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8 Attorney for Plaintiff  
9 ROBERT JACOBSEN

10 UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 ROBERT JACOBSEN,

14 Plaintiff,

15 v.

16 MATTHEW KATZER, an individual, and  
17 KAMIND ASSOCIATES, INC, an Oregon  
18 corporation dba KAM Industries,

19 Defendants.  
20 \_\_\_\_\_

No. C-06-1905-JSW

**DECLARATION OF PAUL BENDER IN  
SUPPORT OF MOTION FOR  
PRELIMINARY INJUNCTION**

Courtroom: 2, 17th Floor  
Judge: Hon. Jeffrey S. White

21 I, PAUL BENDER, have personal knowledge to the facts stated herein and hereby declare  
22 as follows:

23 I am not a party to this action. I am submitting this Declaration in Support of the Motion  
24 for Preliminary Injunction.

25 WRITING JMRI DECODER DEFINITION FILES

- 26 1. I have created two decoder definition files for the JMRI project.
- 27 2. Creating each of those files took about 8 to 10 hours, including testing time.

- 1 3. I have also made minor edits to other decoder definition files, adding information because of  
2 updates in the JMRI software.
- 3 4. The files are not pure manufacturer's specifications or manufacturer's data. Writing a decoder  
4 definition file involves expressing the technical information in the manuals in English text  
5 useful to users. Sometimes this is straightforward, but frequently it is not due to the complexity  
6 involved in setting variables on decoders.
- 7 5. I have had to make judgment calls as to how best to represent the possible values for a variable  
8 to the user. As with the text translations, sometimes there is an obvious choice as to what works  
9 best, but other times there are options available to us which may make the definition fit better  
10 when presented on the screen, or be more understandable to our users.

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

Executed this 17th day of November, 2006, in Columbus, Ohio.

By   
Paul Bender