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16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**
18 **WESTERN DIVISION**

18 FLO & EDDIE, INC., a California
19 corporation, individually and on behalf
of all others similarly situated,

20 Plaintiff,

21 v.

22 SIRIUS XM RADIO, INC., a Delaware
23 corporation; and DOES 1 through 10,

24 Defendants.

Case No. CV13-05693 PSG (GJSx)

**DECLARATION OF KALPANA
SRINIVASAN IN SUPPORT OF
PLAINTIFF’S OPPOSITION TO
DEFENDANT SIRIUS XM RADIO
INC.’S MOTION IN LIMINE NO. 1 /
DAUBERT TO EXCLUDE
TESTIMONY OF EXPERT
MICHAEL WALLACE AND ANY
OTHER EVIDENCE THAT GROSS
REVENUE ALONE IS AN
APPROPRIATE MEASURE OF
DAMAGES**

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1 I, Kalpana Srinivasan, hereby declare and state as follows:

2 1. I am a member in good standing of the bar of this Court, an active
3 member of the State Bar of California, a partner in the law firm of Susman Godfrey
4 L.L.P. and counsel of record for the plaintiff in the above-captioned action. I have
5 personal knowledge of the facts set forth herein, and if called as a witness, would
6 testify competently thereto.

7 2. I make this declaration in support of Plaintiff's Opposition To Defendant
8 Sirius XM Radio Inc.'s Motion In Limine No. 1 / Daubert To Exclude Testimony Of
9 Expert Michael Wallace And Any Other Evidence That Gross Revenue Alone Is An
10 Appropriate Measure Of Damages.

11 3. Attached as Exhibit 1 is a true and correct copy of CONFIDENTIAL
12 excerpts of a Videotaped Deposition Of Michael J. Wallace (Vol. II) dated October
13 7, 2016.

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

16 Signed this 14th day of October, 2016, at Los Angeles, California.

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/s/ Kalpana Srinivasan
Kalpana Srinivasan