

**EXHIBIT A**

**Practice Areas:**

Litigation  
 Intellectual Property  
 Copyright, Patent, Trademark  
 and Trade Secret Litigation  
 and Counseling  
 Unfair Competition  
 Business and Real Estate

**Education:**

University of California at Davis  
 School of Law, J.D., 1976  
*Law Review:*  
 University of California at Davis  
 Law Review  
 Stanford University, B.A., 1970

**Memberships:**

State Bar of California  
 Antitrust and Unfair  
 Competition Law Section  
 Intellectual Property Law  
 Section  
 American Intellectual Property  
 Law Association  
 Milton L. Schwartz American  
 Inn of Court

**Bar Admissions:**

California  
 United States Supreme Court  
 Federal Circuit Court of Appeals  
 Ninth Circuit Court of Appeals  
 All California District Courts

**Chris Gibson**

Chris Gibson is a founder of the firm and specializes in litigation, with a focus on intellectual property. Mr. Gibson has tried dozens of cases in state and federal courts throughout California, including actions for patent, copyright and trademark infringement, trade secret misappropriation, unfair competition, antitrust, and breach of contract. He was named a Northern California Super Lawyer in intellectual property litigation. His experience includes:

- o Trade Secrets. After a six-week state court trial, obtained judgment for defendants sued for misappropriation of trade secrets. The Court of Appeal affirmed an award of attorney's fees in excess of \$500,000.
- o Copyright Infringement. Represented software manufacturer in copyright infringement action against former employee. A federal court trial concluded with a permanent injunction from publishing and marketing software, damages, and an attorney's fees award.
- o Patent infringement. Represented defendant in patent infringement lawsuit. After federal court jury trial, obtained judgment that patent was enforceable because of patentee's inequitable conduct before the United States Patent and Trademark Office.
- o Confidentiality Agreements. Obtained directed verdict after seven-week jury trial upholding enforceability of confidentiality agreement in trade secrets case.
- o Trademarks. Mr. Gibson has prosecuted and defended numerous motions for preliminary injunctions in trademark matters.

**Reported cases include:**

- o *Cabinet Vision v. Cabnetware*, 129 F.3d 595 (Fed. Cir. 1997) [reviewing Seventh Amendment right to a jury trial in case involving defense of inequitable conduct and antitrust counterclaim]
- o *Valley Engineers, Inc. v. Electric Engineering Co.*, 158 F.3d 1051 (9th Cir. 1998) [affirming dismissal of complaint as sanction for discovery violation]
- o *International Billing Services, Inc. v. Emigh*, 84 Cal. App. 4th 1175 (2000) [reviewing award of attorney's fees under written confidentiality agreement]
- o *Kapusta v. Gale Corp.*, 457 F.Supp.2d 1051 (E.D. Cal. 2006) [obtained summary judgment of patent infringement after remand from Federal Circuit]
- o *Meridian Project Systems, Inc. v. Hardin Const. Co., LLC*, 426 F.Supp.2d 1101 (E.D. Cal. 2006) [order on summary judgment in software copyright infringement action]

Mr. Gibson graduated from Stanford University in 1970. After teaching, working in construction, running a political campaign, and leading wilderness expeditions, he entered law school at the University of California at Davis and graduated in 1976. He has served on the Board of Directors of the Sacramento Young Lawyers' Association and the Sacramento County Bar Association. He is a charter member and Master in the American Inn of Court chapter at the University of California at Davis, where he meets regularly with local judges, law professors, and prominent attorneys to promote legal professionalism. He has taught courses at the law school at the University of California at Davis, presented programs on intellectual property issues for California Continuing Education of the Bar and other groups, and leads seminars for local business organizations like the Chamber of Commerce.

Mr. Gibson has been married since 1977 to Dr. Patrice Gibson, a professor of anthropology. They have two adult children.

**Published Works:**

Note, "Co-Conspirator Declarations: Constitutional Defects in the Admission Procedure", 9 University of California at Davis Law Review 63, 1976

**Teaching Experience:**

Instructor, Legal Research and Writing, University of California at Davis School of Law, 1975–1976

Panelist and Lecturer: Intellectual Property Litigation, California Continuing Education of the Bar, 1999

**Honors and Awards:**

Patrick Hopkins Memorial Award for making the outstanding contribution to the Law Review of the University of California at Davis

**Maralee MacDonald  
Shareholder**

(916) 321-4444  
mmacdonald@boutindentino.com

Maralee MacDonald is a principal in the firm and member of its litigation group. She devotes much of her practice to intellectual property, real estate, officer and director liability and corporate disputes. She has substantial experience in cases involving software and technology, trade secret misappropriation, shareholder disputes, antitrust and unfair competition claims, and commercial contracts. She has represented bankruptcy trustees and businesses in preferential transfer actions. Since her admission to practice law, first in Wyoming and later in California, Ms. MacDonald has handled a number of jury and bench trials to conclusion. Her experience includes:

- Leading defense of multimillion dollar trust in suit alleging breach of contract, unjust enrichment, conversion, and breach of trust.
- Obtaining early dismissal for managing partner in \$15 million partnership dispute in Los Angeles County.
- Serving as second chair in defense of eleven former officers and employees of a software start-up against \$250,000,000 damage claims for alleged breach of fiduciary duty, fraud and misappropriation of trade secrets.
- Serving on litigation team defending foreign software company against multimillion dollar claims involving breach of end user license agreement, software copyright infringement and unfair competition.
- Managing document discovery, including electronic discovery, in state and federal cases involving hundreds of thousands of pages of emails and other documentation.

Ms. MacDonald is a leader of national, state and local bar associations. Ms. MacDonald also serves as a volunteer attorney with the Legal Service of Northern California's legal aid clinics for low income residents of the Sacramento region. She also is an officer on her neighborhood board of the Girl Scouts of the Heart of Central California. She has taught college and continuing education courses for paralegals on legal research and writing.

**Publications**

First Things First: Conducting a Case Checkup for Subject Matter Jurisdiction, *ABA/YLD Litigation Committee Newsletter*, Summer 2004, Winter 2005.

Three Tips for Successfully Preparing a Corporate Client for Deposition under Fed. R. Civ. P. 30(b)(6), *ABA/YLD Litigation Committee Newsletter*, Winter 2004.

**Practice Areas:**

Litigation  
Business  
Real Estate

**Education:**

University of Wyoming, J.D.,  
1996

*Honors:* Order of the Coif  
*Law Review:* Comment editor,  
Land and Water Law Review

University of Wyoming, B.A.,  
Russian, 1993

*Honors:* Phi Beta Kappa

**Memberships:**

State Bar of California  
Board of Governors, former  
member;  
California Young Lawyers  
Association, former President;  
Antitrust and Unfair  
Competition Law Section,  
Member

Judicial Council of California  
Bench-Bar Coalition Member

American Bar Association  
Section of Litigation, Council  
Member

Women Lawyers of Sacramento  
Board of Directors

Wyoming State Bar

**Clerkships:**

Hon. William C. Beaman, United  
States Magistrate Judge

**EXHIBIT B**

EXHIBIT B

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| <u>NAME</u>                  | <u>HOURLY RATE</u> |
|------------------------------|--------------------|
| Chris Gibson, Principal      | \$350              |
| Maralee MacDonald, Principal | \$275              |
| Sheryl Stuckey, Paralegal    | \$165              |