

1 THE HON. JOHN C. COUGHENOUR

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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 OMNI INNOVATIONS, LLC, a Washington
Limited Liability company; and JAMES S.
11 GORDON, JR., a married individual,

12 Plaintiffs,

13 v.

14 BMG COLUMBIA HOUSE, INC., a New
York corporation; and JOHN DOES, I-X,

15 Defendants.

NO. CV6-1350 JCC

DECLARATION OF ROGER
TOWNSEND IN SUPPORT OF
DEFENDANT'S OPPOSITION TO
MOTION FOR PARTIAL SUMMARY
JUDGMENT

**Note on Motion Calendar:
July 13, 2007**

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17 I, Roger Townsend, swear under penalty of perjury under the laws of the United
18 States of America to the following:

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20 1. I am counsel of record for defendant BMG COLUMBIA HOUSE, INC
21 ("BMG"), am over age 18, and competent to be a witness. I am making this Declaration
22 based on facts within my own personal knowledge.

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24 2. The instant lawsuit is in its nascent stages. The parties have propounded
25 written discovery requests, but responses are not due. No depositions have been
26 conducted. Trial is scheduled for July 14, 2008.

DECLARATION OF ROGER TOWNSEND (RE:
OPPOSITION TO MOTION FOR PARTIAL
SUMMARY JUDGMENT)
(NO. CV6-1350 JCC) - 1

LAW OFFICES
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DATED this 9th day of July, 2007, at Seattle, WA

/s/ Roger M. Townsend
Roger M. Townsend

DECLARATION OF ROGER TOWNSEND (RE:
OPPOSITION TO MOTION FOR PARTIAL
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(NO. CV6-1350 JCC) - 2

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CERTIFICATE OF SERVICE

I hereby certify that on July 9, 2007, I electronically filed the foregoing to the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

- **Roger M. Townsend**
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- **Robert Siegel**
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By____s/ Roger M. Townsend

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DECLARATION OF ROGER TOWNSEND (RE:
OPPOSITION TO MOTION FOR PARTIAL
SUMMARY JUDGMENT)
(NO. CV6-1350 JCC) - 3

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