen Fernald, Plaintiff Shana Sandler’s expert witness, on January 24, 2008.
4. Attached as **Exhibit A** are true and correct copies of excerpts of Mr. Fernald’s January 2008 deposition transcript (cited in BookSurge’s LLC’s Reply Statement

of Material Facts and Motion to Strike Plaintiff's Additional Statement of
Material Facts Paragraphs 69-62).

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

Executed this 5th of May, 2008, at Seattle, Washington.

/s/ Matthew J. Segal

MATTHEW J. SEGAL

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CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Dawn M. Taylor
Dawn M. Taylor, Legal Assistant