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27 **Co-Lead Counsel for Plaintiff and the Class**

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30 **UNITED STATES DISTRICT COURT**
31 **NORTHERN DISTRICT OF CALIFORNIA**
32 **SAN FRANCISCO DIVISION**

33 ADRIAN MONGELI, Individually, And)
34 On Behalf Of All Others Similarly Situated,)

35
36 Plaintiff,)

37 vs.)

38 TERAYON COMMUNICATION)
39 SYSTEMS, INC., ZAKI RAKIB, JERRY)
40 D. CHASE, MARK A. RICHMAN,)
41 EDWARD LOPEZ, RAY FRITZ, CAROL)
42 LUSTENADER, MATTHEW MILLER,)
43 SHLOMO RAKIB, DOUG SABELLA,)
44 CHRISTOPHER SCHAEPE, MARK)
45 SLAVEN, LEWIS SOLOMON, HOWARD)
46 W. SPEAKS, ARTHUR T. TAYLOR,)
47 DAVID WOODROW, and ERNST &)
48 YOUNG, LLP)

49 Defendants.)

50 **CASE NO.: 3-06-CV-03936 CW**

51 **CLASS ACTION**

52 **DECLARATION OF MICHAEL D.**
53 **BRAUN IN SUPPORT OF PLAINTIFF'S**
54 **UNOPPOSED MOTION FOR**
55 **ADMINISTRATIVE RELIEF TO FILE A**
56 **BRIEF IN EXCESS OF THE PAGE LIMIT**
57 **SET FORTH BY L.R. 7-2 and 7-4**

1 I, Michael D. Braun declare as follows:

2 1. I am a principal with the Braun Law Group, P.C., Liaison Counsel for Plaintiff and
3 the Class. I am a member of the California Bar and am admitted to practice in this District.

4 2. I submit this Declaration in Support of Plaintiff's Unopposed Motion for
5 Administrative Relief to File a Brief in Excess of the Page Limit Set Forth by L.R. 7-2 and 7-4.

6 3. On August 27, 2008, Paul Balanon, counsel for Plaintiff's contacted Jennie Feldman
7 (counsel for Terayon and Individual Defendants) and John Hemann (counsel for Ernst & Young) to
8 inform them of Plaintiff's intention to file a motion for administrative relief seeking leave to file a
9 single oversized brief.

10 4. Subsequent to that conversation, both Ms. Feldman and Mr. Hemann represented that
11 Defendants would not oppose Plaintiff's motion.

12

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

15 Executed on this 28th day of August, 2008.

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/S/ Michael D. Braun
MICHAEL D. BRAUN

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1 Bruce M. Cormier, Esq.
Joel E. Bonner, Esq.
2 ERNST & YOUNG LLP
1225 Connecticut Avenue, NW
3 Washington, D.C. 20036
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4 Fax: (202) 327-7601

5 **Counsel for Defendant Ernst & Young LLP**

6 I served the document(s):

7 BY MAIL. The envelope(s) was/were mailed with postage thereon fully prepaid. I am
8 familiar with the firm's practice of collection and processing correspondence for mailing. Under
9 that practice it would be deposited with U.S. postal service on that same day with postage thereon
fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on
motion of the party served, service is presumed invalid if postal cancellation date or postage meter
date is more than one day after date of deposit for mailing in an affidavit.

10 I declare, pursuant to Civil L.R. 23-2, that on the date hereof I served a copy of the above-
11 listed document(s) on the Securities Class Action Clearinghouse by electronic mail through the
following electronic mail address provided by the Securities Class Action Clearinghouse:

12 **scac@law.stanford.edu**

13 I am employed in the office of a member of the bar of this Court at whose direction the
14 service was made.

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

16 Executed on August 28, 2008, at Los Angeles, California 90025.

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/S/ LEITZA MOLINAR
Leitza Molinar

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