

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

PA ADVISORS, LLC,
Plaintiff,

v.

GOOGLE INC., et al.,

Defendants.

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Civil Action No. 2:07-cv-480-RRR

JURY TRIAL DEMANDED

DECLARATION OF ELZABETH 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 nXn Tech, LLC (f/k/a PA Advisors, LLC) (“nXn”) in the above-referenced action. The facts recited below are with my personal knowledge in my capacity as counsel for nXn. These facts are true and correct and if called upon testify I would truthfully testify regarding these facts.

1. On February 24, 2010, I participated in a telephone conference call in which all parties attempted to reach agreement concerning the pending motions in limine. One area on which the parties attempted to reach agreement was regarding the reference to the Spangenberg Family Foundation. Although some language was proposed as part of nXn attempt to work in good faith with the Defendants to resolve this issue.

2. For example, during a meet and confer on this issue nXn stated that it may be amenable to entering into a bi-lateral Motion in Limine that covered testimony related to the charitable operations of both nXn and the Defendants so as long as such language was identical for each party. In the time deadlines this issue could not be definitely resolved with Defendants’ not agreeing by the time these pleadings had to be finalized.

Executed this 25th of February, 2010, in Austin, Texas.

/s/ Elizabeth A. Wiley

Elizabeth A. Wiley