

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

I/P ENGINE, INC.

Plaintiff,

v.

Civil Action No. 2:11-cv-512

AOL INC., *et al.*,

Defendants.

**DECLARATION OF HOWARD CHEN IN SUPPORT OF DEFENDANTS' REPLY
BRIEF IN SUPPORT OF THEIR MOTION TO PRECLUDE DR. OPHIR FRIEDER
FROM TESTIFYING REGARDING UNTIMELY OPINIONS THAT WERE NOT
DISCLOSED IN HIS ORIGINAL EXPERT REPORT AND OPINIONS THAT HE NOW
CONCEDES ARE INCORRECT**

I, Howard Chen, declare as follows:

1. I am an attorney in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP and am counsel for Defendants Google Inc., IAC Search & Media, Inc., Gannett Co., Inc. and Target Corp. 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 I** are selected pages from the September 6, 2012 Deposition of Ophir Frieder.

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

Dated: October 2, 2012



Howard Chen

DATED: October 2, 2012

/s/ Stephen E. Noona

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CERTIFICATE OF SERVICE

I hereby certify that on October 2, 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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