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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF SANTA CLARA**

17 MARK AND RHONDA LESHER,
18 Plaintiffs,

20 vs.

22 JOHN AND/OR JANE DOES 1-178,
23 Defendants.

Case No. 109CV134190

**DECLARATION OF GORDON E.
GRAY III IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
TOPIX LLC'S MOTION TO QUASH
AND FOR PROTECTIVE ORDER**

DATE: March 27, 2009
TIME: 9:00 a.m.
DEPT: 22

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DECLARATION OF GORDON E. GRAY III

I, Gordon E. Gray III, declare and state as follows:

1. I am an attorney admitted to appear before this Court and all courts of the State of California and local counsel of record in this matter for plaintiffs Mark and Rhonda Lesher. I make this declaration of my own personal knowledge in support of plaintiffs' opposition to Topix LLC's motion to quash. If called upon to testify, I would and could competently testify to the facts herein.

2. On March 4, 2009, Mr. Phillip Keating, Mr. William Pieratt Demond and myself participated in a telephonic meeting of counsel to "meet and confer" regarding Topix's motion to quash. A true and correct copy of my letter confirming the results of that meeting is attached to the declaration of William Pieratt Demond as Exhibit 8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. This declaration was executed on March 16, 2009 in Long Beach, California.



Gordon E. Gray III