

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

I/P ENGINE, INC.

Plaintiff,

v.

AOL, INC., *et al.*,

Defendants.

Civil Action No. 2:11-cv-512

**DECLARATION OF MARGARET P. KAMMERUD IN SUPPORT OF EXPEDITING
THE BRIEFING ON DEFENDANTS' RENEWED MOTION TO COMPEL
DEPOSITION OF DR. BECKER AND FOR ENLARGEMENT OF TIME TO OPPOSE
PLAINTIFF'S MOTION FOR POST-JUDGMENT ROYALTIES**

I, Margaret P. Kammerud, declare as follows:

1. I am an attorney in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP and am counsel for Defendants in the above-captioned case. I provide this declaration upon personal knowledge and, if called upon as a witness, would testify competently as to the matters recited herein.

2. On April 9, 2013, the parties met and conferred about the possibility of postponing briefing of the Motion for an Award of Post-Judgment Royalties and conducting additional related discovery. Defendants' counsel reiterated its position that Plaintiff should make Dr. Becker available for deposition to give Defendants the opportunity to question Dr. Becker about his new theories and then respond to Plaintiff's motion for post-judgment royalties. Plaintiff's counsel said that such deposition was unnecessary, but did not elaborate. Defendants'

counsel reiterated that they wanted to depose Dr. Becker before filing an Opposition to Plaintiff's Motion for an Award of Post-Judgment Royalties. Defendants further noted that a deposition may further be appropriate should Dr. Becker consider Google's offered discovery on its new system in his new opinion. In particular, Defendants suggested a two week extension on Defendants' Opposition to Plaintiff's Motion for an Award of Post-Judgment Royalties, and a comparable extension for Plaintiff's Reply in Support of its Motion for Post-Judgment Royalties. During the conference, Defendants' counsel also suggested that the parties consider an interim extension while negotiating a final agreement on any discovery concerning the Motion for an Award of Post-Judgment Royalties. Defendants' counsel said they also would send Plaintiff's counsel a proposal for further extension to accommodate additional discovery, which they did on April 12, 2013. (*See* D.N. 925, Perlson Declaration, Ex. 2.)

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

Dated: April 16, 2013



Margaret P. Kammerud

DATED: April 17, 2013

/s/ Stephen E. Noona

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CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2013, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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