

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ADVANCEME, INC.,

Plaintiff,

CASE NO. 6:05-CV-424 (LED (JDL))

v.

RAPIDPAY LLC, FIRST FUNDS LLC,
MERCHANT MONEY TREE, INC.,
REACH FINANCIAL, LLC, and FAST
TRANSACTION, INC. d/b/a SIMPLE CASH,

Defendants.

JURY TRIAL DEMANDED

ADVANCEME, INC.,

Plaintiff,

CASE NO. 6:06-CV-082 (LED – JDL)

v.

AMERIMERCHANT, LLC,

Defendant.

JURY TRIAL DEMANDED

**DECLARATION OF MICHAEL N. EDELMAN IN SUPPORT OF
ADVANCEME, INC.'S OPPOSITION TO DEFENDANTS'
MOTION FOR LEAVE TO AMEND INVALIDITY CONTENTIONS**

I, Michael N. Edelman, declare that I am an attorney, admitted to practice before this Court *pro hac vice*, and of counsel to the law firm Paul, Hastings, Janofsky & Walker, LLP, representing plaintiff, AdvanceMe, Inc. in the above-captioned matter. If called upon to testify, I could and would do so competently as to the matters set forth herein.

1. Attached hereto as Exhibit A is a true and correct copy of a April 26, 2006 e-mail from David Goldin to Tim Litle.

2. Attached hereto as Exhibit B are true and correct copy of an April 27, 2006 e-mail from David Goldin to Tim Litle regarding a Forbes article.

3. Attached hereto as Exhibit C is a true and correct copy of an email from David Goldin to Tim Litle regarding the Advanceme Patent.

4. Attached hereto as Exhibit D is a true and correct copy of a fax cover sheet attaching a Promissory Note for Postage Advance, from Paymentech to David Goldin reflecting a fax date of June 19, 2006.

5. Attached hereto as Exhibit E is a true and correct copy of a June 20, 2006 e-mail from David Goldin to Tim Litle regarding Postage Financing Agreement.

6. Attached hereto as Exhibit F is a true and correct copy of an email from David Goldin to Tim Litle regarding prior art.

7. Attached hereto as Exhibit G is a true and correct copy of an email dated July 7, 2006 from Tim Litle to David Goldin regarding a patent issue.

8. Attached hereto as Exhibit H is a true and correct copy of an email dated July 10, 2006 from David Goldin to Tim Litle regarding an interview with Defendants' attorneys.

9. Attached hereto as Exhibit I is a true and correct copy of an email dated July 13, 2006 from David Goldin to Tim Litle regarding a follow up from the interview with Defendants' attorneys.

10. Attached hereto as Exhibit J is a true and correct copy of an email dated July 15, 2006 from Tim Litle to David Goldin regarding postage financing agreements.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served a copy of this document via the court's CM/ECF system pursuant to Local Rule cv-5(a)(3) on this the 17th day of November, 2006. Any other counsel of record will be served by first class mail on this same date.

_____/s/
Rose Jones-Shine

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