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 9 JOHN DOE

11 17 03 11  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF SANTA CLARA  
 FILED

APR 17 PM 4:

SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF SANTA CLARA  
 C. Arapogios

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 11 IN AND FOR THE COUNTY OF SANTA CLARA  
 12 UNLIMITED JURISDICTION

**BY FAX**

13 E. VAN CULLENS,

No. CV 814664

14 Plaintiff,

**DECLARATION OF CINDY A. COHN  
 IN SUPPORT OF MOTION TO QUASH  
 SUBPOENA AND SPECIAL MOTION  
 TO STRIKE**

15 v.

16 JOHN DOE,

17 Defendant.

Date: April 17, 2003  
 Time: 9:00 a.m.  
 Dept.: 2, Hon. William J. Elfving

19 I, Cindy A. Cohn, hereby declare:

20  
 21 1. I am an attorney at law, licensed to practice before this Court and attorney of record  
 22 for movant John Doe herein. The facts stated herein are known to me of my own personal  
 23 knowledge and if called upon to testify thereto, I could and would competently do so.

24 2. Attached hereto as Exhibit "A" is a true and correct copy of E. Van Cullens v. John  
 25 Doe, No. 2003L000111 (18th Judicial Circuit, Du Page County, Illinois).

26 3. Attached hereto as Exhibit "B" is a true and correct copy of the deposition subpoena  
 27 from E. Van Cullens to John Doe dated February 10, 2003.

28 4. Attached hereto as Exhibit "C" are true and correct copies of In re Westell

1  
 DECL OF COHN IN SUPPORT OF MOTION TO QUASH  
 SUBPOENA AND SPECIAL MOTION TO STRIKE

Filed By  
 Fax & File

1 Technologies, Inc., Securities Lit No. 00C6735 (N.D. Ill.) and Dollens v. Vukovich and Zions, No.  
2 01C2826 (N.D. Ill.)

3 5 Attached hereto as Exhibit "D" is a true and correct copy of Immunomedics, Inc. v.  
4 Doe, 775 A.2d 773 (N.J. Sup. Ct. App. Div. 2001).

5 6. Attached hereto as Exhibit "E" is a true and correct copy of Dendrite International,  
6 Inc. v. Doe, No. 3, 775 A.2d 756 (N.J. App. 2001).

7 7. Attached hereto as Exhibit "F" is a true and correct copy of Missouri ex rel. Classic  
8 III Inc. v. Ely, 954 S.W.2d 650, 659 (Mo. App. 1997).

9 8. Attached hereto as Exhibit "G" is a true and correct copy of In re Discovery Order  
10 Issued By the Superior Court, Province of Quebec, District of Montreal, Canada dated March 8,  
2003, Northern District of California Case No. 02-0151-MISC-WHA.

12 9. Attached hereto as Exhibit "H" is a true and correct copy of State v. DiGuida, 152  
13 Ill.2d 104, 122 (1992).

14 10. Attached hereto as Exhibit "I" is a true and correct copy of Bryson v. News America  
15 Publications, 174 Ill.2d 77, 87 (1996).

16 1 Attached hereto as Exhibit "J" is a true and correct copy of Schivarelli v. CBS, Inc.,  
17 333 Ill.App.3d 755, 765 (2002).

18 12. Attached hereto as Exhibit "K" is a true and correct copy of Aroonsakul v. Shannon,  
19 279 Ill.App.3d 345, 350 (1996).

20 13 Attached hereto as Exhibit "L" is a true and correct copy of Schaffer v. Zekman, 196  
21 Ill.App.3d 727, 732 (1990).

22 14. Attached hereto as Exhibit "M" is a true and correct copy of Archibald v. Belleville  
23 News Democrat, 54 Ill.App.2d 38, 42 (1964).

24 15. Attached hereto as Exhibit "N" is a true and correct copy of Chapski v. Copley  
25 Press, 92 Ill.2d 344, 352 (1982).

26 16. Attached hereto as Exhibit "O" is a true and correct copy of Homerin v. Mid-Illinois  
27 Newspapers, 245 Ill.App.3d 402, 405 (1993).

28 17. Attached hereto as Exhibit "P" is a true and correct copy of Mittleman v. Witous.

1 135 Ill.2d 220, 231 (1989).

2 18. Attached hereto as Exhibit "Q" is a true and correct copy of Grisanzio v. Rockford  
3 Newspapers, 132 Ill.App.3d 914, 919 (1985).

4 19. Attached hereto as Exhibit "R" is a true and correct copy of Barry Harlem Corp. v.  
5 Kraff, 273 Ill.App.3d 388, 390-91 (1995).

6 20. Attached hereto as Exhibit "S" is a true and correct copy of Cartwright v. Garrison,  
7 113 Ill.App.3d 536 (1983).

8 21. Attached hereto as Exhibit "T" is a true and correct copy of Catalano v. Pechous, 83  
9 Ill.3d 146 (1980).

10 22. Attached hereto as Exhibit "U" is a true and correct copy of Tepper v. Copley Press,  
11 308 Ill.App.3d 718 (1999).

12 23. Attached hereto as Exhibit "V" is a true and correct copy of Newell v. Field  
13 Enterprises, 91 Ill.3d 735 (1980).

14 24. Attached hereto as Exhibit "W" is a true and correct copy of Moriarty v. Greene,  
15 315 Ill.App.3d 225, 234 (2000).

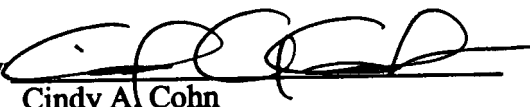
16 25. Attached hereto as Exhibit "X" is a true and correct copy of Hopewell v. Vitullo,  
17 299 Ill.App.3d 513, 518-19 (1998).

18 26. Attached hereto as Exhibit "Y" is a true and correct copy of Dubinsky v. United  
19 Airlines Master Executive Council, 303 Ill.App.3d 317, 329-30 (1999).

20 27. Attached hereto as Exhibit "Z" is a true and correct copy of Gordon v. Marrone, 590  
21 N.Y.S.2d 649, 656 (N.Y.Sup. Ct. 1992),

22 I declare under penalty of perjury under the laws of the State of California that the  
23 foregoing is true and correct.

24 DATED: March 17, 2003

25  
26 By   
Cindy A. Cohn