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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., d/b/a LEATHERUP.COM, a  
Nevada corporation,  
  
Defendant.

No. C09-789-JLR

DECLARATION OF KATHERINE  
HENDRICKS IN SUPPORT OF  
DEFENDANT NANAL, INC.'S  
MOTIONS IN LIMINE

NOTE ON MOTION CALENDAR:  
January 21, 2011

I, Katherine Hendricks, on oath declare and state as follows:

1. I am a partner with the law firm Hendricks & Lewis, PLLC. I represent Defendant Nanal, Inc. ("Nanal") in this action. I am over the age of 18 and, if called upon to testify, could testify competently to the matters stated herein.

2. Based on the interrogatory responses of Plaintiff Soaring Helmet Corporation ("Plaintiff" or "Soaring Helmet"), which identified a purported incident of confusion with respect to Nanal's purchase of advertising keywords in Google's AdWords program involving Jim Squire of Holiday Powersports in Michigan Center, Michigan, I spoke with Mr. Squire about Plaintiff's allegations on October 14, 2010, and specifically his explanation of why he did not sell Plaintiff's VEGA helmets. Mr. Squire did not mention either of the two individuals from Holiday Powersports first identified in Plaintiff's summary judgment opposition papers nor did

1 he make any reference to Plaintiff being a “price whore,” as Plaintiff’s witnesses alleged in their  
2 summary judgment papers.

3 I declare under penalty of perjury under the laws of the State of Washington that the  
4 foregoing is true and correct.

5 EXECUTED at Seattle, Washington, this 4th day of January, 2011.

6 s/Katherine Hendricks  
7 KATHERINE HENDRICKS

1 **PROOF OF SERVICE**

2 I am employed in the County of King, State of Washington. I am over the age of  
3 eighteen years and am not a party to the within action. My business address is Hendricks &  
4 Lewis PLLC, 901 Fifth Avenue, Suite 4100, Seattle, Washington 98164.

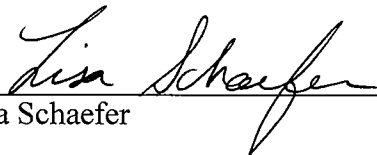
5 I hereby certify that on January 4, 2011, I electronically filed the foregoing with the Clerk  
6 of the Court using the CM/ECF system which will send notification of such filing to the  
7 following CM/ECF participants:

8 Heather M. Morado, Esq.  
9 Stacie Foster, Esq.  
10 Invicta Law Group, PLLC  
11 1000 Second Avenue, Suite 3310  
12 Seattle, Washington 98104  
13 Telephone: (206) 903-6364  
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[sedmiston@invictalaw.com](mailto:sedmiston@invictalaw.com)

14 Attorneys for Plaintiff Soaring  
15 Helmet Corporation

16 I declare under penalty of perjury under the laws of the State of Washington that the  
17 foregoing is true and correct.

18 Executed January 4, 2011, at Seattle, Washington.

19  
20   
21 Lisa Schaefer