

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

CNG FINANCIAL CORPORATION	:	
	:	Case No. 1:06-cv-040
Plaintiff/Counterclaim-	:	
Defendant,	:	Chief Judge Sandra S. Beckwith
	:	Magistrate Timothy S. Black
vs.	:	
	:	<u>DECLARATION OF BARRY D.</u>
GOOGLE INC.	:	<u>HUNTER IN SUPPORT OF</u>
	:	<u>PLAINTIFF, CNG FINANCIAL</u>
Defendant/Counterclaim-	:	<u>CORPORATION'S OPPOSITION TO</u>
Plaintiff.	:	<u>GOOGLE'S MOTION TO EXCLUDE</u>
	:	<u>TESTIMONY OF PLAINTIFF'S</u>
	:	<u>EXPERT MICHAEL MAZIS</u>

I, Barry D. Hunter, declare as follows:

1. I am a member of Frost Brown Todd LLC, counsel of record for Plaintiff, CNG Financial Corporation ("CNG") in the above-captioned action. I am the lead trial counsel in this case for CNG Financial Corporation.
2. Exhibit A to this Declaration is a true and correct copy of cited excerpts from the deposition transcript of Dr. Itamar Simonson taken on March 2, 2007.
3. Exhibit B to this Declaration is a true and correct copy of the cited excerpts from the deposition transcript of Dr. Michael Mazis taken on February 1, 2007.
4. Exhibit C to this Declaration is a true and correct copy of the April 18, 2007 Order by the United States District Court for the Northern District of California, San Jose Division, in *Google, Inc. v. American Blind & Wallpaper Factory, Inc.*, Case No. C 03-5340, granting in part and denying in part Google's Motion for Summary Judgment.
5. Exhibit D to this Declaration is a true and correct copy of the Survey Report of Dr. Jacob Jacoby, filed by Google in the *Geico* litigation.

6. Exhibit E to this Declaration is a true and correct copy of the Expert Report of Dr. Itamar Simonson, filed by Google in the *Geico* litigation.

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

Executed this 20th day of July, 2007 in Lexington, Kentucky.

/s/ Barry D. Hunter
BARRY D. HUNTER

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