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17 APPLE COMPUTER, INC.,  
18  
19 Plaintiff,  
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21 v.  
22 DOE 1, et al.,  
23  
24 Defendants.

No. 1-04-CV-032178

**SUPPLEMENTAL DECLARATION OF  
JASON D. O'GRADY IN SUPPORT OF  
MOTION FOR PROTECTIVE ORDER**

Date: March 4, 2005  
Time: 10:00 a.m.  
Location: Department 14  
Judge: Hon. James Kleinberg

I, Jason D. O'Grady, of Abington, Pennsylvania, declare:

I own and operate "O'Grady's PowerPage" ("PowerPage"), an online news magazine that provides its readers with news and information about Apple Macintosh and Apple Macintosh-compatible software and hardware. I function as the publisher and one of nine editors and reporters for PowerPage.

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2. PowerPage's reporters' rely heavily on confidential and anonymous sources, and such sources are integral to PowerPage's newsgathering and reportage. Approximately two-thirds of news tips submitted to PowerPage are from confidential or anonymous sources.

3. The revelation of confidential sources in this case would likely undermine PowerPage's ability to elicit information from confidential sources in the future. If Apple or other companies can use third party records to discern the identity of PowerPage's confidential news sources, or can subpoena PowerPage directly for such information, it will have a substantial chilling effect on PowerPage's current and potential future news sources and make it substantially more difficult to gather news stories for PowerPage. This would undoubtedly have a ripple effect, silencing sources who might otherwise cooperate with the press.

4. Since Apple's initiation of the current lawsuit and concurrent threat of subpoenas to PowerPage and its email provider Nfox, the flow of information to PowerPage has been significantly slowed, and the number of confidential and anonymous submissions to PowerPage has dropped by approximately half since the lawsuit began.

I declare under penalty of perjury under the laws of the California that the foregoing is true and correct. Executed on this the              day of March 2005 in Abington, Pennsylvania.

By \_\_\_\_\_  
Jason D. O'Grady