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6 Attorneys for PERSONALWEB
TECHNOLOGIES, LLC
7 (Excluding Post Judgment Debtor
Collection Proceedings)

8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA
11
12 SAN JOSE DIVISION

13 IN RE PERSONAL WEB TECHNOLOGIES,
14 LLC, ET., AL., PATENT LITIGATION

CASE NO.: 5:18-md-02834-BLF

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

15 AMAZON.COM, INC. and AMAZON WEB
16 SERVICE, INC.,

Case No.: 5:18-cv-05619-BLF

17 Plaintiffs,

**DECLARATION OF DAVID PARKER,
ESQ. IN SUPPORT STUBBS ALDERTON
& MARKILES, LLP'S SECOND MOTION
TO WITHDRAW AS COUNSEL FOR
PERSONALWEB TECHNOLOGIES, LLC
PURSUANT TO CALIFORNIA RULES
OF PROFESSIONAL CONDUCT, RULE
1.16(a)(2)**

18 v.

19 PERSONALWEB TECHNOLOGIES, LLC, et
20 al.,

21 Defendants.

22 PERSONALWEB TECHNOLOGIES, LLC, et
23 al.,

24 Plaintiffs,

25 v.

26 TWITCH INTERACTIVE, INC.,

27 Defendant.

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DECLARATION OF DAVID PARKER

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2 1. I am a member of the bar of the State of California since 1976 and am admitted to
3 practice before the United States District Court in California, Hawaii, Western District of
4 Michigan, Middle District of Florida and the 9th Circuit Court of Appeals. I am a founding partner
5 of Parker Mills LLP, and previously a senior partner of Lewis, D’Amato, Brisbois & Bisgaard.
6 The facts set forth herein are, unless otherwise stated, based upon my personal knowledge, and if
7 called upon to do so, I could, and would testify to their truth under oath. I submit this declaration
8 in support of Stubbs Alderton & Markiles, LLP’s (“SAM”) Motion to Withdraw as Counsel for
9 PersonalWeb Technologies, LLC (“Motion”).

10 2. My practice focuses primarily on advising and consulting attorneys on professional
11 responsibility and ethics. I have been involved in hundreds of matters both for clients and attorneys
12 in legal malpractice, professional responsibility, and similar cases in both state and federal courts,
13 as well as representing insureds in business and professional liability litigation. I have also had
14 significant experience representing attorneys in responding to disciplinary complaints and
15 investigations in the California State Bar, the Los Angeles Superior Court, and the United States
16 District Court for the Central District of California. I have served on multiple ethics committees
17 and frequently write and lecture on conflicts of interest and other ethical issues.


18 3. In connection with my consultation role for SAM, I reached out to Todd Gregorian of
19 Fenwick & West, counsel for Amazon in the underlying matter, at least three times to (i) advise
20 Mr. Gregorian on behalf of Amazon that SAM intended to file a second motion to withdraw as
21 counsel for PersonalWeb in this matter because of circumstances, facts and issues that have arisen
22 since SAM filed its first motion to withdraw (Dkt. 688) and to ascertain what Amazon’s position
23 would be as to SAM in connection with the filing of such Motion, and (ii) to ascertain whether
24 Amazon intended to seek any type of contempt or sanctions against SAM or its attorneys arising
25 out of the issues relating to the Orders (Dkts. 664, 704) to compel SAM’s client PersonalWeb to
26 respond to post judgment discovery requests and PersonalWeb’s failure to respond thereto.

27 4. In connection with the foregoing, I called Mr. Gregorian twice and spoke to him, and
28 most recently sent him an email yesterday, February 8, 2022, to which I have not yet received a
reply. Mr. Gregorian told me in both conversations that Amazon had not yet made any decisions
with respect to contempt or other sanctions, and if such actions are to be taken, whether they would

1 also target SAM. I also told Mr. Gregorian in the last call that I would follow-up with him for
2 further information shortly prior to SAM filing the instant Motion. Hence my email yesterday.

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

5 Executed this 9th day of February, 2022 at Los Angeles California.

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7 
8 By: _____
9 David Parker

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