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11 Attorneys for AMAZON.COM, INC. and  
AMAZON WEB SERVICES, INC.

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION  
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16 IN RE: PERSONALWEB TECHNOLOGIES,  
LLC ET AL., PATENT LITIGATION,

Case No.: 5:18-mc-02834-BLF

17  
18 AMAZON.COM, INC., and AMAZON WEB  
SERVICES, INC.,

Case No.: 5:18-cv-00767-BLF

19 Plaintiffs,

20 v.

**DECLARATION OF  
TODD R. GREGORIAN IN SUPPORT  
OF SECOND SUPPLEMENTAL CASE  
MANAGEMENT STATEMENT**

21 PERSONALWEB TECHNOLOGIES, LLC and  
LEVEL 3 COMMUNICATIONS, LLC,

22 Defendants.

23 PERSONALWEB TECHNOLOGIES, LLC and  
LEVEL 3 COMMUNICATIONS, LLC,

24 Counterclaimants,

25 v.

26 AMAZON.COM, INC., and AMAZON WEB  
SERVICES, INC.,

27 Counterdefendants.  
28

FENWICK & WEST LLP  
ATTORNEYS AT LAW

1 I, Todd R. Gregorian, hereby declare pursuant to 28 U.S.C. § 1746 as follows:

2 1. I am a member of the bar of the State of California. I am an associate at Fenwick &  
3 West, LLP, counsel of record for AMAZON.COM, INC. and AMAZON WEB SERVICES, INC.  
4 I submit this declaration in support of the Second Supplemental Case Management Statement. I  
5 have personal knowledge of the matters in this declaration.

6 2. Amazon's second supplemental case management statement describes facts recently  
7 learned by Amazon of which it believes the Court should be informed in advance of the February  
8 28, 2019 summary judgment hearing. Based on the parties' telephone conference earlier this week,  
9 Amazon believed those facts would be presented in a discovery motion filed February 20, 2019.  
10 That did not occur, and the parties still have additional work to finalize the discovery motion.

11 3. The parties did not present these facts in their previous case management statements  
12 and today is the Local Rule 16-9(d) deadline to file a supplement. I prepared a draft statement and  
13 sought PersonalWeb's cooperation in its filing. PersonalWeb suggested a one-day extension so it  
14 could have adequate time to prepare its response. I responded that was one of multiple solutions  
15 acceptable to Amazon, and later circulated a draft stipulation regarding the extension. PersonalWeb  
16 later responded that it would not stipulate to the extension or join the filing.

17 a. **Exhibit 1** is a series of emails between me and various counsel for  
18 PersonalWeb.

19 b. **Exhibit 2** is a truncated email string reflecting the stipulation I prepared in  
20 response to PersonalWeb's offer. (I removed emails that duplicate the string in Exhibit 1.)

21 I declare under penalty of perjury that the foregoing is true and correct. Executed on the  
22 21st day of February 2019.

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By: /s/ Todd R. Gregorian  
Todd R. Gregorian