

THE HONORABLE RICARDO MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ETREPPID TECHNOLOGIES, LLC,

Plaintiff,

v.

DENNIS MONTGOMERY, et al.,

Defendants.

No. 2:06-MC-00192-RSM

No.: 3:06CV00145-BES-VPC

United States District Court for the District  
of Nevada

DECLARATION OF BRIAN KEELEY

Noted January 5, 2007

DENNIS MONTGOMERY, et al.,

Counterclaimants and  
Third-Party Plaintiffs,

v.

ETREPPID TECHNOLOGIES, LLC, et al.,

Counterdefendants and  
Third-Party Defendants.

I, Brian K. Keeley, declare:

1. I am over 18 years of age. I am otherwise competent to make this declaration. I am one of the attorneys representing third parties AziMyth LLC and Michael Sandoval, who have been served with subpoenas in this matter. This declaration is based upon my own personal knowledge.

DECLARATION OF BRIAN KEELEY:  
No.: 2:06-MC-00192-RSM

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**Bullivant|Houser|Bailey PC**


1601 Fifth Avenue, Suite 2300  
Seattle, Washington 98101-1618  
Telephone: 206.292.8930

1           2. Attached to this declaration are true and correct copies of documents retrieved  
2 from the PACER system for the United States District Court for the District of Nevada for  
3 case numbers 06-CV-00056 and 06-CV-00145:

- 4           a. Pages 4-16: First Amended Complaint (Case No. 06-CV-00056, Document  
5           No. 7)
- 6           b. Pages 17-28: Answer to First Amended Complaint (Case No. 06-CV-00145,  
7           Document No. 1-2)
- 8           c. Pages 29-32: Order (Case No. 06-CV-00145, Document No. 26-3)
- 9           d. Pages 33-35: Notice of Removal (Case No. 06-CV-00145, Document No. 1-1)
- 10          e. Pages 36-68: Notice of Motion and Motion of Defendants and Counter  
11          Claimants to Vacate Preliminary Injunction (Case No. 06-CV-00145,  
12          Document No. 26-1)
- 13          f. Pages 69-85: Notice of Motion and Motion for Protective Order by the United  
14          States (Case No. 06-CV-00056, Document No. 83-1)
- 15          g. Pages 86-94: Notice of Motion and Motion of Defendants and Counter  
16          Claimants for Judgment on the Pleadings (Case No. 06-CV-00145, Document  
17          No. 24)
- 18          h. Pages 95-100: Reply Brief in Support of Motion to Remand or, in the  
19          Alternative, to Sever Third-Party Claim by Defendants Against United States  
20          and Remand Claims Between Plaintiff's and Defendants (Case No. 06-CV-  
21          00145, Document No. 27)

22           I declare under penalty of perjury under the laws of the State of Washington and the  
23 United States of America that the foregoing is true and correct.

1 DATED: December 28, 2006

2  
3 By   
4 Brian K. Keeley, WSBA #32121

5  
6  
7 **CERTIFICATE OF SERVICE**

8 I hereby certify that on December 29, 2006, I electronically filed the foregoing with the  
9 Clerk of the Court using the CM/ECF system which will send notification of such filing to  
10 the persons listed below:

10 Jay R. Rodne  
11 O'Brian Barton Wieck & Joe, PLLP  
12 175 NE Gilman Boulevard  
13 Issaquah, WA 98027  
14 jayrodne@obrienlawfirm.net

14 I also hereby certify that on this day I caused to be delivered via facsimile and the  
15 U.S. Postal Service a copy of this document to the persons listed below:

15 Ronald J. Logar, Esq.  
16 Eric A. Pulver, Esq.  
17 The Law Offices of Logar & Pulver  
18 225 S. Arlington Avenue, Ste A  
19 Reno, NV 89501  
20 (775) 786-5044

Michael J. Flynn, Esq.  
Philip H. Stillman, Esq.  
Flynn & Stillman  
224 Bermingham Dr., Ste 1A4  
Cardiff, CA 92007  
(888) 235-4279

20 Carlotta P. Wells  
21 Civil Division – Room 7150  
22 US Dept of Justice  
23 20 Massachusetts Ave NW  
24 PO Box 883  
25 Washington, DC 20044  
26 (202) 616-8470

William J. Goines  
Cindy Hamilton  
Alisha M. Louie  
Greenberg Traurig, LLP  
1900 University Avenue, 5<sup>th</sup> FL  
East Palo Alto, CA 94303  
(650) 328-8508

24   
25 Jana L. Thomas

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