

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

BRIGHT RESPONSE, LLC
F/K/A POLARIS IP, LLC

v.

GOOGLE INC., et al.

NO. 2:07CV-371-TJW-CE

**DECLARATION OF THE HONORABLE GERALD J. MOSSINGHOFF IN SUPPORT
OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES AND
COUNTERCLAIMS**

I, Gerald J. Mossinghoff, declare the following:

1. I have been retained by the law firms of Quinn Emanuel Urquhart & Sullivan, LLP ("Quinn Emanuel") and Howrey LLP ("Howrey") on behalf of Defendants Google, Inc., AOL LLC, America Online Inc., and Yahoo! Inc. (collectively "Defendants"). I was asked to prepare expert reports on various matters relevant to this litigation, make myself available to testify on such matters at deposition, by declaration, or at trial, and have been asked to provide this declaration in support of Defendants' Opposition to Plaintiff's Motion for Summary Judgment on Defendants' Affirmative Defenses and Counterclaims.

2. I have personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I could and would testify to such facts under oath.

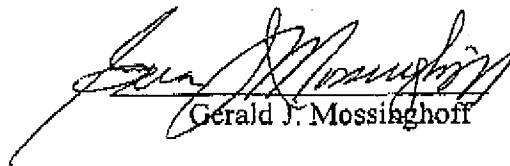
3. My CV setting forth my qualifications and experience is attached as Exhibit A to the expert report I have disclosed in this matter, and which is set forth below and attached as Exhibit N to Defendants' Opposition to Plaintiff's Motion for Summary Judgment on Defendants' Affirmative Defenses and Counterclaims.

4. Attached as Exhibit N to Defendants' Opposition to Plaintiff's Motion for Summary Judgment on Defendants' Affirmative Defenses and Counterclaims, and incorporated by reference herein, is a true and correct copy of the Expert Report of the Honorable Gerald J. Mossinghoff, which I disclosed in the above captioned matter on June 6, 2010. This report sets forth my opinions, as well as certain facts of which I have personal knowledge. This report is accurate and complete. I reserve the right to supplement and/or amend my opinions at or before

trial to the extent that new facts or information are made available to me or as indicated in my report.

I declare under the penalty of perjury of the laws of the United States of America that to the best of my knowledge the foregoing is true and correct.

Executed this 18 day of July, 2010 in TEL AVIV, ISRAEL.


Gerald J. Mossinghoff