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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ROBERT JACOBSEN, Plaintiff, v. MATTHEW KATZER, et al., Defendants.	No. C-06-1905-JSW **PLAINTIFF'S UPDATED CERTIFICATE OF INTERESTED PERSONS OR ENTITIES** Courtroom: 2, 17th Floor Judge: Hon. Jeffrey S. White

With Mr. Katzer and KAMIND Associates, Inc.'s ["Defendants"] recent motion to dismiss [Dkt # 100], Plaintiff submits this Updated Certificate of Interested Persons or Entities, per Civil L.R. 3-16 and this Court's Order Setting Case Management Conference And Requiring Joint Case Management Conference Statement [Dkt # 10].

The JMRI Project is using the original Artistic License, and may also adopt the GPL v.2 license. Defendants seek a ruling that makes unenforceable the JMRI Project's license. Such a ruling would also impact a wide range of open source software licenses. Thus, this Court is faced

with deciding an issue that impacts any entity – and there are numerous such entities as one can tell from the opening paragraphs of the Amended Complaint – that uses an open source software license to protect its rights in its code. Plaintiff is reviewing how to identify such entities and will report back to the Court later in the month.

Also, Plaintiff notes that Defendants Katzer and KAMIND Associates, Inc. have named a number of UC Berkeley and Lawrence Berkeley Lab (LBL) witnesses in their initial disclosures. Hall Decl. Ex. A. Without an Answer, Plaintiff is uncertain if any third-party defendants will be added. But given that Defendants Katzer and KAMIND Associates, Inc. have included UC Berkeley and LBL witnesses, there is a chance that UC Berkeley and LBL/DOE may be named. Plaintiff seeks to alert the Court to this possibility, since these entities may have an interest in this matter. Plaintiff respectfully suggests that the Court may want to order Defendants to identify any third-party defendants they intend to name in their Answer, so that the Court may have this information for its purposes.

Thus per the Local Rule and the Court's order, Plaintiff respectfully brings these matters to the Court's attention to evaluate for disqualification or recusal.

DATED: October 6, 2006

By /s/

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