

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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PAUL D. CEGLIA,

Plaintiff,

v.

MARK ELLIOT ZUCKERBERG and  
FACEBOOK, INC.,

Defendants.  
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Civil Action No. 1:10-cv-00569-  
RJA

**DECLARATION OF JEFFREY A. LAKE**

I, Jeffrey A. Lake, Esq. submit this Declaration in support of Plaintiff's Motion to Set Delayed Briefing Schedule and hereby declare:

1. I am an attorney licensed to practice law in the State of California and the District Court for the Western District of New York. I am counsel of record for Plaintiff Paul D. Ceglia in the above-captioned matter. I make this declaration based upon personal knowledge.

2. On September 1, 2011, at approximately 11:30 p.m. EST, 8:30 p.m. local time, I listened to a voicemail from Alexander H. Southwell, Esq., counsel of record for Defendants. At the time, I did not understand the message, and I was unable to respond because I was grieving with my family at the wake for my wife's late uncle.

I hereby certify and declare under penalty of perjury that the foregoing is true and accurate.

**DATED: September 2, 2011**

s/ Jeffrey A. Lake  
Jeffrey A. Lake