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11 EAST BAY EXPRESS PUBLISHING LP, TROY  
12 LARKIN

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
14 **CITY AND COUNTY OF SAN FRANCISCO**  
15 **UNLIMITED JURISDICTION**

16 BAY GUARDIAN COMPANY, INC.,

17 Plaintiff,

18 v.

19 NEW TIMES MEDIA LLC, SF WEEKLY LP,  
20 EAST BAY EXPRESS PUBLISHING LP,  
21 TROY LARKIN, DOES ONE through 10,  
22 inclusive,

23 Defendants.

Case No. 04-435584

**DECLARATION OF TROY LARKIN IN  
SUPPORT OF MOTIONS FOR  
SUMMARY ADJUDICATION OF  
SECTION 17043 AND SECTION 17045  
CLAIMS**

Case Filed: October 19, 2004

Date: September 14, 2007

Time: 11:00 a.m.

Courtroom: 304

Trial: October 15, 2007

HON. RICHARD A. KRAMER

1 **DECLARATION OF TROY LARKIN**

2 I, Troy Larkin, hereby declare:

3 1. I have been employed New Times Media LLC, Inc. (now known as Village Voice  
4 Media LLC, Inc. (“VVM”) since 1991. I have served in various capacities, including as the  
5 Publisher of the San Francisco Weekly and East Bay Express. I am currently employed by the  
6 Ruxton Group, a VVM-affiliate company, as a National East Coast Advertising Director. I have  
7 personal knowledge of each of the facts stated in this declaration and could competently testify  
8 thereto if called as a witness at trial.

9 2. My primary goal in each of my positions was to increase advertising revenues.  
10 My compensation was tied to increasing advertising revenues. Accordingly, I had an economic  
11 incentive to increase advertising revenues. I always sought to maximize advertising revenues. I  
12 have never approved an advertisement sale at a rate lower than what I believed the customer was  
13 willing to pay.

14 3. I am not aware of anyone at the SF Weekly, East Bay Express nor New Times  
15 ever selling advertisements for the purpose of injuring the San Francisco Bay Guardian, other  
16 competitors, or to perpetuate a monopoly position in the advertising industry in the Bay Area.

17 4. I am not aware of any secret payments, secret rebates, secret refunds, secret  
18 commissions, or unearned discounts, whether in the form of money or otherwise, to Bill Graham  
19 Presents, Inc., Golden Brands, any companies affiliated with those two entities, or to any other  
20 customers. I am not aware of the SF Weekly or the East Bay Express secretly extending to  
21 certain customers special services or privileges not extended to all customers purchasing upon  
22 like terms and conditions.

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