

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.

---

Enrico Schaefer (P43506)  
Brian A. Hall (P70865)  
TRAVERSE LEGAL, PLC  
810 Cottageview Drive, Unit G-20  
Traverse City, MI 49686  
231-932-0411  
enrico.schaefer@traverselegal.com  
brianhall@traverselegal.com  
Lead Attorneys for Plaintiff

Anthony P. Patti (P43729)  
HOOPER HATHAWAY, PC  
126 South Main Street  
Ann Arbor, MI 48104  
734-662-4426  
apatti@hooperhathaway.com  
Attorneys for Plaintiff

William A. Delgado  
WILLENKEN WILSON LOH & LIEB LLP  
707 Wilshire Boulevard, Suite 3850  
Los Angeles, CA 90017  
(213) 955-9240  
williamdelgado@willenken.com  
Lead Counsel for Defendants

Nicholas J. Stasevich (P41896)  
Benjamin K. Steffans (P69712)  
BUTZEL LONG, P.C.  
150 West Jefferson, Suite 100  
Detroit, MI 48226  
(313) 225-7000  
stasevich@butzel.com  
steffans@butzel.com  
Local Counsel for Defendants

---

**DECLARATION OF WILLIAM A. DELGADO IN SUPPORT OF DEFENDANTS'**  
**MOTION IN LIMINE NO. 5**

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 A are true and correct copies of relevant excerpts from the deposition of the Epic Media Group, Inc. by its designee, David Graff.

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 24<sup>th</sup> day of February 2012 at Los Angeles, California.

*/s/William A. Delgado*

\_\_\_\_\_  
William A. Delgado

**CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 2012, I electronically filed the foregoing paper with the Court using the ECF system which will send notification of such filing to the following:

Enrico Schaefer (P43506)  
Brian A. Hall (P70865)  
TRAVERSE LEGAL, PLC  
810 Cottageview Drive, Unit G-20  
Traverse City, MI 49686  
231-932-0411  
enrico.schaefer@traverselegal.com  
brianhall@traverselegal.com  
Lead Attorneys for Plaintiff

Anthony P. Patti (P43729)  
HOOPER HATHAWAY, PC  
126 South Main Street  
Ann Arbor, MI 48104  
734-662-4426  
apatti@hooperhathaway.com  
Attorneys for Plaintiff

Nicholas J. Stasevich (P41896)  
Benjamin K. Steffans (P69712)  
BUTZEL LONG, P.C.  
150 West Jefferson, Suite 100  
Detroit, MI 48226  
(313) 225-7000  
stasevich@butzel.com  
steffans@butzel.com  
Local Counsel for Defendants

William A. Delgado  
WILLENKEN WILSON LOH & LIEB LLP  
707 Wilshire Boulevard, Suite 3850  
Los Angeles, CA 90017  
(213) 955-9240  
williamdelgado@willenken.com  
Lead Counsel for Defendants

*/s/William A. Delgado*

---

William A. Delgado  
WILLENKEN WILSON LOH & LIEB, LLP  
707 Wilshire Boulevard, Suite 3850  
Los Angeles, CA 90017  
(213) 955-9240  
williamdelgado@willenken.com  
*Lead Counsel for Defendants*