

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION

I/P ENGINE, INC.

Plaintiff,

v.

AOL, INC., *et al.*,

Defendants.

Civil Action No. 2:11-cv-512

**DECLARATION OF JENNIFER GHAUSSY IN SUPPORT OF GOOGLE'S MOTION  
TO COMPEL**

I, Jennifer Ghaussy, declare as follows:

1. I am an attorney in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP and am counsel for Defendant Google Inc. ("Google") in the above-captioned case. I provide this declaration upon personal knowledge and, if called upon as a witness, would testify competently as to the matters recited herein.
2. Attached hereto as Exhibit A is a true and correct copy of selected pages from the transcript of the July 11, 2012 deposition of Alexander Berger.
3. Attached hereto as Exhibit B is a true and correct copy of selected pages from the transcript of the July 25, 2012 deposition of Alexander Berger as 30(b)(6) witness for I/P Engine, Inc. and Innovate/Protect, Inc.

4. Attached hereto as Exhibit C is a true and correct copy of selected pages from the transcript of the May 17, 2012 deposition of Andrew Lang.
5. Attached hereto as Exhibit D is a true and correct copy of a letter from Charles Monterio to Joshua Sohn dated December 13, 2011.
6. Attached hereto as Exhibit E is a true and correct copy of a PowerPoint presentation produced by I/P Engine at bates numbers IPE 0021932-IPE 0021950.
7. Attached hereto as Exhibit F is a true and correct copy of Google's Requests for Production to I/P Engine.
8. Attached hereto as Exhibit G is a true and correct copy of Defendants' November 29, 2011 Subpoena to Innovate/Protect.
9. Attached hereto as Exhibit H is a true and correct copy of a letter from Emily O'Brien to Charles Monterio dated July 26, 2012.
10. Attached hereto as Exhibit I is a true and correct copy of an email from Charles Monterio to Emily O'Brien dated July 30, 2012.
11. Attached hereto as Exhibit J is a true and correct copy of a Stock Subscription Agreement between Labrador Search Corporation and Donald Kosak produced by Mr. Kosak at bates numbers DK0000001-DK0000007.
12. Attached hereto as Exhibit K is a true and correct copy of selected pages from the transcript of the May 31, 2012 deposition of Donald Kosak.
13. Attached hereto as Exhibit L is a true and correct copy of a letter from Emily O'Brien to Charles Monterio dated July 20, 2012.
14. Attached hereto as Exhibit M is a true and correct copy of an email chain between Emily O'Brien and Charles Monterio dated July 24, 2012.

15. Attached hereto as Exhibit N is a true and correct copy of I/P Engine's Supplemental Privilege Log served August 9, 2012.
16. Attached hereto as Exhibit O is a true and correct copy of an email chain between myself and Charles Monterio, with the most recent email dated June 27, 2012.
17. Attached hereto as Exhibit P is a true and correct copy of selected pages from the transcript of the July 25, 2012 deposition of Alexander Berger, as 30(b)(6) designee of Hudson Bay.
18. Attached hereto as Exhibit Q is a true and correct copy of Mr. Lang's Supplemental Privilege Log served August 9, 2012.
19. Attached hereto as Exhibit R is a true and correct copy of selected pages of the transcript of the July 31, 2012 deposition of Mark Blais, 30(b)(6) designee of Lycos Inc..
20. Attached hereto as Exhibit S is a true and correct copy of I/P Engine's Privilege Log served February 1, 2012.
21. Attached hereto as Exhibit T is a true and correct copy of I/P Engine's Privilege Log served April 4, 2012.
22. Attached hereto as Exhibit U is a true and correct copy of an email chain between counsel for Google and Plaintiff, with the most recent email dated August 9, 2012.
23. Plaintiff produced documents from Mr. Lang on December 21, 2011.
24. On May 7, 2012, Defendants issued a new document subpoena to Innovate/Protect, in response to which Innovate/Protect produced 207 pages of documents.
25. On May 30, 2012, the eve of the deposition of Donald Kosak, one of the two named inventors of the patents-in-suit, Plaintiff produced Mr. Kosak's documents, including a "Stock

Subscription Agreement" between Mr. Kosak and Labrador Search Corporation (now Innovate/Protect).

26. During the parties' meet and confer on August 2, Google asked whether Plaintiff was limiting its answer to Google's email of August 1 to documents Plaintiff believed were "relevant," but Plaintiff refused to answer, questioning whether the requested documents were responsive to Google's document requests. Google also requested that Plaintiff confirm that it had actually searched for and produced all responsive documents to Google's specific requests, as outlined in its August 1 email. Even though the documents Defendants' requested concerned the patents-in-suit and were obviously responsive to numerous requests, Plaintiff stated it would not confirm until receiving a list of requests for production to which those documents were responsive.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: August 14, 2012

  
\_\_\_\_\_  
Jennifer Ghaussy

DATED: August 14, 2012

/s/ Stephen E. Noona

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 14, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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