

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SOARING HELMET CORPORATION, a
Washington Corporation,

Plaintiff,

v.

NANAL, INC., a Nevada corporation, d/b/a
LEATHERUP.COM,

Defendant.

NO. C 09-0789 JLR

DECLARATION OF HEATHER M.
MORADO IN SUPPORT OF
PLAINTIFF'S RESPONSE TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT

My name is Heather Morado. I am over the age of 21, have personal knowledge of the facts stated herein, and am otherwise competent to make this declaration. I declare as follows:

1. I am an attorney at Invicta Law Group, PLLC, counsel to Plaintiff in this matter.
2. Attached hereto as Exhibit A is a true and correct copy of Plaintiff's initial disclosures that were served on Defendant Nanal, Inc. ("Defendant") on August 17, 2009.
3. Attached hereto as Exhibit B is a true and correct copy of Plaintiff's amended initial disclosures that were served on Defendant on February 1, 2010.

1 4. Attached hereto as Exhibit C is a true and correct copy of Plaintiff's answer to
2 Defendant's interrogatory no. 2, which was served on Defendant on June 21, 2010.

3 5. Attached hereto as Exhibit D is a true and correct copy of Plaintiff's answer to
4 Defendant's interrogatory no. 22, which was served on Defendant on June 21, 2010.

5 6. In late August, 2010, counsel for defendant expressed an interest in deposing
6 Jeanne DeMund, Lou Xu, Claudia Mallard, and Wayne Layman. Attached hereto as Exhibit
7 E is a true and correct copy of an e-mail I received from counsel for defendant regarding
8 deposition scheduling for these witnesses. However, counsel never followed up with notices
9 of depositions, phone calls, or requests for firm dates. I offered to agree to stipulate to an
10 extension of the discovery deadline in order to accommodate scheduling of depositions for
11 the above witnesses, but counsel declined my offer.

12 7. I received the documents attached as Exhibits A, B, and C to the Declaration
13 of Claudia Mallard in Support of Plaintiff's Response to Defendant's Motion for Summary
14 Judgment (Docket No. 64) for the first time in preparation for Plaintiff's Response to
15 Defendant's Motion for Summary Judgment.

16 8. Attached hereto as Exhibit F is a true and correct copy of the Supplemental
17 Declaration of Heather M. Morado in Support of Plaintiff's Response to Defendant's Motion
18 for Summary Judgment, explaining the praecipe filed with the Court replacing Exhibit N to
19 my original declaration. The praecipe and supplemental declaration were filed with the
20 Court on November 30, 2010.

21 //

22 //

23 //

1 I declare under penalty of perjury under the laws of the state of Washington that the
2 foregoing is true and correct to the best of my knowledge and belief.

3 DATED this 28th day of December 2010.

4 INVICTA LAW GROUP, PLLC

5 By 
6 Heather M. Morado, WSBA #35135
7 Attorney for Plaintiff
8
9
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11
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19
20
21
22
23

1 CERTIFICATE OF SERVICE

2 I hereby certify that I electronically filed the foregoing with the Clerk of the Court
3 using the CM/ECF system which will send notification of such filing to the following
4 persons/attorneys of record:

5 Ms. Katherine Hendricks
6 Ms. Stacia N. Lay
7 HENDRICKS & LEWIS, PLLC
8 901 Fifth Avenue, Suite 4100
9 Seattle, WA 98164

10 EXECUTED at Seattle, Washington on December 28, 2010.

11 

12 Sara J. Russell
13 Legal Secretary
14
15
16
17
18
19
20
21
22
23

EXHIBIT A

1 Stacie Foster, WSBA #23397
Heather M. Morado WSBA #35135
2 INVICTA LAW GROUP, PLLC
1000 Second Avenue, Suite 3310
3 Seattle, WA 98104-1019
Telephone: (206) 903-6364
4 Facsimile: (206) 903-6365

THE HONORABLE JAMES L. ROBART

5 Attorneys for Plaintiff
6
7
8

9 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

10 SOARING HELMET CORPORATION, a
11 Washington corporation,

12 Plaintiff,

13 v.

14 NANAL, INC., a Nevada corporation, d/b/a
LEATHERUP.COM, and GOOGLE, INC., a
15 Delaware corporation.

16 Defendants.
17

NO. C09-0789 JLR

PLAINTIFF'S INITIAL DISCLOSURES
PURSUANT TO FED. R. CIV. PRO.
26(a)(1)

18 Soaring Helmet Corporation, ("Soaring Helmet") hereby provides Nanal, Inc. d/b/a
19 Leatherup.com and Google, Inc. (collectively, "Defendants") with its Initial Disclosures
20 pursuant to Federal Rule of Civil Procedure ("FRCP") 26(a)(1). Soaring Helmet reserves
21 the right to amend and supplement these initial disclosures as further information becomes
22 available.
23

PLAINTIFF'S INITIAL DISCLOSURES PURSUANT TO FED.
R. CIV. PRO. 26(a)(1)- 1

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

1
2 **A. Individuals Likely to Have Discoverable Information.**

3 The following individuals are likely to have discoverable information that Soaring
4 Helmet may use to support its claims or defenses. Unless otherwise indicated, the
5 following individuals work at 18235 Olympic Avenue S., Tukwila, WA 98188, and may
6 be contacted via the undersigned trial counsel:
7

- 8 1. Ms. Jeanne DeMund
- 9 2. Mr. Lou Xu
- 10 3. Mr. Wayne Leyman
- 11 4. Ms. Claudia Mallard
- 12 5. Mr. Albert Bootesaz, President
Nanal, Inc.
2200 S Fort Apache, #2036
Las Vegas, NV 89117
- 14 6. Representative of Google, Inc.

15
16 Unless otherwise specified, these individuals may be called to testify concerning
17 their knowledge of all matters relevant to these proceedings, including the trademarks at
18 issue; financial information; customer base; marketing and advertising; defendants'
19 infringement; and confusion regarding marketing and advertising on Google. Soaring
20 Helmet's investigation and discovery concerning this case is continuing and, if additional
21 information is obtained after the date of these disclosures, Soaring Helmet will
22 supplement these disclosures according to Rule 26(e) of the FRCP.
23

1 **B. Supporting Documents.**

2 The following documents are attached:

- 3 1. The U.S. trademark registration of the VEGA mark set forth in the
- 4 Complaint;
- 5 2. A copy of the false and misleading Leatherup.com advertisement generated
- 6 by the Google search engine, as set forth in the Complaint;
- 7 3. A copy of the cease and desist letter sent to Leatherup.com as set forth in
- 8 the Complaint;
- 9 4. A copy of the cease and desist letter sent to Google, Inc. as set forth in the
- 10 Complaint;
- 11 5. A copy of the misleading Leatherup.com advertisement currently generated by
- 12 the Google search engine, as set forth in the Complaint.

13 To the extent they exist, responsive, non-privileged documents in the following

14 categories will be provided for inspection and copying at a mutually agreed time and place

15 in accordance with FRCP 26(a)(1)(B), subject to an appropriate Protective Order for

16 confidential business information per FRCP 26(c):

- 17 1. Documents pertaining to the use of the marks set forth in the Complaint;
- 18 2. Documents pertaining to the marketing and advertising of Soaring Helmet's
- 19 products bearing the VEGA mark.

20 Soaring Helmet's investigation and discovery concerning this case is continuing

21 and, if additional information is obtained after the date of these disclosures, Soaring

22

23

PLAINTIFF'S INITIAL DISCLOSURES PURSUANT TO FED.
R. CIV. PRO. 26(a)(1)- 3

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

1 Helmet will supplement these disclosures according to Rule 26(e) of the FRCP.

2 **C. Computation of Damages.**

3 This suit is intended to recover damages suffered by Soaring Helmet for the
4 conduct set forth in the Complaint. As specified in its Complaint, if the judgment is that a
5 likelihood of confusion, mistake or deception exists, Soaring seeks relief in the form of
6 profits, enhancement of either of the foregoing, costs and expenses, attorney's fees, a
7 permanent injunction and the other relief set forth in the Complaint.

8 The amount of Defendants' profits is information within the possession and control
9 of Defendants and has not yet been discovered, therefore, a computation of this remedy is
10 premature. Additionally, the extent of Soaring Helmet's damages is currently unknown.

11 Documents and other evidentiary material bearing on the nature and extent of
12 injury to Soaring Helmet by reason of actions alleged in the Complaint will either be
13 produced or made available for inspection and copying after those materials are
14 discovered.


15 These initial computations are subject to continuing analysis and will be revised or
16 supplemented if and as necessary according to Rule 26(e) of the FRCP, except for normal
17 increases in past damages and claims of interest, all of which should be assumed by the
18 parties and which do not call for any specific supplementation.

19 **D. Insurance Agreement.**

20 No relevant insurance agreement is known to exist.
21
22
23

1 DATED August 17, 2009.

2 INVICTA LAW GROUP, PLLC

3 By 
4 Heather M. Morado, WSBA No. 35135
5 Stacie Foster, WSBA No. 23397
6 Attorney for Plaintiff


7 CERTIFICATE OF SERVICE

8 I hereby certify that I electronically filed the foregoing with the Clerk of the Court
9 using the CM/ECF system which will send notification of such filing to the following
10 persons/attorneys of record:
11

12 Ms. Karin B. Swope
13 Keller Rohrback, LLC
14 kswope@kellerrohrback.com

15 Ms. Margaret M. Caruso
16 Quinn Emanuel Urquhart Oliver & Hedges, LLP
17 margretcaruso@quinnemanuel.com

18 Dated this 17th day of August 2009, at Seattle, Washington.

19 
20 Katy M. Albritton
21 Legal Assistant
22
23

PLAINTIFF'S INITIAL DISCLOSURES PURSUANT TO FED.
R. CIV. PRO. 26(a)(1)-5

INVICTA LAW GROUP, PLLC

1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,087,637

United States Patent and Trademark Office

Registered Aug. 12, 1997

**TRADEMARK
PRINCIPAL REGISTER**

VEGA

SOARING HELMET CORPORATION (WASH-
INGTON CORPORATION)
770 INDUSTRY DRIVE, BUILDING 16
TUKWILA, WA 98118

FIRST USE 3-18-1994, IN COMMERCE
3-18-1994.

SER. NO. 75-155,017, FILED 8-23-1996.

FOR: MOTORCYCLE HELMETS, IN CLASS 9
(U.S. CLS. 21, 23, 26, 36 AND 38).

DAVID M. MERMELSTEIN, EXAMINING AT-
TORNEY

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vega helmets

Search

Advanced Search
PreferencesCustomized based on recent search activity. [More detail](#)

Web Shopping

Results 1 - 10 of about 102,000 for **vega helmets**. (0.11 seconds)**Vega Motorcycle Helmets**

Sponsored Links

www.TheHelmetZone.com Snow, Motorcycle, Half & Flip-Up Buy Direct & Save - Free Shipping**50% Off Vega Helmets**www.LeantherUp.com Half face, full face helmets from \$29.95, Top Brands HJC, Shoei, Bell**Vega Motorcycle Helmets**www.Jafrum.com/VEGA_Helmets Amazing Prices, 115% Price Match, Free Size Exchanges, Free Shipping!**Welcome to Vega Helmet Corporation**

Half Helmets XT Half Helmet · XTS Half Helmet Vega Riding Apparel ... Vega Helmet Corporation. 18235 Olympic Avenue S., Tukwila, WA 98188 ...

www.vegahelmet.com/ - 17k - [Cached](#) - [Similar pages](#)[Street](#)[Off Road](#)[Find a Dealer](#)[Summit II](#)[Snowmobile](#)[NT 200](#)[Company](#)[Altura](#)[More results from vegahelmet.com »](#)**Vega Helmets - Company**

If you are an individual interested in purchasing a Vega Helmet you must email your zip ... "VEGA" helmets are available to legitimate motorcycle dealers. ...

www.vegahelmet.com/company.html - [Similar pages](#)**Motorcycle Helmets and Motorcycle Helmet Accessories from The ...**

Motorcycle helmets and Motorcycle helmet - Welcome to a great place to buy discount motorcycle helme.

www.helmetshop.com/ - 39k - [Cached](#) - [Similar pages](#)**Vega Motorcycle Helmets**

Vega Motorcycle Helmets from The Helmet Shop. ...

Subcategories: Vega Full Face Helmets · Vega Open Face Helmets · Vega Half Helmets ...

www.helmetshop.com/CategoryProductList.jsp?cat=Shop+By+Brand:Vega+Helmets - 21k -[Cached](#) - [Similar pages](#)**Shopping results for vega helmets**[Vega Summit II ColorMatch Motorcycle Helmet](#) \$139.95 - Motorcycle Superstore[Vega Summit XPV 2 Solid Helmets L Large White](#) \$124.99 - compacc.com[Vega Altura Helmet DOT 520 Silver](#) \$69.99 - Jafrum.com

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Vega HelmetsMotorcycle gear, apparel & parts. Low Price Guarantee. Free Shipping! www.Motorcycle-Superstore.com**Online Motocross Store**We carry all the major brands. Great Deals at Motocrossgiant. www.motocrossgiant.com**Vega Helmets**Bargain Prices. Smart Deals. Save on Vega Helmets! Shopzilla.com**60% OFF Motorcycle Helmet**Fast & Free Shipping + Free Returns 125% Price Guarantee + MB Guarantee MotoDirect.com/Motorcycle_Helmets!**Vega Helmets**Vehicle Parts & Accessories! Bid on Vega Helmets. www.eBay.com**Vega Helmets**Vega Helmets - Compare prices & find expert reviews! www.Best-Price.com/Helmets**Vega Helmets**Find Car Parts, Accessories, Tools Garage Equipment, Car Care & More Amazon.com/motorcycle**Vega Helmets**Buy Vega Helmets now. Fuel your passion on eBay Motors! www.eBayMotors.com[More Sponsored Links »](#)

April 28, 2009

Mark V. Jordan
Email: mjordan@invictalaw.com**VIA CERTIFIED MAIL:70072680000056348336**
AND FIRST CLASS MAILLEATHERUP.COM
2620 S. Maryland
Suite 846
Las Vegas, NV 89109**Re: Cease and Desist Trademark Infringement****To Whom It May Concern:**

We are counsel for Soaring Helmet Corporation, the exclusive owner of the trademark rights to VEGA (the "Mark"). A copy of Soaring Helmet Corporation's federal trademark registration is attached hereto as Exhibit A. Soaring Helmet Corporation views its Mark as a valuable asset that will be protected to the fullest extent allowable by law.

Soaring Helmet Corporation recently learned that when the query "Vega helmets" is searched via the Google website, an advertisement appears under Google's sponsored listings that misleadingly states that the website Leatherup.com offers "50% off Vega Helmets." A copy of the Google search results for "Vega helmets" is attached hereto as Exhibit B. However, Leatherup.com does not in fact sell any of our client's products.

Since Leatherup.com does not sell Vega helmets, we believe that Leatherup.com has wrongfully purchased the Mark from Google, Inc. as a false and misleading advertising keyword. Our client has lost business because the Leatherup.com sponsored link is falsely advertising that it sells our client's products at a deep discount, when in fact, Leatherup.com does not. As a result of the false advertisement, a retailer who does not wish to be associated with products sold at a deep discount has refused to do business with Soaring Helmet Corporation. Further, consumers searching for our client's products will continue to be misled to the Leatherup.com website, causing initial interest confusion. This unauthorized use of the Mark is a violation of federal and state trademark and unfair competition laws.

As I hope you can appreciate, Soaring Helmet Corporation cannot permit others to trade on the goodwill and damage the value and integrity of its Mark through false and misleading advertisements. Because the public closely associates the Mark with our client's

Leatherup.com
April 28, 2009
Page 2

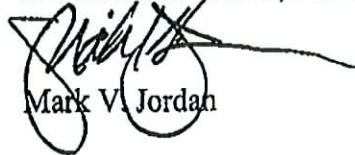
products, we are concerned that this unauthorized use of the Mark will cause consumers to mistakenly assume that Soaring Helmet Corporation sells its products to deep-discount online retailers or is otherwise affiliated with the Leatherup.com website.

Because Soaring Helmet Corporation has been and will continue to be substantially and irreparably damaged should this infringement continue, it must enforce its exclusive rights to the Mark. Soaring Helmet Corporation demands that Leatherup.com immediately remove any reference to the Mark from any false and misleading sponsored listing advertisements.

Unless these demands are complied with by May 8, 2009, Soaring Helmet Corporation will assume Leatherup.com intends to willfully disregard its rights, and Soaring Helmet Corporation will pursue whatever action or remedies it deems appropriate to protect its rights to the fullest extent of the law.

Very truly yours,

INVICTA LAW GROUP, PLLC



Mark V. Jordan

MVJ:hmm

Enclosure

cc: Soaring Helmet Corporation (w/o encl.)

1840 031 id280301

1000 Second Ave, Suite 3310

Seattle, WA 98104-1019

(206) 903-6364

fax (206) 903-6365

www.invictalaw.com

April 28, 2009

Mark V. Jordan
Email: mjordan@invictalaw.com**VIA CERTIFIED MAIL:70072680000056348329**
AND FIRST CLASS MAILGOOGLE, INC.
Attn: Legal Department
1600 Ampitheatre Parkway
Mountain View, CA 94043**Re: Cease and Desist Trademark Infringement****To Whom It May Concern:**

We are counsel for Soaring Helmet Corporation, the exclusive owner of the trademark rights to VEGA (the "Mark"). A copy of Soaring Helmet Corporation's federal trademark registration is attached hereto as Exhibit A. Soaring Helmet Corporation views its Mark as a valuable asset that will be protected to the fullest extent allowable by law.

Soaring Helmet Corporation recently learned that when the query "Vega helmets" is searched via the Google website, an advertisement appears under Google's sponsored listings that misleadingly states that the website Leatherup.com offers "50% off Vega Helmets." A copy of the Google search results for "Vega helmets" is attached hereto as Exhibit B. However, Leatherup.com does not in fact sell any of our client's products.

Since Leatherup.com does not sell Vega helmets, we believe that Google has wrongfully sold the Mark as a false and misleading advertising keyword to Leatherup.com. Our client has lost business because the Leatherup.com sponsored link is falsely advertising that it sells our client's products at a deep discount, when in fact, Leatherup.com does not. As a result of the false advertisement, a retailer who does not wish to be associated with products sold at a deep discount has refused to do business with Soaring Helmet Corporation. Further, consumers searching for our client's products will continue to be misled to the Leatherup.com website, causing initial interest confusion. This unauthorized use of the Mark is a violation of federal and state trademark and unfair competition laws.

As I hope you can appreciate, Soaring Helmet Corporation cannot permit others to trade on the goodwill and damage the value and integrity of its Mark through false and misleading advertisements. Because the public closely associates the Mark with our client's

Google, Inc.
April 28, 2009
Page 2

products, we are concerned that this unauthorized use of the Mark will cause consumers to mistakenly assume that Soaring Helmet Corporation sells its products to deep-discount online retailers or is otherwise affiliated with the Leatherup.com website.

Because Soaring Helmet Corporation has been and will continue to be substantially and irreparably damaged should this infringement continue, it must enforce its exclusive rights to the Mark. Soaring Helmet Corporation demands that Google immediately remove any reference to the Mark from any false and misleading sponsored listing advertisements, including but not limited to the Leatherup.com sponsored listing advertisement.

While we sincerely hope that we can resolve this matter through direct discussion, unless these demands are complied with by May 8, 2009, Soaring Helmet Corporation will assume Google intends to willfully disregard its rights, and Soaring Helmet Corporation will pursue whatever action or remedies it deems appropriate to protect its rights to the fullest extent of the law.

Very truly yours,

INVICTA LAW GROUP, PLLC


Mark V. Jordan

MVJ:hmm

Enclosure

cc: Soaring Helmet Corporation (w/o encl.)

1840 031 id280801

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vega helmets

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50% Of Motorcycle Helmets

[www.LeantherUp.com](#) Half face, full face helmets from \$29.95,
Top Brands HJC, Shoei, Bell

50% OFF Motorcycle Helmet

[www.Jafrum.com](#) Shop Now For Scorpion, Arai, kbc, Shoei & HJC
Helmets. Free S/H

Motorcycle Superstore

[www.Motorcycle-Superstore.com](#) Free Shipping on Motorcycle
Gear, Apparel, Parts, Accessories & more!

Welcome to Vega Helmet Corporation

Half Helmets XT Half Helmet · XTS Half Helmet Vega Riding
Apparel ... Vega Helmet Corporation. 18235 Olympic Avenue S.,
Tukwila, WA 98188 ...

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[Off Road](#)

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[Altura Full Face Helmet](#)

[Company](#)

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Vega Helmets - Company

If you are an individual interested in purchasing a Vega Helmet you
must email your zip ... "VEGA" helmets are available to legitimate
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[www.vegahelmet.com/company.html](#) - [Cached](#) - [Similar pages](#)

Motorcycle Helmets and Motorcycle Helmet Accessories from The ...

Motorcycle helmets and Motorcycle helmet - Welcome to a great
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[www.helmetsshop.com/](#) - [Cached](#) - [Similar pages](#)

Shopping results for vega helmets

[Vega Summit II ColorMatch Motorcycle](#) \$139.95 - Motorcycle
[Helmet](#) Superstore

[Vega Summit XPV 2 Solid Helmets L](#) \$124.99 - compacc.com
[Large White](#)

[Vega Altura Shuriken Motorcycle](#) \$79.99 - Motorcycle
[Helmet](#) Superstore

Vega Motorcycle Apparel and Accessories

Vega Motorcycle apparel and accessories at discount prices. We offer
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[www.helmetoutletusa.com/index.cgi?Function=Street&Manuf=Vega](#) -
[Cached](#) - [Similar pages](#)

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Millions of Items & More!
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SOARING HELMET CORPORATION, a
Washington corporation,

Plaintiff,

v.

NANAL, INC., a Nevada corporation, d/b/a
LEATHERUP.COM,

Defendant.

Cause No. C09-0789 JLR

CERTIFICATE OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of
Washington, that the following is true and correct:

On this day, August 17, 2009, I caused to be sent via U.S. Mail the following filed
documents:

1. Plaintiff's Initial Disclosures; and
2. Certificate of Service.

CERTIFICATE OF SERVICE – 1

INVICTA LAW GROUP, PLLC

1000 SECOND AVENUE, SUITE 3310

SEATTLE, WA 98104-1019


FAX (206) 903-6365

TEL (206) 903-6364

1 To the following:

2 Nanal, Inc., dba Leatherup.com
3 c/o Registered Agent: Solutions, Inc.
4 4625 West Nevso Drive, Suite 2
5 Las Vegas, NV 89103

6 EXECUTED at Seattle, Washington August 17, 2009.

7 
8 Katy M. Albritton
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

CERTIFICATE OF SERVICE – 2

DECLARATION OF HEATHER M. MORADO – EXHIBIT A – 19

1840 071 ij010702

INVICTA LAW GROUP, PLLC

1000 SECOND AVENUE, SUITE 3310

SEATTLE, WA 98104-1019

FAX (206) 903-6365

TEL (206) 903-6364

EXHIBIT B

1 Stacie Foster, WSBA #23397
Heather M. Morado WSBA #35135
2 INVICTA LAW GROUP, PLLC
1000 Second Avenue, Suite 3310
3 Seattle, WA 98104-1019
Telephone: (206) 903-6364
4 Facsimile: (206) 903-6365

THE HONORABLE JAMES L. ROBART

5 Attorneys for Plaintiff
6
7
8

9 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

10 SOARING HELMET CORPORATION, a
Washington corporation,

11
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14 NANAL, INC., a Nevada corporation, d/b/a
LEATHERUP.COM, and GOOGLE, INC., a
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16 Defendants.
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NO. C09-0789 JLR

PLAINTIFF'S AMENDED INITIAL
DISCLOSURES PURSUANT TO FED.
R. CIV. PRO. 26(a)(1)

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19 Leatherup.com ("Defendant") with its Amended Initial Disclosures pursuant to Federal
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21 and supplement these initial disclosures as further information becomes available.
22
23

PLAINTIFF'S AMENDED INITIAL DISCLOSURES
PURSUANT TO FED. R. CIV. PRO. 26(a)(1)- 1

INVICTA LAW GROUP, PLLC
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SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

1 **A. Individuals Likely to Have Discoverable Information.**

2 The following individuals are likely to have discoverable information that Soaring
3 Helmet may use to support its claims or defenses. Unless otherwise indicated, the
4 following individuals work at 18235 Olympic Avenue S., Tukwila, WA 98188, and may
5 be contacted via the undersigned trial counsel:

- 6 1. Ms. Jeanne DeMund
7 2. Mr. Lou Xu
8 3. Mr. Wayne Leyman
9 4. Ms. Claudia Mallard
10 5. Mr. Albert Bootesaz, President
11 Nanal, Inc.
12 2200 S Fort Apache, #2036
 Las Vegas, NV 89117

13 Unless otherwise specified, these individuals may be called to testify concerning
14 their knowledge of all matters relevant to these proceedings, including the trademarks at
15 issue; financial information; customer base; marketing and advertising; and defendant's
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17 continuing and, if additional information is obtained after the date of these disclosures,
18 Soaring Helmet will supplement these disclosures according to Rule 26(e) of the FRCP.

19 **B. Supporting Documents.**

20 The following documents are attached:

- 21 1. The U.S. trademark registration of the VEGA mark set forth in the
22 Complaint;
23

PLAINTIFF'S AMENDED INITIAL DISCLOSURES
PURSUANT TO FED. R. CIV. PRO. 26(a)(1)- 2

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

1 2. A copy of the false and misleading Leatherup.com advertisement generated
2 by the Google search engine, as set forth in the Complaint;

3 3. A copy of the cease and desist letter sent to Leatherup.com as set forth in
4 the Complaint; and

5 4. A copy of the false and misleading Leatherup.com advertisement generated
6 by the Google search engine, as set forth in the Complaint.

7 To the extent they exist, responsive, non-privileged documents in the following
8 categories will be provided for inspection and copying at a mutually agreed time and place
9 in accordance with FRCP 26(a)(1)(B), subject to an appropriate Protective Order for
10 confidential business information per FRCP 26(c):

11 1. Documents pertaining to the use of the marks set forth in the Complaint;

12 2. Documents pertaining to the marketing and advertising of Soaring Helmet's
13 products bearing the VEGA mark.
14

15 Soaring Helmet's investigation and discovery concerning this case is continuing
16 and, if additional information is obtained after the date of these disclosures, Soaring
17 Helmet will supplement these disclosures according to Rule 26(e) of the FRCP.

18 **C. Computation of Damages.**

19 This suit is intended to recover damages suffered by Soaring Helmet for the
20 conduct set forth in the Complaint. As specified in its Complaint, if the judgment is that a
21 likelihood of confusion, mistake or deception exists, Soaring Helmet seeks relief in the
22 form of profits, enhancement of either of the foregoing, costs and expenses, attorney's
23 fees, a permanent injunction and the other relief set forth in the Complaint.

PLAINTIFF'S AMENDED INITIAL DISCLOSURES
PURSUANT TO FED. R. CIV. PRO. 26(a)(1)- 3

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

1 The amount of Defendant's profits is information within the possession and control
2 of Defendant and has not yet been discovered, therefore, a computation of this remedy is
3 premature. Additionally, the extent of Soaring Helmet's damages is currently unknown.

4 Documents and other evidentiary material bearing on the nature and extent of
5 injury to Soaring Helmet by reason of actions alleged in the Complaint will either be
6 produced or made available for inspection and copying after those materials are
7 discovered.

8 These initial computations are subject to continuing analysis and will be revised or
9 supplemented if and as necessary according to Rule 26(e) of the FRCP, except for normal
10 increases in past damages and claims of interest, all of which should be assumed by the
11 parties and which do not call for any specific supplementation.

12
13 **D. Insurance Agreement.**

14 No relevant insurance agreement is known to exist.

15 DATED February 1, 2010.

16 INVICTA LAW GROUP, PLLC

17
18 By Heather Morado
19 Heather M. Morado, WSBA No. 35135
20 Stacie Foster, WSBA No. 23397
21 Attorneys for Plaintiff
22
23

PLAINTIFF'S AMENDED INITIAL DISCLOSURES
PURSUANT TO FED. R. CIV. PRO. 26(a)(1)-4

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
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FAX (206) 903-6365
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Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,087,637

United States Patent and Trademark Office

Registered Aug. 12, 1997

**TRADEMARK
PRINCIPAL REGISTER**

VEGA

SOARING HELMET CORPORATION (WASH-
INGTON CORPORATION)
770 INDUSTRY DRIVE, BUILDING 16
TUKWILA, WA 98118

FIRST USE 3-18-1994; IN COMMERCE
3-18-1994.

SER. NO. 75-155,017, FILED 8-23-1996.

FOR: MOTORCYCLE HELMETS, IN CLASS 9
(U.S. CLS. 21, 23, 26, 36 AND 38).

DAVID M. MERMELSTEIN, EXAMINING AT-
TORNEY

Plaintiff's Initial Disclosures - 06

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vega helmets

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Advanced Search
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Customized based on recent search activity. [More detail](#)

Web Shopping

Results 1 - 10 of about 102,000 for **vega helmets**. (0.11 seconds)

Vega Motorcycle Helmets

Sponsored Links

www.TheHelmetZone.com Snow, Motorcycle, Half & Flip-Up Buy Direct & Save - Free Shipping

50% Off Vega Helmets

www.LeantherUp.com Half face, full face helmets from \$29.95, Top Brands HJC, Shoei, Bell

Vega Motorcycle Helmets

www.Jafrum.com/VEGA_Helmets Amazing Prices, 115% Price Match, Free Size Exchanges, Free Shipping!

Welcome to Vega Helmet Corporation

Half Helmets XT Half Helmet · XTS Half Helmet Vega Riding Apparel ... Vega Helmet Corporation. 18235 Olympic Avenue S., Tukwila, WA 98188 ...
www.vegahelmet.com/ - 17k - [Cached](#) - [Similar pages](#)

Street

Snowmobile

Off Road

NT 200

Find a Dealer

Company

Summit II

Altura

[More results from vegahelmet.com »](#)

Vega Helmets - Company

If you are an individual interested in purchasing a Vega Helmet you must email your zip ... "VEGA" helmets are available to legitimate motorcycle dealers. ...
www.vegahelmet.com/company.html - [Similar pages](#)

Motorcycle Helmets and Motorcycle Helmet Accessories from The ...

Motorcycle helmets and Motorcycle helmet - Welcome to a great place to buy discount motorcycle helme.
www.helmetshop.com/ - 39k - [Cached](#) - [Similar pages](#)

Vega Motorcycle Helmets

Vega Motorcycle Helmets from The Helmet Shop. ...

Subcategories: Vega Full Face Helmets · Vega Open Face Helmets · Vega Half Helmets ...

www.helmetshop.com/CategoryProductList.jsp?cat=Shop+By+Brand:Vega+Helmets - 21k - [Cached](#) - [Similar pages](#)

Shopping results for vega helmets

[Vega Summit II ColorMatch Motorcycle Helmet](#) \$139.95 - Motorcycle Superstore

[Vega Summit XPV 2 Solid Helmets L Large White](#) \$124.99 - compacc.com

[Vega Altura Helmet DOT 520 Silver](#) \$89.99 - Jafrum.com

Sponsored Links

Vega Helmets

Motorcycle gear, apparel & parts. Low Price Guarantee. Free Shipping!
www.Motorcycle-Superstore.com

Online Motocross Store

We carry all the major brands. Great Deals at Motocrossgiant.
www.motocrossgiant.com

Vega Helmets

Bargain Prices. Smart Deals. Save on Vega Helmets!
Shopzilla.com

60% OFF Motorcycle Helmet

Fast & Free Shipping + Free Returns
125% Price Guarantee + MB Guarantee
MotoDirect.com/Motorcycle_Helmets

Vega Helmets

Vehicle Parts & Accessories! Bid on Vega Helmets.
www.eBay.com

Vega Helmets

Vega Helmets - Compare prices & find expert reviews!
www.Best-Price.com/Helmets

Vega Helmets

Find Car Parts, Accessories, Tools Garage Equipment, Car Care & More
Amazon.com/motorcycle

Vega Helmets

Buy Vega Helmets now. Fuel your passion on eBay Motors!
www.eBayMotors.com

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Plaintiff's Initial Disclosures - 07

April 28, 2009

Mark V. Jordan
Email: mjordan@invictalaw.com**VIA CERTIFIED MAIL:70072680000056348336**
AND FIRST CLASS MAILLEATHBRUP.COM
2620 S. Maryland
Suite 846
Las Vegas, NV 89109**Re: Cease and Desist Trademark Infringement**

To Whom It May Concern:

We are counsel for Soaring Helmet Corporation, the exclusive owner of the trademark rights to VEGA (the "Mark"). A copy of Soaring Helmet Corporation's federal trademark registration is attached hereto as Exhibit A. Soaring Helmet Corporation views its Mark as a valuable asset that will be protected to the fullest extent allowable by law.

Soaring Helmet Corporation recently learned that when the query "Vega helmets" is searched via the Google website, an advertisement appears under Google's sponsored listings that misleadingly states that the website Leatherup.com offers "50% off Vega Helmets." A copy of the Google search results for "Vega helmets" is attached hereto as Exhibit B. However, Leatherup.com does not in fact sell any of our client's products.

Since Leatherup.com does not sell Vega helmets, we believe that Leatherup.com has wrongfully purchased the Mark from Google, Inc. as a false and misleading advertising keyword. Our client has lost business because the Leatherup.com sponsored link is falsely advertising that it sells our client's products at a deep discount, when in fact, Leatherup.com does not. As a result of the false advertisement, a retailer who does not wish to be associated with products sold at a deep discount has refused to do business with Soaring Helmet Corporation. Further, consumers searching for our client's products will continue to be misled to the Leatherup.com website, causing initial interest confusion. This unauthorized use of the Mark is a violation of federal and state trademark and unfair competition laws.

As I hope you can appreciate, Soaring Helmet Corporation cannot permit others to trade on the goodwill and damage the value and integrity of its Mark through false and misleading advertisements. Because the public closely associates the Mark with our client's

Plaintiff's Initial Disclosures - 08

Leatherup.com
April 28, 2009
Page 2

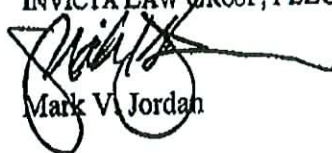
products, we are concerned that this unauthorized use of the Mark will cause consumers to mistakenly assume that Soaring Helmet Corporation sells its products to deep-discount online retailers or is otherwise affiliated with the Leatherup.com website.

Because Soaring Helmet Corporation has been and will continue to be substantially and irreparably damaged should this infringement continue, it must enforce its exclusive rights to the Mark. Soaring Helmet Corporation demands that Leatherup.com immediately remove any reference to the Mark from any false and misleading sponsored listing advertisements.

Unless these demands are complied with by May 8, 2009, Soaring Helmet Corporation will assume Leatherup.com intends to willfully disregard its rights, and Soaring Helmet Corporation will pursue whatever action or remedies it deems appropriate to protect its rights to the fullest extent of the law.

Very truly yours,

INVICTA LAW GROUP, PLLC



Mark V. Jordan

MVJ:hmm

Enclosure

cc: Soaring Helmet Corporation (w/o encl.)

1840 031 4280301

Plaintiff's Initial Disclosures - 09

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[Advanced Search](#)
[Preferences](#)Web [Show options...](#)Results 1 - 10 of about 141,000 for **vega helmets**. (0.32 seconds)**50% Of Motorcycle Helmets**[www.LeantherUp.com](#) Half face, full face helmets from \$29.95,
Top Brands HJC, Shoei, Bell**50% OFF Motorcycle Helmet**[www.Jafrum.com](#) Shop Now For Scorpion, Aral, kbc, Shoei & HJC
Helmets. Free S/HI**Motorcycle Superstore**[www.Motorcycle-Superstore.com](#) Free Shipping on Motorcycle
Gear, Apparel, Parts, Accessories & more!**Welcome to Vega Helmet Corporation**Half Helmet XT Half Helmet - XTS Half Helmet Vega Riding
Apparel ... Vega Helmet Corporation. 18235 Olympic Avenue S.,
Tukwila, WA 98188 ...[www.vegahelmet.com/](#) - [Cached](#) - [Similar pages](#)[Mach I Full Face Helmet](#)[Off Road](#)[Find a Dealer](#)[Summit II](#)[Altura Full Face Helmet](#)[Company](#)[Snow](#)[NT 200 Open Face Helmet](#)[More results from vegahelmet.com »](#)**Vega Helmets - Company**If you are an individual interested in purchasing a Vega Helmet you
must email your zip ... "VEGA" helmets are available to legitimate
motorcycle dealers. ...[www.vegahelmet.com/company.html](#) - [Cached](#) - [Similar pages](#)**Motorcycle Helmets and Motorcycle Helmet Accessories
from The ...**Motorcycle helmets and Motorcycle helmet - Welcome to a great
place to buy discount motorcycle helme.[www.helmetshop.com/](#) - [Cached](#) - [Similar pages](#)**Shopping results for vega helmets**[Vega Summit II ColorMatch Motorcycle](#) \$139.95 - Motorcycle
[Helmet](#) Superstore[Vega Summit XPV 2 Solid Helmets L](#) \$124.99 - compacc.com
[Large White](#)[Vega Altura Shuriken Motorcycle](#) \$79.99 - Motorcycle
[Helmet](#) Superstore**Vega Motorcycle Apparel and Accessories**Vega Motorcycle apparel and accessories at discount prices. We offer
the largest selection of Vega gear in the Northwest.[www.helmetoutletusa.com/index.cgi?Function=Street&Manuf=Vega](#) -
[Cached](#) - [Similar pages](#)

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Top Brands - Unbeatable Prices
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Save on Speakers & Headphones!
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prices & find expert reviews!
[www.Best-Price.com/Helmets](#)**Auto Parts at Amazon**Find Car Parts, Accessories, Tools
Garage Equipment, Car Care & More
[Amazon.com/motorcycle](#)**60% OFF Motorcycle Helmet**Fast & Free Shipping + Free Returns
125% Price Guarantee + MB Guarantee
[MotoDirect.com/Motorcycle_Helmets!](#)**Shop Simply**Simplify your Shopping. Find
Top Brands at Low Prices
[shop.simpli.com](#)**Compare Prices & Save**100,000 Stores. Deals. Reviews.
Millions of Items & More!
[shopping.yahoo.com](#)[More Sponsored Links »](#)**Plaintiff's Initial Disclosures - 12**<http://www.google.com/search?hl=en&q=vega+helmets&aq=f&oeq=&aqi=g10>

6/8/2009

EXHIBIT C

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INTERROGATORIES

INTERROGATORY NO. 1: Please identify all of the product(s) and/or service(s) in connection with which VEGA is or has been used by Plaintiff, including whether such product(s) and/or service(s) are currently available for purchase.

ANSWER TO INTERROGATORY NO. 1:

Plaintiff sells its products under the VEGA mark directly to dealers on a wholesale basis. In order to purchase Plaintiff's products, a purchaser must contact an authorized seller of Plaintiff's products. Plaintiff's products include motorcycle helmets and related riding apparel and accessories, such as motorcycle jackets, vests, pants, boots, goggles, chest protectors, gear bags, and head wraps.

INTERROGATORY NO. 2: Please state whether Plaintiff, or any party using VEGA under Plaintiff's authorization, has ever received oral or written inquiries or communications regarding actual confusion on the part of any person as to the source, sponsorship, affiliation, or approval of Defendant's products or services, and if so, describe with specificity all such instances, identify the individuals involved, state the dates of each occurrence, and identify all documents relating thereto.

ANSWER TO INTERROGATORY NO. 2: In approximately April 2009, a potential dealer of Plaintiff's products, Jim Squire of Holiday Powersports in Michigan Center, Michigan, refused to do business with Plaintiff after it performed a search of Plaintiff's Vega mark on the Google search engine. The results of the dealer's Google search triggered an advertisement for Defendant, falsely stating that Defendant offered "50% off VEGA helmets." Holiday Powersports refused to become an authorized dealer of Plaintiff's products

1 because they mistakenly believed that Plaintiff sold its products to "deep discount" online
2 retailers. Further, in approximately December 2009, one of Plaintiff's sales representatives,
3 Joy Loga, sent an e-mail to Plaintiff with a link to Defendant's Leatherup.com website. The
4 link showed a page on Defendant's website which offered a motorcycle jacket for sale under
5 the designation, "Xelement Extreme Vega." The representative inquired as to whether
6 Plaintiff was the manufacturer of the jacket.

7 **INTERROGATORY NO. 3:** Please set forth in detail all facts and identify all
8 documents concerning the allegations in paragraph 4.3 of the Second Amended Complaint
9 that "Soaring Helmet has invested substantial sums of time, money and effort to develop, use,
10 advertise and promote the Mark. As a result, the Mark has become an integral and
11 indispensable part of Soaring Helmet's business."

12 **ANSWER TO INTERROGATORY NO. 3:**

13 Soaring Helmet has invested a total of over \$600,000.00 advertising and promoting its
14 VEGA brand since 1994. Soaring Helmet participates in two major industry trade shows: the
15 V-Twin Expo and the Advanstar Dealernews Powersports Expo. Soaring Helmet has also
16 advertised its products via its website, vegahelmet.com, since 1996. Soaring Helmet produces
17 over 10,000 printed catalogs each year which are distributed to retail dealers, and advertises in
18 industry and consumer magazines such as Dealer News, Motorcycle Industry Magazine, Iron
19 Horse Magazine, Wing World Magazine, and Motorcycle Product News. Soaring Helmet has
20 sales representatives in each state with the exception of North Dakota, Hawaii, Alaska,
21 Wyoming, Kansas, Oklahoma, Montana, New Mexico, Wisconsin, and Minnesota. Soaring
22 Helmet has also maintained a toll-free telephone customer service number since 1995.
23

EXHIBIT D

ANSWER TO INTERROGATORY NO. 21:

See answer to interrogatory number 9.

INTERROGATORY NO. 22: Identify all persons who have or whom you believe have any knowledge or information concerning each fact stated in your responses to the interrogatories.

ANSWER TO INTERROGATORY NO. 22:

Lou Xu, President

Jeanne DeMund, Vice President

Wayne Layman, Michigan territory sales representative

Claudia Mallard, Southeast US sales representative

DATED June 21, 2010.

INVICTA LAW GROUP, PLLC

By: s/Heather Morado/
 Stacie Foster, WSBA No. 23397
 Heather M. Morado, WSBA No. 35135
 Steven W. Edmiston, WSBA No. 17136
 Attorneys for Plaintiff

PLAINTIFF'S ANSWERS TO DEFENDANT NANAL, INC.'S
FIRST SET OF INTERROGATORIES – 21

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

EXHIBIT E

Heather Morado

From: Stacia Lay <SL@hllaw.com>
Sent: Friday, August 27, 2010 4:33 PM
To: Heather Morado
Cc: Katherine Hendricks
Subject: Soaring Helmet Corp. v. Nanal, Inc., Deposition Scheduling

Heather,

Regarding your request for dates that Albert Bootesaz would be available for deposition, I am awaiting final confirmation for the specific dates but can tell you that the possibilities including two days at the end of next week and three days the week of September 13th.

With regard to scheduling depositions of Plaintiff's witnesses, Plaintiff has identified four individuals that we would like to depose: Lou Xu; Jeanne DeMund; Wayne Layman; and Claudia Mallard. All of these individuals appear to be identified as Plaintiff's employees/agents, therefore, please let us know dates each of these witnesses would be available for deposition, as well as their locations.

Plaintiff also identified Joy Loga in response to Interrogatory No. 2. Because she is identified as Plaintiff's sales representative, I assume that arrangements for her deposition should also be made through your office. Therefore, please let us know her availability for deposition as well as where she is located.

Since it appears at least several of the witnesses may be located out of state, we would like to take those out-of-state depositions by telephone pursuant to Fed. R. Civ. P. 30(b)(4). Please let us know if you will stipulate that such out-of-state depositions may be taken by telephone.

Best regards,

Stacia N. Lay
Associate Attorney
Hendricks & Lewis PLLC
Tel: (206) 624-1933
Fax: (206) 583-2716
Email: sl@hllaw.com
Web: <http://www.hllaw.com>



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EXHIBIT F

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SOARING HELMET CORPORATION, a
Washington Corporation,

Plaintiff,

v.

NANAL, INC., a Nevada corporation, d/b/a
LEATHERUP.COM,

Defendant.

NO. C 09-0789 JLR

SUPPLEMENTAL
DECLARATION OF HEATHER M.
MORADO IN SUPPORT OF
PLAINTIFF'S RESPONSE TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT

My name is Heather Morado. I am over the age of 21, have personal knowledge of the facts stated herein, and am otherwise competent to make this declaration. I declare as follows:

1. I am an attorney at Invicta Law Group, PLLC, counsel to Plaintiff in this matter.

2. Today I filed a praecipe to replace Exhibit N to my original declaration in support of plaintiff's response to defendant's motion for summary judgment, Docket No. 66-14. The documents contained in the replacement Exhibit N, Bates Nos. SHC 00020-

SUPPLEMENTAL DECLARATION OF HEATHER M.
MORADO - 1

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

1 00100, were produced in discovery on August 27, 2010. A true and correct copy of the
2 certificate of service is attached hereto as Exhibit A.

3 3. The replacement documents filed today contain identical information in a
4 different format as the documents that were originally attached. I inadvertently attached
5 the wrong version of the spreadsheets.

6 I declare under penalty of perjury under the laws of the state of Washington that
7 the foregoing is true and correct to the best of my knowledge and belief.

8 DATED this 30th day of November, 2010.

9 INVICTA LAW GROUP, PLLC

10 By 
11 Heather M. Morado, WSBA #35135
12 Attorney for Plaintiff
13
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SUPPLEMENTAL DECLARATION OF HEATHER M.
MORADO – 2

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following persons/attorneys of record:

Ms. Katherine Hendricks
Ms. Stacia N. Lay
HENDRICKS & LEWIS, PLLC
901 Fifth Avenue, Suite 4100
Seattle, WA 98164

Dated this 30th day of November, 2010, at Seattle, Washington.


Katy M. Albritton
Legal Assistant

SUPPLEMENTAL DECLARATION OF HEATHER M.
MORADO - 3

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98104-1019
FAX (206) 903-6365
TEL (206) 903-6364

Exhibit A

CERTIFICATE OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

On this day, August 27, 2010, I caused to be sent via e-mail and First Class Mail the following documents:

1. Plaintiff's Supplemental Answers to Defendant Nanal, Inc.'s First Set of Interrogatories Nos. 1-22 to Plaintiff Soaring Helmet Corporation with Certificate of Service

To the following listed counsel of record:

Ms. Katherine Hendricks
Ms. Stacia N. Lay
HENDRICKS & LEWIS, PLLC
901 Fifth Avenue, Suite 4100
Seattle, WA 98164
kh@hllaw.com; sl@hllaw.com

Dated this 27th day of August, 2010, at Seattle, Washington.


Katy M. Albritton
Legal Assistant

PLAINTIFF'S SUPPLEMENTAL ANSWERS TO DEFENDANT
NANAL, INC.'S FIRST SET OF INTERROGATORIES - 45

INVICTA LAW GROUP, PLLC
1000 SECOND AVENUE, SUITE 3310
SEATTLE, WA 98101-1019
FAX (206) 903-6363
TEL (206) 903-6364