

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION, a  
Washington corporation,

Plaintiff,

v.

JDO MEDIA, INC., et al.,

Defendants.

No. C04-0515P

DECLARATION OF ROBERT  
DZIELAK IN SUPPORT OF  
PLAINTIFF MICROSOFT  
CORPORATION'S MOTION FOR  
ORDER OF DEFAULT AGAINST  
DEFENDANT JDO MEDIA, INC.

1. I am one of the attorneys for plaintiff Microsoft Corporation in this action. I have knowledge of the facts set forth in this declaration, and I am competent to testify.

2. JDO Media, Inc. ("JDO") was originally served with a Summons and Complaint on March 10, 2004. JDO, through counsel, filed a notice of appearance. JDO's counsel subsequently moved to withdraw.

3. As of the date of this declaration, Microsoft has not been notified, either formally or informally, that JDO has secured new counsel.

4. A substantial part of the events or omissions giving rise to the claims set forth in Microsoft's complaint occurred in King County, the cause of action arose in King County, and work was performed in King County.

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1 I declare under penalty of perjury under the laws of the United States that the  
2 foregoing is true and correct:

3 EXECUTED this 21<sup>st</sup> day of December, 2004 at Seattle, Washington.

4  
5 /s/ Robert J. Dzielak

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DECL. OF ROBERT DZIELAK IN SUPPORT OF  
MICROSOFT'S MOTION FOR ORDER OF DEFAULT  
AGAINST DEFENDANT JDO MEDIA, INC. - 2  
CASE NO. C04-0515P

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