

Michael M. Maddigan (Bar No. 163450)
michael.maddigan@hoganlovells.com
HOGAN LOVELLS US LLP
1999 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Telephone: (310) 785-4600

Neal Kumar Katyal, *pro hac vice*
neal.katyal@hoganlovells.com
Anna Kurian Shaw, *pro hac vice*
anna.shaw@hoganlovells.com
Lauren Cury, *pro hac vice*
lauren.cury@hoganlovells.com
Hadley Dreibelbis, *pro hac vice*
hadley.dreibelbis@hoganlovells.com
HOGAN LOVELLS US LLP
555 Thirteenth Street NW
Washington, D.C. 20004
Telephone: (202) 637-5600

Jiaxing (Kyle) Xu (Bar No. 344100)
kyle.xu@hoganlovells.com
HOGAN LOVELLS US LLP
4 Embarcadero Center, Suite 3500
San Francisco, CA 94103
Telephone: (415) 374-2300

*Attorneys for Defendants Automattic Inc. and
Matthew Charles Mullenweg*

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

WPENGINE, INC., a Delaware corporation,

Plaintiff,

vs.

AUTOMATTIC INC., a Delaware
corporation; and MATTHEW CHARLES
MULLENWEG, an individual,

Defendants.

Case No. 3:24-cv-06917-AMO

**DECLARATION OF JIAXING (KYLE)
XU IN SUPPORT OF DEFENDANTS'
MOTION TO STRIKE AND OPPOSITION
TO PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

Judge: Hon. Araceli Martinez-Olguin

1 I, Jiaxing (Kyle) Xu, declare as follows:

2 1. I am an attorney with the law firm Hogan Lovells US LLP, located at 4 Embarcadero
3 Center, Suite 3500, San Francisco, CA 94111. As counsel for Defendants Automattic Inc. and
4 Matthew Charles Mullenweg ("Defendants"), I make this declaration in support of Defendants'
5 Motion to Strike and Opposition to Motion for Preliminary Injunction.

6 2. Attached hereto as **Exhibit 1** is a true and correct copy of the website at
7 <https://www.silvertonpartners.com/portfolio/wp-engine/>, captured on October 29, 2024.

8 3. Attached hereto as **Exhibit 2** is a true and correct copy of the website at
9 <https://wpengine.com/blog/milestone-announcement/>, captured on October 29, 2024.

10 4. Attached hereto as **Exhibit 3** is a true and correct copy of a PitchBook report of WP
11 Engine, Inc. ("WP Engine") generated on October 29, 2024.

12 5. Attached hereto as **Exhibit 4** is a true and correct copy of a S&P Capital IQ report
13 of WP Engine generated on October 29, 2024.

14 6. Attached hereto as **Exhibit 5** is a true and correct copy of the website at
15 <https://www.silverlake.com/portfolio/wp-engine/>, captured on October 29, 2024.

16 7. Attached hereto as **Exhibit 6** is a true and correct copy of X Post on the website at
17 <https://x.com/wpengine/status/1840910240801316924>, captured on October 30, 2024.

18
19 I declare under penalty of perjury under the laws of the United States of America and the
20 State of California that the foregoing is true and correct.

21
22
23 Dated: October 30, 2024

24
25 By: 

26 Jiaxing (Kyle) Xu