

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

BRIGHT RESPONSE, LLC

v.

GOOGLE INC., et al.

NO. 2:07-CV-371-CE

JURY

DECLARATION OF ANDREW W. SPANGLER

My name is Andrew W. Spangler. I am a member of the State Bar of Texas, with Spangler Law PC, and am lead and local counsel of record for Bright Response, LLC (“Bright Response”) in the above-referenced action. The facts recited below are based on documents and correspondence maintained in the files for this case and my own personal knowledge surrounding the correspondence and dialogue reflected in these emails that are authenticated below. This information is true and correct and if called upon to testify I would truthfully testify thereto.

1. Exhibit A is a true and correct copy of an email dated June 2, 2010 from me to local counsel for Defendants, Jennifer Doan (Yahoo) and Jennifer Ainsworth (Google). As a result of that dialogue in this email, counsel for Yahoo and counsel for Google told me they would pass this request from me on behalf of my client to their respective clients.

2. Exhibit B is a true and correct copy of an email from me dated June 7, 2010 to the local counsel noted above, Mrs. Doan and Mrs. Ainsworth.

3. Exhibit C is a true and correct copy of a document that reflects a series of email communications dated June 7, 2010 between me and Mrs. Doan and Mrs. Ainsworth.

4. Exhibit D is a true and correct copy of a June 8, 2010 email that I received from local counsel for Yahoo Mr. Josh Thane.

5. Exhibit E is a true and correct copy of the proposed protective order that Mr. Thane sent to me as part of the June 8, 2010 email referenced above.

6. Exhibit F is a true and correct copy of email correspondence dated June 8, 2010 from me to Mr. Thane.

7. Exhibit G is a true and correct copy of the proposed redline to Defendants Protective Order to which this email correspondence relates.

8. Exhibit H is a true and correct copy of an email dated June 9, 2010 from Yahoo counsel Mr. Thane to me requesting a time to meet and confer.

9. Exhibit I is a true and correct copy of a series of email communications between me and Yahoo counsel Mr. Thane dated June 9, 2010.

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

Executed this 9th of June, 2010, in Longview, Texas.

/s/ Andrew W. Spangler
Andrew W. Spangler