

**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 ELIZABETH A. WILEY

My name is Elizabeth A. Wiley. I am a member of the State Bar of Texas, with The Wiley Firm PC, and one of the counsel of record for Bright Response, LLC (“Bright Response”) in the above-referenced action. The facts recited below regarding documents and correspondence as they are maintained in the files for this case are true and correct and if called upon to testify I would truthfully testify thereto.

1. Exhibit A is a true and correct copy of Defendants’ Joint Supplemental Invalidation Contentions, for which the Court granted leave to serve pursuant to the Court’s Order at Dkt. No. 347 signed on June 1, 2010.

2. Exhibit A-1 is a true and correct copy of chart “A-70” that charts the Branting reference, as served and included among the above-referenced supplemental invalidity contentions.

3. Exhibit A-2 is a true and correct copy of Exhibit B to Defendants’ Joint Supplemental Invalidation Contentions identified above in paragraph 1.

4. Exhibit A-3 is a true and correct copy of excerpts of the as-served copy of the Defendants’ Original Invalidation Contentions served on August 7, 2008, which excerpt deletes the prior art references produced with that document and the chart (which is included below as a separate exhibit to this Declaration, Exhibit A-5).

5. Exhibit A-4 is a true and correct copy of a chart identified as "A-04" to Defendants' Joint Supplemental Invalidity Contentions identified above in paragraph 1.

6. Exhibit A-5 is a true and correct copy of the chart portions of Defendants' Original Invalidity Contentions as mentioned above in paragraph 4.

7. Exhibit B is a true and correct copy of the expert report of Defendants' invalidity expert, Dr. Branting, as served on July 6, 2010.

8. Exhibit C is a true and correct copy of a letter dated July 9, 2010 sent from counsel for Bright Response, Mr. Alex Giza, to counsel for Defendants in advance of the July 9, 2010 meet and confer.

9. Exhibit D is a true and correct copy of four separate email communications from counsel for Defendant Google, Andrea Roberts, producing the references that Bright Response identified as missing at the July 9, 2010 meet and confer.

10. Exhibit E is a true and correct copy of excerpts from Defendant Yahoo's supplemental disclosures of July 2, 2010 in which Dr. Branting is identified but only as an expert on invalidity.

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

Executed this 14th day of July, 2010, in Austin, Texas.

/s/ Elizabeth A. Wiley
Elizabeth A. Wiley