

1 VICTORIA K. HALL (SBN 240702)  
LAW OFFICE OF VICTORIA K. HALL  
2 3 Bethesda Metro Suite 700  
Bethesda MD 20814  
3 Victoria@vkhall-law.com  
Telephone: 301-280-5925  
4 Facsimile: 240-536-9142

5 DAVID McGOWAN (SBN 154289)  
Warren Hall  
6 5998 Alcala Park  
San Diego CA 92110  
7 dmccgowan@sandiego.edu  
Telephone: 619-260-7973  
8 Facsimile: 619-260-2748

9 Attorneys for Plaintiff  
ROBERT JACOBSEN

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

14 ROBERT JACOBSEN, ) No. C06-1905-JSW  
15 )  
Plaintiff, )  
16 v. ) **DECLARATION OF VICTORIA K.  
MEMORANDUM IN SUPPORT OF REPLY  
MOTION FOR SUMMARY JUDGMENT**  
17 MATTHEW KATZER, et al., )  
18 )  
Defendants. ) Date: Friday, December 4, 2009  
Time: 9:00 a.m.  
19 ) Courtroom: 11, 19th Floor  
Judge: Hon. Jeffrey S. White  
20 )  
21 )  
22 )

23  
24 I, Victoria K. Hall, have personal knowledge to the facts stated herein and hereby declare as  
25 follows:

26 I am an attorney licensed in California, and I represent Robert Jacobsen, the plaintiff and  
27 counter-defendants, in this action. I am submitting this Declaration in Support of Reply  
28 Memorandum in Support of Plaintiff's Motion for Summary Judgment.

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1. Attached as Exhibit A is a true and correct copy of excerpts from the Deposition of Jerry Britton.
2. Attached as Exhibit B is a true and correct copy of excerpts from the Deposition of Fred Severson.
3. Attached as Exhibit C is a true and correct copy of an email exchange between Matthew Katzer and Robert Bouwens, dated October 28, 2006, and Bates stamped KAM-00000648.
4. Attached as Exhibit D is a true and correct copy of a portion of the approximately 700-page comparison between JMRI files and KAM files. The full comparison is RGJ.00000275-RGJ.00001011, and the excerpt here is RGJ.00000645-RGJ.00000664. This comparison was created by a software script, which did not capture all evidence of copying.

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

Executed this 19th day of November, 2009, in Bethesda, Maryland.

By \_\_\_\_\_ /s/  
Victoria K. Hall