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10	Attorneys for Plaintiff Twitter, Inc.		
11	UNITED STATES DISTRICT COURT		
12	NORTHERN DISTRICT OF CALIFORNIA		
13	SAN FRANCISCO DIVISION		
14			
15	TWITTER, INC.,	Case No. 21-CV-09773-JD	
16	Plaintiff,	DECLARATION OF GENE LEE IN SUPPORT OF STIPULATION TO	
17	v.	REQUEST EXTENSION OF BRIEFING DEADLINES FOR VOIP-PAL'S MOTION	
18	VOIP-PAL.COM, INC.,	TO DISMISS	
19	Defendant.		
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DOCKET A L A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>. I, Gene Lee, declare that:

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I am an attorney at the law firm Perkins Coie LLP and counsel for Plaintiff Twitter,
 Inc., ("Twitter") in the above-captioned matter. I am a member in good standing of the bar of New
 York and am admitted to this Court *pro hac vice*. I am fully familiar with the facts set forth below
 and could testify competently thereto if called upon to do so. I make this declaration pursuant to
 Civ. L. R. 5-1(d)(5) in support of Twitter's Opposition To VoIP-Pal's Motion To Dismiss.

Pursuant to stipulation and order (ECF Nos. 26, 27), the deadline for filing Twitter's
Opposition To VoIP-Pal's Motion To Dismiss was March 11, 2022.

9 3. The Court's ECF system experienced a technical failure on March 11, 2022.
10 Counsel for Twitter tried multiple times on March 11, 2022, to file Twitter's Opposition To VoIP11 Pal's Motion To Dismiss, but Twitter was unable to do so solely because of the technical failure of
12 the Court's ECF system.

13 4. Another counsel for Twitter, a member of our administrative staff, and I tried to gain 14 access to the Court's ECF system many times after 12:00 pm Pacific time on March 11, 2022, but 15 we were unable to do so solely because of the technical failure of the ECF system. At about 2:56 pm 16 Pacific time, I received an email from the "ECF Helpdesk" stating that the Court's CM/ECF system 17 was experiencing a service disruption and was offline. Among our attempts to gain access to the 18 Court's ECF system, I attempted to file Twitter's Opposition To VoIP-Pal's Motion To Dismiss at 19 approximately 5:00 pm Pacific time and 8:00 pm Pacific time, but I was unable to do so solely 20 because of the technical failure of the ECF system.

5. In view of the technical failure of the Court's ECF system, I served by email a
courtesy copy of Twitter's Opposition To VoIP-Pal's Motion To Dismiss on counsel for VoIP-Pal
on March 11, 2022. That copy of Twitter's Opposition was 24 pages in length, within the 25-page
limit of Civ. L. R. 7-4(b), but it overlooked this Court's standing order, which includes a 15-page
limit for memoranda.

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1 6. On Saturday, March 12, 2022, at about 10:31 am Pacific time, I received an email 2 from the "ECF Helpdesk" stating, "As of approximately 8:10 AM Pacific time, all services have returned to normal." 3

4 7. On Monday, March 14, 2022, counsel for VoIP-Pal informed counsel for Twitter of 5 the non-compliance with this Court's 15-page limit. Accordingly, Twitter revised its Opposition to 6 comply with this Court's 15-page limit and is filing a revised Opposition on March 14, 2022, 7 pursuant to Civ. L. R. 5-1(d)(5) and to account for the 15-page limit under this Court's standing 8 brder. In connection with this change, the parties stipulate that VoIP-Pal may file its reply in support 9 of its Motion To Dismiss by March 28, 2022, (extended from March 25, 2022) to account for the 10 timing of Twitter's revised Opposition on March 14, 2022.

11 I declare under penalty of perjury that the foregoing is true and correct. Executed in New

12	York, New York on March 14, 2022.			
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14		By:	/s/ Gene Lee Gene Lee	_
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I	Case 3.21-CV-09773-3D Document 30-1 Filed 03/14/22 Page 4 01 4			
1	CERTIFICATE OF SERVICE			
2				
3	The undersigned certifies under penalty of perjury under the laws of the State of New			
4	York that, on the date given below, he caused to be served a copy of DECLARATION OF			
5	GENE LEE IN SUPPORT OF TWITTER'S OPPOSITION TO VOIP-PAL'S MOTION			
6	TO DISMISS upon the following person(s) pursuant to Civ. L. R. 5-1(g) by electronic filing of			
7	this document via the ECF system:			
8	Lewis E. Hudnell, III			
9	lewis@hudnelllaw.com Nicolas S. Gikkas			
10 nick@hudnelllaw.com HUDNELL LAW GROUP P.C.	nick@hudnelllaw.com HUDNELL LAW GROUP P.C.			
11	800 W. El Camino Real Suite 180 Mountain View, California 94040			
12	Telephone: 650.564.3698			
13	Facsimile: 347.772.3034			
14	Attorneys for Defendant VOIP-PAL.COM, INC.			
15				
16	DATED this 14th of March, 2022, at New York, New York.			
17	/s/ Gene W. Lee			
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