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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 HYPERTOUCHE, INC.,
14 PLAINIFF,
15 VS.
16 KENNEDY-WESTERN UNIVERSITY,
17 DEFENDANT.

18 CASE NO. C 04 5203 SI
19 SUPPLEMENTAL DECLARATION OF
20 CYNTHIA WOOLLACOTT
21 HEARING: 24 FEBRUARY 2006, 9 A.M.
22 COURTROOM OF THE HON. SUSAN ILLSTON

23 I, Cynthia Woollacott, declare as follows:

24 1. I am a partner with Woollacott Jannol LLP, attorneys for defendant Kwnnedey-
25 Western University in this matter. I have personal knowledge of the following facts and
26 would testify competently to those facts.

27 2. Attached as Exhibits 1007 and 1008 are pages from the United States Patent and
28 Trademark Office from the file wrappers of the two service marks references by Joe
Wagner. They show the owner of both service marks to be Joe Wagner.

3. Attached as Exhibit 1045 are printouts from the Internet regarding
reasonabledoubt.com. The whois printouts show the domain is owned by Joe Wagner's
wife and the server which was not previously identified in the moving papers, 66.93.132.74,
is serviced by Speakeasy and appears to be the "Skyline" server at Joe Wagner's

1 supervisor's house. The web site consists of Ms. Wagner's resume.

2 4. Attached are excerpts from Joe Wagner's deposition not cited in the moving
3 papers.

4 Executed on January 27, 2006 in Los Angeles, California. I declare under penalty
5 of perjury that the foregoing is true and correct.

6 Cynthia Woollacott
7 CYNTHIA WOOLLACOTT
8 (signature on original)

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