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7	1 - 1001100 / 5 - 101 - 1 - 101110111	
8	UNITED STATES DISTRICT COURT	
9	DISTRICT OF NEVADA	
10		
11	RIGHTHAVEN LLC, a Nevada limited-	Case No.: 2:10-cv-0636-RLH-RJJ
12	liability company,	DECLARATION OF J. CHARLES
12		COONS IN SUPPORT OF PLAINTIFF'S
13	Plaintiff,	MOTION FOR SANCTIONS PURSUANT TO FEDERAL RULE OF CIVIL
14	Trainerr,	PROCEDURE 11
15	V.	
10	DR. SHEZAD MALIK LAW FIRM P.C., a	
16	Texas domestic professional corporation,	
17		
18	Defendant.	
19		
20		
21	I, J. Charles Coons, declare, under penalty of perjury, that the following is true and	
	correct:	
22	1 I am an attempty at lary admitted	to mucation in all counts of the State of Navada I
23	1. I am an attorney-at-law admitted to practice in all courts of the State of Nevada.	
24	have personal knowledge of the facts set forth below, except for those factual statements	
25	expressly made upon information and belief, and as to those facts, I believe them to be true. I are	
26	over eighteen years old and I am competent to testify to the matters set forth herein.	
27	2. I represent Plaintiff Righthaven LLC ("Righthaven"), in the capacity of assistant	
28	general counsel, in the above-referenced matter	·.

- 3. On July 16, 2010, Righthaven served Righthaven's Motion for Sanctions Pursuant to Federal Rule of Civil Procedure 11 (the "Rule 11 Motion") on Defendant Dr. Shezad Malik Law Firm P.C. (the "Malik Firm") via United States mail, facsimile, and electronic mail.
- 4. Served concurrently with the Rule 11 Motion was a letter from Righthaven to the Malik Firm, confirming July 16, 2010 as the effective date of service and notifying the Malik Firm that the Rule 11 Motion would be filed with this Court if the Malik Firm failed to comply with the Rule 11 Motion within twenty-one (21) days of service. A true and correct copy of said letter is attached hereto as Exhibit 1.
- 5. On August 10, 2010, twenty-two (22) days after effectuating service of the Rule 11 Motion, the Malik Firm made an affirmative commitment, via telephone, to retract the standing argument from the Malik Firm's Motion to Dismiss (Docket No. 6) in compliance with the terms of the Rule 11 Motion.
- 6. On August 12, 2010, I sent a letter to the Malik Firm, via United States mail, facsimile, and electronic mail, notifying the Malik Firm that twenty-four (24) days had elapsed since service of the Rule 11 Motion, and that Righthaven would file said motion with the Court unless the standing argument was retracted from the Malik Firm's Motion to Dismiss by August 13, 2010. A true and correct copy of said letter is attached hereto as Exhibit 2.
- 7. As of August 18, 2010, no less than twenty-eight (28) days have elapsed since service of the Rule 11 Motion, and the standing argument has not been formally retracted from the Malik Firm's Motion to Dismiss.

Signed and affirmed this eighteenth day of August, 2010 under the pains and penalties of perjury of the State of Nevada and of the United States of America.

/s/ J. Charles Coons J. CHARLES COONS, ESQ.

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that I am an employee of Righthaven LLC and that on this eighteenth day of August, 2010, I caused the

DECLARATION OF J. CHARLES COONS IN SUPPORT OF PLAINTIFF'S MOTION FOR SANCTIONS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 11 to be served by the Court's CM/ECF system. Said motion has also been deposited for mailing in the United States mail, to be sent to defendant Dr. Shezad Malik at the following address:

DR. SHEZAD MALIK 175 Miron Drive Southlake, Texas 76092

By: /s/ J. Charles Coons

J. CHARLES COONS, ESQ. Righthaven LLC 9960 West Cheyenne Avenue, Suite 210 Las Vegas, Nevada 89129-7701