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Attorneys for Defendant, AZOOGLEADS.COM, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ASIS INTERNET SERVICES, a California corporation,

Plaintiff,

vs.

OPTIN GLOBAL, INC., a Delaware Corporation, also dba Vision Media Limited Corp., USA Lenders Network, USA Lenders, and USA Debt Consolidation Service; et al.,

Defendants.

Case No. C-05-5124 JCS

DECLARATION OF HENRY M. BURGOYNE III IN SUPPORT OF AZOOGLEADS.COM, INC.'S MOTION FOR SUMMARY ADJUDICATION

Date: May 4, 2007
Time: 9:30 A.M.
Courtroom A, 15th Floor
Honorable Joseph C. Spero

I, Henry M. Burgoyne III, declare as follows:

1. I am an attorney admitted to practice in the State of California and the United States District Court for the Northern District of California. I am a partner at the law firm of Kronenberger Burgoyne, LLP, counsel of record for Defendant AzoogLeads.com, Inc. ("AzoogLe"). Unless otherwise stated, I have personal knowledge of the facts stated herein.

2. A true and correct copy of *Hypertouch, Inc. v. Kennedy-Western University*, 2006 WL 648688 (N.D.Cal.) is attached hereto as **Exhibit A**.

1 3. A true and correct copy of relevant excerpts of Plaintiff's Opposition to
2 Defendant Aegis Corp., American Home Equity Corp, Quicken Loans Inc., Stateside
3 Mortgage Inc., Michael Cuervo, and National Fidelity Funding's Motion to Dismiss is
4 attached hereto as **Exhibit B**.

5 4. A true and correct copy of relevant excerpts of the transcript of the April 21,
6 2006 hearing before Judge Claudia Wilken is attached hereto as **Exhibit C**.

7 5. A true and correct copy of a January 8, 2007 email message from attorney for
8 Plaintiff Jason Singleton to me is attached hereto as **Exhibit D**.

9 6. A true and correct copy of relevant excerpts of Plaintiff's Response to Azoogole's
10 First Set of Interrogatories is attached hereto as **Exhibit E**.

11 7. A true and correct copy of Senate Report No. 108-102, dated July 16, 2003 is
12 attached hereto as **Exhibit F**.

13 I declare under penalty of perjury under the laws of the United States that the
14 foregoing is true and correct and that this Declaration was executed this 11th day of
15 April, 2007, at San Francisco, CA.

16 /s/
17 _____
Henry M. Burgoyne III

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