

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

NORTHEASTERN UNIVERSITY and
JARG CORPORATION,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

Case No. 2:07-CV-486-CE

JURY TRIAL DEMANDED

**DECLARATION OF ROBERT M. SCHICK IN SUPPORT OF
PLAINTIFFS' EMERGENCY MOTION TO QUASH
THE SUBPOENA OF MICHAEL BELANGER**

I, Robert M. Schick, declare as follows:

1. I am an attorney with Vinson & Elkins LLP, counsel of record for Plaintiffs in this action. I have personal knowledge of the matters set forth herein and, if called to testify, would testify truthfully and competently thereto.

2. On April 4, 2010, fifteen minutes after the parties were excused from jury selection in this case, I called Michael Belanger on his cell phone in Florida. During our conversation, Mr. Belanger received a call at his door and a server handed him a three page document titled "Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action." The server did not provide Mr. Belanger with a check or any other payment.

3. Attached as Exhibit 1 is a true and correct copy of a Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action, issued by counsel for Defendant Google Inc. and served on Michael Belanger on April 4, 2011.

4. Attached as Exhibit 2 is a true and correct copy of excerpts from the Deposition of Kenneth Baclawski, taken on August 27, 2009.

5. Attached as Exhibit 3 is a true and correct copy of excerpts from the Deposition of Michael Belanger, taken on July 15, 2010.

6. Attached as Exhibit 4 is a true and correct copy of a letter from counsel for Plaintiffs, Nicole E. Glauser, to counsel for Google, Shelley K. Mack, regarding Trial Coordination, dated March 11, 2011.

7. Attached as Exhibit 5 is a true and correct copy of excerpts from the transcript of the Pre-Trial Hearing Before the Honorable Judge Chad Everingham United States Magistrate Judge, held March 29, 2011.

8. Attached as Exhibit 6 is a true and correct copy of excerpts from an email from counsel for Google, Shelley K. Mack, to counsel for Plaintiffs, attaching Google's witness list, exhibit list and deposition designation list, dated February 18, 2011.

9. Attached as Exhibit 7 is a true and correct copy of an email chain between counsel for Google, Jerry Yen, and counsel for Plaintiffs, Nicki Glauser, re: Google/Jarg - Additional Belanger Designations, dated April 4 & 5, 2011.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 5, 2011.

/s/ Robert M. Schick

Robert M. Schick