

Per A. Ramfjord, OSB No. 934024

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Attorneys for Plaintiff Nike, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

NIKE USA, INC., an Oregon corporation,

Plaintiff,

v.

BORIS BERIAN, an individual California
resident,

Defendant.

Case No. 3:16-cv-00743-SB

**DECLARATION OF
PER A. RAMFJORD**

I, Per A. Ramfjord, hereby declare as follows:

1. I am a partner in the firm of Stoel Rives LLP, and am counsel for Plaintiff Nike USA, Inc. (“Nike”) in the above referenced manner. I submit this declaration in support of Nike’s Motion for Temporary Restraining Order and Order to Show Cause Why Preliminary Injunction Should Not Issue (“TRO Motion”). The information herein is based on my personal knowledge.

2. Nike has worked to resolve this dispute with Defendant Boris Berian ever since it arose in early 2016. These efforts include letters from me to Mr. Berian and his agent, as well as communications with Mr. Berian's counsel, Vincent Ewing, in April and early May of 2016.

3. The timing of the present motion was affected by the ongoing negotiations. On a May 6, 2016 phone call, Mr. Ewing agreed to accept service of the Complaint.

4. Nike served the Summons and Complaint on Mr. Ewing on May 9, 2016. However, Mr. Ewing failed to sign and return a confirmation of service.

5. Over the next 10 days, my associate and I attempted to reach Mr. Ewing on several occasions.

6. Mr. Ewing did not respond until May 19, 2016. That day, in an email, Mr. Ewing claimed that had "discuss[ed] and clarif[ied]" his authority to accept service with Mr. Berian and Mr. Keflezighi. Repudiating his early agreement to accept service, Mr. Ewing claimed that "[t]hey have not authorized this firm to accept service of the complaint," but would "notify [Nike], should this change." As a result, Nike was forced to serve Defendant personally. These facts explain the gap between the initial filing date for the Complaint and the date of this motion.

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

Executed on June 1, 2016.

s/ Per A. Ramfjord

PER A. RAMFJORD, OSB No. 934024

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **DECLARATION OF PER A. RAMFJORD**
on the following named persons on the date indicated below by

- mailing with postage prepaid
- hand delivery
- facsimile transmission
- overnight delivery
- email
- notice of electronic filing using the CM/ECF system

to said persons a true copy thereof, contained in a sealed envelope, addressed to said persons at
his or her last-known addresses indicated below.

Mr. Vincent C. Ewing
Alvarez-Glasman & Colvin
Suite 400 - West Tower
13181 Crossroads Parkway North
City of Industry, CA 91746
Email: VEwing@agclawfirm.com

DATED: June 1, 2016.

STOEL RIVES LLP

s/ Per A. Ramfjord
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