Jerome Pandell (State Bar # 260481) Gagnier Margossian, LLP 350 Townsend Street, Suite 206 San Francisco, CA 94107 3 | Tel: (909) 447-9819 Fax: (909) 972-1639 Email: consult@gamallp.com 5 Christina M. Gagnier (State Bar #264578) Seeking Admission to the Northern District of California Gagnier Margossian, LLP 350 Townsend Street, Suite 206 San Francisco, CA 94107 Tel: (909) 447-9819 Fax: (909) 972-1639 || Email: gagnier@gamallp.com 10 Attorneys for Putative Defendant Doe 305 (IP Address: 207.68.252.6) 11 IN THE UNITED STATES DISTRICT COURT 12 13 NORTHERN DISTRICT OF CALIFORNIA 14 NEW SENSATIONS, INC., Case No. 3:11-CV-02770-MEJ **DECLARATION OF CHRISTINA M.** 16 Plaintiff, GAGNIER IN SUPPORT OF PUTATIVE 17 **DOE DEFENDANT 305'S MOTION TO** VS. **QUASH SUBPOENA** DOES 1-1474, 18 19 Putative Defendants. 20 21 I am an attorney, licensed by the State Bar of California (State Bar #264578). The 1. 22 statements in this declaration are based on my personal knowledge. 23 2. Attached to this declaration as Exhibit A is a true copy of a web page of MetroCast 24 Communications website, http://www.metrocast.com/coverage.cfm, describing the coverage area to 25 which MetroCast Communications makes its services available to consumers as an Internet Service 26 Provider ("ISP"). 27 28

- 3. According to materials within **Exhibit A**, a true copy of a web page of MetroCast Communications' website, MetroCast Communications only provides services to consumers physically located within the states of Alabama, Connecticut, Maine, Maryland, Mississippi, New Hampshire, Pennsylvania, South Carolina and Virginia.
- 4. Attached to this declaration as **Exhibit B** are true copies of four web pages of Internet Protocol ("IP") address locator websites, including http://www.ipligence.com/geolocation, http://www.ipfosniper.net, http://freegeoip.net and http://freegeoip.net and http://www.ip-address.org/lookup/ip-locator.php, after a search of Doe 305's IP address was performed.
- 5. According to the materials within **Exhibit B**, it has been shown that the IP Address of Doe 305 in the present action, IP Address: 207.68.252.6, is registered to MetroCast Communications and is located in Oxford, Mississippi.
- 3. In accordance with 28 U.S.C. § 1746, I declare and confirm under penalty of perjury that the foregoing is true and correct.

Executed at San Francisco, California on this 21st day of November, 2011.

/s/ Christina M. Gagnier

CHRISTINA M. GAGNIER Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that on November 21, 2011, the foregoing document was filed with the Clerk of the U.S. District Court for the Northern District of California, using the court's electronic filing system (ECF), in compliance with Civil L.R. 5-4 and General Order 45. The ECF system serves a "Notice of Electronic Filing" to all parties and counsel who have appeared in this action, who have consented under Civil L.R. 5-5 and General Order 45 to accept that Notice as service of this document.

GAGNIER MARGOSSIAN LLP

Dated: November 21, 2011

By: ___/s/ Jerome Pandell

Jerome Pandell