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10 VEOH NETWORKS, INC.

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN JOSE DIVISION**

15 IO GROUP, INC., a California Corporation
16 Plaintiff,
17 v.
18 VEOH NETWORKS, Inc., a California
19 Corporation,
Defendant.

Case No.: C06-3926 (HRL)

**DECLARATION OF PAUL M. FAKLER
IN SUPPORT OF STIPULATED
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE CERTIFICATION OF
INTERESTED ENTITIES OR PERSONS
UNDER SEAL**

21 I, PAUL M. FAKLER, declare:

22 1. I am an associate of the law firm of Thelen Reid & Priest LLP, attorneys of record
23 for Defendant VEOH Networks, Inc. (“Defendant”), in the above-entitled action. I am admitted to
24 practice in the State of New York and have been admitted *pro hac vice* in this action. The
25 following matters are true of my own personal knowledge and if called upon to do so, I could and
26 would competently testify thereto.
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2. The required filing of Veoh’s Certification of Interested Entities and Persons pursuant to Civil Local Rule 3-16 will necessarily include a list identifying the various shareholders of Veoh.

3. The identity of Veoh’s shareholders is not publicly known or available information, and is considered sensitive and confidential by Veoh. This confidential information is the only information that will be contained in the Certification. Consequently, Veoh respectfully requests the Court’s leave to file the entire Certification under seal.

4. On September 25, 2006, Counsel for Plaintiff stipulated to this motion.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed in New York, New York on the 25th of September, 2006.

/s/ Paul M. Fakler _____
Paul M. Fakler (pro hac vice)

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