

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

THE WEATHER UNDERGROUND, INC.,  
a Michigan corporation,

Plaintiff,

vs.

Case No. 2:09-CV-10756  
Hon. Marianne O. Battani

NAVIGATION CATALYST SYSTEMS, INC.,  
a Delaware corporation; CONNEXUS CORP.,  
a Delaware corporation; FIRSTLOOK, INC.,  
a Delaware corporation; and EPIC MEDIA  
GROUP, INC., a Delaware corporation,

Defendants.

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**DECLARATION OF WILLIAM A. DELGADO IN SUPPORT OF  
EPIC MEDIA'S MOTION FOR SUMMARY JUDGMENT**

I, William A. Delgado, declare as follows:

1. I am over the age of eighteen and am lead counsel for Defendants in this matter. I have personal knowledge of the facts stated herein except where stated on information and belief, and, as to those matters, I believe them to be true.

2. Attached as Exhibit I are true and correct copies of relevant excerpts from the Deposition Transcript of David Graff, taken June 24, 2011.

3. Attached as Exhibit J are true and correct copies of relevant excerpts from the Deposition Transcript of Arthur Shaw, taken June 8, 2011.

4. Attached as Exhibit K is a true and correct copy of a publicly available press release issued by the Stripes Group, that I obtained from the website <http://www.stripesgroup.com/press/epic-advertising-acquires-connexus-corporation> (last visited July 8, 2011).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 15<sup>th</sup> day of July 2011 at Los Angeles, California.

/s/William A. Delgado  
William A. Delgado

**CERTIFICATE OF SERVICE**

I hereby certify that on July 15, 2011, I electronically filed the foregoing paper with the Court using the ECF system which will send notification of such filing to the following:

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