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6 Gracenote, Inc.

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

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12 GRACENOTE, INC., a Delaware
corporation,
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14 Plaintiff,
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16 v.
17 MUSICMATCH, INC., a Washington
corporation,
18
19 Defendant.

CASE NO. C 02-3162 CW

**DECLARATION OF GABRIEL M. RAMSEY
IN SUPPORT OF GRACENOTE, INC.'S *EX
PARTE* MOTION FOR RELIEF FROM STAY
OF FORMAL DISCOVERY TO PERMIT
GRACENOTE TO COMMENCE
DISCOVERY IMMEDIATELY IN AID OF
MOTION FOR PRELIMINARY
INJUNCTION**

**Date: to be determined by Court
Time: to be determined by Court
Dept: Courtroom 1, 4th Floor
Honorable D. Lowell Jensen**

1 1. I am an associate with the firm of Orrick, Herrington & Sutcliffe, LLP, counsel of record
2 for plaintiff Gracenote, Inc. ("Gracenote"). I make this declaration in support of Gracenote, Inc.'s
3 *Ex Parte* Motion For Relief From Stay Of Formal Discovery To Permit Gracenote To Commence
4 Discovery Immediately In Aid Of Motion For Preliminary Injunction. I make this declaration of
5 my own personal knowledge and, if called as a witness, I could and would testify competently to
6 the truth of the matters set forth herein.

7 2. Attached hereto as Exhibit 1 is a true and correct copy of the Complaint filed by
8 Gracenote against defendant MusicMatch, Inc. ("MusicMatch") in this action.

9 3. Attached hereto as Exhibit 2 is a true and correct copy of a letter from MusicMatch's
10 counsel, Stephen P. Swinton, to Gracenote's counsel, William Sloan Coats.

11 4. Attached hereto as Exhibit 3 is a true and correct copy of Gracenote, Inc.'s First Set Of
12 Requests for Production of Documents and Things To MusicMatch, Inc.

13 5. Attached hereto as Exhibit 4 is a true and correct copy of Plaintiff Gracenote, Inc.'s
14 Notice Of Deposition Of Peter Csathy.

15 6. Attached hereto as Exhibit 5 is a true and correct copy of Plaintiff Gracenote, Inc.'s
16 Notice Of Deposition Of Dennis Mudd.

17 7. Attached hereto as Exhibit 6 is a true and correct copy of Plaintiff Gracenote, Inc.'s
18 Notice Of Deposition Of Bob Ohweiler.

19 8. Attached hereto as Exhibit 7 is a true and correct copy of Plaintiff Gracenote, Inc.'s
20 Notice Of Deposition Of Bill Caid.

21 9. Attached hereto as Exhibit 8 is a true and correct copy of Plaintiff Gracenote, Inc.'s
22 30(b)(6) Notice Of Deposition Of Defendant MusicMatch, Inc. (Technical: MusicMatch Jukebox
23 Versions 7.1 And Higher).

24 10. Attached hereto as Exhibit 9 is a true and correct copy of a July 11, 2002 letter from
25 Gabriel M. Ramsey, counsel for Gracenote, to Stephen P. Swinton, counsel for MusicMatch,
26 informing MusicMatch of Gracenote's intent to move for expedited discovery.

27 I declare that the foregoing is true and correct under penalty of perjury under the laws of

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1 the United States of America.

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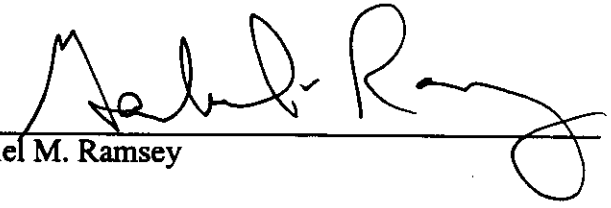
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Executed on July 11, 2002 in Menlo Park, California.

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Gabriel M. Ramsey

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