

The Honorable John C. Coughenour

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

)	
BAROVIC v. BALLMER, ET AL.,)	Lead Case No. 2:14-cv-00540-JCC
)	(Consolidated with
This Document Relates To:)	Case No. 2:14-cv-00586-JCC)
ALL ACTIONS)	DECLARATION OF STEPHEN M.
)	RUMMAGE IN SUPPORT OF
)	INDIVIDUAL DEFENDANTS'
)	MOTION TO DISMISS
)	
)	Noted on Motion Calendar:
)	October 31, 2014

I, Stephen M. Rummage, declare as follows:

1. I am a partner with Davis Wright Tremaine LLP and one of the counsel for the Individual Defendants. I make this Declaration based on personal knowledge and my review of the documents described below.

2. I am attaching as **Exhibit A** a true and correct copy of excerpts of Microsoft Corporation's 2012 Form 10-K filed with the Securities and Exchange Commission on July 26, 2012, which can be obtained online through several publicly available sources. I have highlighted portions of these excerpts that relate to Microsoft's summary of the European Commission's notification to Microsoft concerning omission of the required internet browser choice screen and Microsoft's explanation in response.

RUMMAGE DECLARATION IN SUPPORT OF
INDIVIDUAL DEFENDANTS' MOTION TO DISMISS
(2:14-cv-00540-JCC) - 1

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3. I am attaching as **Exhibit B** a true and correct copy of Microsoft Corporation’s Amended and Restated Articles of Incorporation dated November 24, 2009. These articles may also be found at:
<http://www.microsoft.com/investor/CorporateGovernance/PoliciesAndGuidelines/articlesincorp.aspx> (last visited August 8, 2014).

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

Executed this 11th day of August, 2014, in Seattle, Washington.

s/ Stephen M. Rummage
Stephen M. Rummage

CERTIFICATE OF SERVICE

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I hereby certify that on August 11, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

DATED this 11th day of August, 2014.

s/ Stephen M. Rummage
Stephen M. Rummage