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

12 **IN RE: PERSONAL WEB TECHNOLOGIES,
LLC ET AL., PATENT LITIGATION**

13 **AMAZON.COM, INC., and AMAZON WEB
SERVICES, INC.,**

14 **Plaintiffs,**

15 **v.**

16 **PERSONAL WEB TECHNOLOGIES, LLC and
LEVEL 3 COMMUNICATIONS, LLC,**

17 **Defendants.**
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19 **PERSONAL WEB TECHNOLOGIES, LLC and
LEVEL 3 COMMUNICATIONS, LLC,**

20 **Plaintiffs,**

21 **v.**

22 **TWITCH INTERACTIVE, INC.,**

23 **Defendant.**
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Case No. 5:18-md-02834-BLF
Case No. 5:18-cv-00767-BLF
Case No. 5:18-cv-05619-BLF

**DECLARATION OF MURRAY
MARKILES IN SUPPORT OF ECA'S
ADMINISTRATIVE MOTION TO
CONTINUE DECEMBER 14 HEARING
OR, IN THE ALTERNATIVE, TO
PERMIT TELEPHONIC
APPEARANCE**

DECLARATION OF MURRAY MARKILES

I, Murray Markiles, am a principal at, and an authorized representative of, Europlay Capital Advisors, LLC (“ECA”) and Claria Innovations, LLC (“Claria”), third party post-judgment discovery respondents in this action. I submit this declaration to support ECA’s Administrative Motion to Continue December 14 Hearing or, in the Alternative, To Permit Telephonic Appearance, filed on December 6, 2022. I have personal knowledge of the facts stated in this declaration, and could and would testify competently to them if called as a witness.

1. I am scheduled, with my wife and four close friends, to be out of the country in Mexico on a long-planned pre-paid group vacation coordinated among all of us to take place from December 11 to December 18, 2022.


2. Together with my wife and our four friends, I booked flights for this vacation in September 2022, and in the case of my wife and I, booked our tickets on September 14, 2022. True and correct copies of the emails confirming my departing and returning flights are attached as **Exhibits A and B**. The flights are non-refundable. As the small print in the emails explains, I could obtain a full refund only if I canceled them within 24 hours of purchase.

3. The two couples travelling with us also coordinated their work and travel schedules to join us for the period of December 11 to December 18, 2022.

4. At the time I booked the vacation in September 2022, I did not know or expect, and could not know or suspect, that the Court would set a potential evidentiary hearing where my presence was required on December 14, 2022.

5. In addition to the inconvenience it would cause to myself and my traveling companions, cancelling my vacation will cause me to incur substantial and unrecoverable expense.

I declare under penalty of perjury that the foregoing is true and correct. Signed at Los Angeles, California on this 6th day of December, 2022.


Murray Markiles