

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<p>BRIGHT RESPONSE, LLC, Plaintiff,</p> <p>vs.</p> <p>GOOGLE INC., et al., Defendants.</p>	<p>Civil Action No. 2:07-cv-371-CE JURY TRIAL DEMANDED</p>
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**DECLARATION OF JASON WHITE IN SUPPORT OF  
YAHOO'S SUR-REPLY IN RESPONSE TO  
BRIGHT RESPONSE'S MOTION TO COMPEL  
PRODUCTION OF SOURCE CODE**

1. I am a partner with the law firm Howrey LLP, and counsel for Yahoo! Inc. I have personal knowledge of the pleadings and files in this matter. I have personal knowledge of the documents submitted with this declaration and, if called upon as a witness, could and would testify competently thereto.
2. Attached, as Exhibit 1, is a true and correct copy of a letter from me to nXn's counsel dated October 15, 2009.
3. Attached, as Exhibit 2, is a true and correct copy of a letter from me to nXn's counsel dated October 16, 2009.
4. Attached, as Exhibit 3, is a true and correct copy of a letter from me to nXn's counsel dated October 26, 2009.
5. Attached, as Exhibit 4, is a true and correct copy of a letter from me to nXn's counsel dated October 28, 2009.
6. Attached, as Exhibit 5, is a true and correct copy of a letter from me to nXn's counsel dated November 1, 2009.

7. Attached, as Exhibit 6, is a true and correct copy of an email from me to nXn's counsel dated October 21, 2009.
8. Attached, as Exhibit 7, is a true and correct copy of an email from me to nXn's counsel dated November 3, 2009.
9. Attached, as Exhibit 8, is a true and correct copy of a letter from nXn's counsel dated October 16, 2009.
10. Attached, as Exhibit 9, is a true and correct copy of a letter from nXn's counsel dated October 27, 2009.
11. Attached, as Exhibit 10, is a true and correct copy of a letter from nXn's counsel dated October 29, 2009.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on November 3, 2009 in Chicago, Illinois.

/s/ Jason White  
Jason White