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7 **Attorney for Plaintiff, ASIS INTERNET SERVICES**

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

10 **ASIS INTERNET SERVICES,**

11 **Plaintiff,**

12 **vs.**

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

17 **Defendants.**

Case No. C-05-5124 JCS

DECLARATION OF RICHARD E.
GRABOWSKI IN SUPPORT OF MOTION
FOR SUMMARY ADJUDICATION OF
ISSUES

DATE: March 14, 2008
TIME: 1:30 P.M.
CTRM: A, 15TH FLOOR

18 I, RICHARD E. GRABOWSKI , declare as follows:

19 1. I am an attorney duly licensed to practice in the United States District Court,
20 Northern District of California, and I am one of the attorneys of record for Plaintiff. I have
21 personal and firsthand knowledge of each fact hereinafter set forth and if called to testify could
22 and would competently testify to the matters set forth herein.

23 2. Attached hereto as Exhibit "A" is a true and correct copy of DON MATHIS DEPO,
24 PAGES 111, 169, 269, submitted herein under seal due to confidentiality designations.

25 3. Attached hereto as Exhibit "B" is a true and correct copy of JOE SPEISER
26 DEPO, PAGES 35, 36, 68, and Exhibits 1 and 3 being Plaintiff's Bate Stamp 0853, and 0927.

27 4. Attached hereto as Exhibit "C" is a true and correct copy of DEFENDANT
28 AZOOGLE DOCUMENT PRODUCTION PAGES: AZ-SP-002, 043, 045, 050, submitted herein

1 under seal due to confidentiality designations.

2 5. Attached hereto as Exhibit "D" is a true and correct copy of DEFENDANT
3 AZOOGLE'S RESPONSE TO REQUEST FOR ADMISSIONS NO. 22, AND AMENDED
4 RESPONSE TO REQUEST FOR ADMISSIONS NO. 19.

5 6. Attached hereto as Exhibit "E" is a true and correct copy of RYAN McVEY
6 DEPO., PAGES 34, 35, 198, and 201.

7 7. Attached hereto as Exhibit "F" is a true and correct copy of QUICKEN LOANS
8 PRODUCTION DOCUMENT, BATE STAMP 0116.

9 8. Attached hereto as Exhibit "G" is a true and correct copy of THE WEB PAGE,
10 "Lowrateadvisors.com," located at [http://www.lowrateadvisors.com/long/
11 index.php?affil=1828#](http://www.lowrateadvisors.com/long/index.php?affil=1828#).

12 9. Attached hereto as Exhibit "H" is a true and correct copy of DECLARATION OF
13 CARL SCOLES (2) and attached Exhibits.

14 10. Attached hereto as Exhibit "I" is a true and correct copy of DEFENDANT
15 AZOOGLE DOCUMENT PRODUCTION PAGES: AZ-05, 18-22, 125, 131-132, submitted
16 herein under seal due to confidentiality designations.

17 11. Attached hereto as Exhibit "J" is a true and correct copy of JULIAN MOSSANEN
18 DEPO, PAGES 24, 25, 42-44, 55, 111, 112, 118-120, 129, submitted herein under seal due to
19 confidentiality designations.

20 12. Attached hereto as Exhibit "K" is a true and correct copy of RICK OKIN DEPO,
21 PAGES 23, 24, 46, 52, submitted herein under seal due to confidentiality designations.

22 13. Attached hereto as Exhibit "L" is a true and correct copy of MARVIN
23 HERNANDEZ DEPO, PAGES 153 and 155.

24 14. Attached hereto as Exhibit "M" are true and correct copy of DEFENDANT
25 QUICKEN LOANS PRODUCTION, PAGES: 17-23, submitted herein under seal due to
26 confidentiality designations.

27 15. Attached hereto as Exhibit "N" is a true and correct copy of a portion of the FTC
28 vs. OPTIN GLOBAL, USDC, Northern District of California, 3:05-cv-01502-SC, Docket No. 5,

1 and portions of Exhibits PX2 and PX4 submitted manually therein.

2 16. Attached hereto as Exhibit "O" is a true and correct copy of an internet blog.
3 Within the blog, In May of 2005, Alex Zhardanovsky, founder of Azoogole.com, was accused of
4 mortgage refinance spamming using the same house image, on a blog linking to the
5 Azoogole.com image located at www.lowrateadvisors.com/long/images/ln_6.jpg.

6 17. Attached hereto as Exhibit "P" is a true and correct copy of PRODUCTION
7 DOCUMENTS FROM SAVVIS PURSUANT TO PLAINTIFF'S SUBPOENA, BATE STAMP
8 NOS. 864, 1087, and 1088.

9 18. Attached hereto as Exhibit "Q" is a true and correct copy of DECLARATION OF
10 SCOTT TESLER.

11 19. Attached hereto as Exhibit "R" is a true and correct copy of DEFENDANT
12 AZOOGLE'S RESPONSE TO INTERROGATORY NO. 15.

13 20. Attached hereto as Exhibit "S" is a true and correct copy of DECLARATION OF
14 CARL SCOLES #6 and attached Exhibits. Prepared in response to Court Ordered
15 Interrogatories.

16 21. Attached hereto as Exhibit "T" is a true and correct copy of DECLARATION OF
17 JOSH MOHLAND and attached Exhibit A. Prepared in response to Court Ordered
18 Interrogatories.

19 22. Attached hereto as Exhibit "U" is a true and correct copy of NELLA WHITE
20 DEPO., PAGE 76.

21 23. Attached hereto as Exhibit "V" is a true and correct copy of DECLARATION OF
22 JOSH MOHLAND IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION and attached
23 Exhibits.

24 24. Attached hereto as Exhibit "W" is a true and correct copy of DECLARATION AND
25 PLAINTIFF'S EXPERT DISCLOSURE OF JEFFREY POSLUNS.

26 25. Attached hereto as Exhibit "X" is a true and correct copy of PLAINTIFF'S
27 RESPONSE TO REQUEST FOR PRODUCTION NO. 4

28 26. Attached hereto as Exhibit "Y" is a true and correct copy of ATTACHMENT TO

1 PLAINTIFF'S RESPONSE TO REQUEST FOR PRODUCTION NO. 4 (Exhibit X), submitted
2 herein under seal due to confidentiality designations.

3 27. Attached hereto as Exhibit "Z" is a true and correct copy of DECLARATION OF
4 DAVID GRAF, GENERAL COUNSEL FOR AZOOGLE (Docket 258).

5 I declare under penalty of perjury under the laws of the United States that the foregoing
6 is true and correct.

7 **SINGLETON LAW GROUP**

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9 Date: January 16, 2008 /s/ Richard E. Grabowski
10 Richard E. Grabowski, Attorney for
11 Plaintiff, **ASIS INTERNET SERVICES**

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