

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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|------------------------------|---|------------------------------------|
| DECKERS OUTDOOR CORPORATION, |) | |
| |) | |
| Plaintiff, |) | Case No. 11-cv-7970 |
| |) | |
| v. |) | Honorable Ronald A. Guzman |
| |) | |
| LIYANGHUA et al., |) | Magistrate Martin C. Ashman |
| |) | |
| Defendants. |) | |
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Declaration of Justin R. Gaudio

I, Justin R. Gaudio, of the City of Chicago, in the State of Illinois, declare as follows:

1. I am an attorney at law, duly admitted to practice before the Courts of the State of Illinois, and the United States District Court for the Northern District of Illinois. I am one of the attorneys for Plaintiff Deckers Outdoor Corporation (“Deckers”). Except as otherwise expressly stated to the contrary, I have personal knowledge of the following facts and, if called as a witness, I could and would competently testify as follows:

2. Since and pursuant to entry of the TRO, 92 PayPal accounts associated with Defendants’ websites have been frozen. The 92 PayPal accounts have a total account balance of approximately \$308,236. In addition, Deckers has served the TRO on the relevant domain name registrars and registries and anticipates that all domain names will be transferred to Deckers control and/or disabled prior to the preliminary injunction hearing on December 12, 2011.

3. Exhibit 1 attached hereto is a screenshot of the website at <http://gbclaw.net/caseno-11-cv-7970>.
4. Defendants use multiple fictitious names and addresses to register domain names. Many of Defendants' names and addresses used to register the Defendant Domain Names are incomplete, randomly typed letters, contain street addresses with no cities or states listed or use a privacy service. Our investigation also suggests that many of the aliases used to register the Defendant Domain Names are used by the same individual or entity. Deckers' investigation has been unable to identify a legitimate address for any of the Defendants.
5. Exhibit 2 attached hereto is chart providing examples of addresses used to registrar the Defendant Domain Names. Exhibit 3 attached hereto is an accurate copy of WHOIS information showing the addresses referenced in Deckers' Memorandum, "Fuzhou Gulou Fuzhou, 350002" and "Johnsonjohnson, Johnson Johnson 111111, gb."
6. I accessed the Internet Corporation for the Assigned Names and Numbers ("ICANN") website at www.icann.org in order to download the ICANN Uniform Domain Name Dispute Resolution Policy ("UDRP"). A true and correct copy of the ICANN UDRP is downloaded from www.icann.org and is attached hereto as Exhibit 4.
7. I reviewed the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil and Commercial Matters ("Hague Convention"), to which China is a signatory. The Hague Convention does not preclude service by email, and the declarations to the Hague convention filed by China do not expressly prohibit email service. Additionally, according to Article 1 of the Hague Convention,

- the “convention shall not apply where the address of the person to be served with the document is not known.” A true and correct copy of the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil and Commercial Matters, and a list of signatory members, are collectively attached hereto as Exhibit 5.
8. I researched whether the issuance of an order to serve process upon the Defendant by electronic mail pursuant to Fed. R. Civ. P. 4(f)(3) is contrary to or likely to offend the law of the People’s Republic of China (the “PRC”). I located an English language version of the current Civil Procedure Law of the PRC, which was adopted on April 9, 1991. A true and correct copy of the Civil Procedure Law downloaded from Chinacourt.org, a website sponsored by the Supreme People’s Court of the PRC, is attached hereto as Exhibit 6. Chapter VII, Section 2, of the Civil Procedure Law governs service of process. I am informed and believe that the law does not preclude the service of process by email and allows for alternate service of process in certain circumstances. For example, Article 84 of the law provides that if the whereabouts of a recipient of the service is unknown, or if a document cannot be served by the other methods reflected in the law, a document shall be served by public announcement, a method even less likely to reach a defendant than service by email.
 9. Exhibit 7 attached hereto is a true and correct copy of a Yahoo! Finance article regarding Deckers’ 2011 third quarter financial results.
 10. Exhibit 8 attached hereto is a true and correct copy of unpublished decisions cited in Deckers’ Memorandum.

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

Executed on this 7th day of December, 2011, at Chicago, Illinois.

/s/ Justin R. Gaudio

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