

**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 STEPHEN E. NOONA IN SUPPORT OF MOTION TO STRIKE

I, Stephen E. Noona declare:

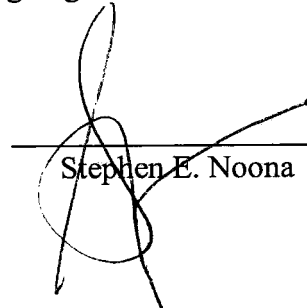
1. I am a partner with the law firm of Kaufman & Canoles, P.C. (“Kaufman & Canoles”), 150 W. Main Street, Suite 2100, Norfolk, Virginia 23510.
2. Kaufman & Canoles represents Defendants AOL Inc., Google Inc., Target Corporation, IAC Search & Media, Inc. and Gannett Co., Inc. (collectively, “Defendants”) in this matter.
3. On August 30, 2013, I received a call from Donald Schultz, counsel for the Plaintiff. Mr. Schultz asked if Defendants would agree to call the Court’s Courtroom Clerk, Ms. Patrice Thompson, to apprise the Court of the pending Emergency Motion (the “Motion”) to shorten briefing on Plaintiff’s Motion to Show Cause (“Motion to Show Cause”).
4. After checking with lead counsel, I called Mr. Schultz back and informed him that we would call the Court with him as requested and that we would respond to the Motion to Show Cause by Wednesday, September 4, 2013. Thereafter, we called Ms. Thompson and, receiving

her voicemail, left her a message informing her of the Motion, and I informed her that Defendants would respond by Wednesday (September 4, 2013).

5. On September 4, 2013, as promised, Defendants filed a response to the Motion and Motion to Show Cause.

6. Exhibit 1 is a true and correct copy of emails exchanged between Plaintiff's counsel and Defendant's counsel on September 12, 2013 and September 13, 2013.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of September, at Norfolk, Virginia.



Stephen E. Noona

DATED: September 13, 2013

/s/ Stephen E. Noona

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169
senoona@kaufcan.com

David Bilsker
David A. Perlson
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, California 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700
davidbilsker@quinnemanuel.com
davidperlson@quinnemanuel.com

*Counsel for Google Inc., Target Corporation,
IAC Search & Media, Inc., and Gannett Co., Inc.*

/s/ Stephen E. Noona

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 W. Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169

Robert L. Burns
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
Two Freedom Square
11955 Freedom Drive
Reston, VA 20190
Telephone: (571) 203-2700
Facsimile: (202) 408-4400

Cortney S. Alexander
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
3500 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, GA 94111
Telephone: (404) 653-6400
Facsimile: (415) 653-6444

Counsel for Defendant AOL Inc.

CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2013, 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:

Jeffrey K. Sherwood
Kenneth W. Brothers
DICKSTEIN SHAPIRO LLP
1825 Eye Street NW
Washington, DC 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201
sherwoodj@dicksteinshapiro.com
brothersk@dicksteinshapiro.com

Donald C. Schultz W. Ryan Snow
Steven Stancliff
CRENSHAW, WARE & MARTIN, P.L.C.
150 West Main Street, Suite 1500
Norfolk, VA 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735
dschultz@cwm-law.com
wrsnow@cwm-law.com
sstancliff@cwm-law.com

Counsel for Plaintiff, I/P Engine, Inc.

/s/ Stephen E. Noona
Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169
senoona@kaufcan.com