

## Complaint Summary

Excerpts from Complaint filed January 24, 2011

#31: “ ... on September 3, 2009, Yardi terminated its cooperation agreement with EverGreen in writing, and informed EverGreen that its access to Yardi’s support systems, including Client Central, was also terminated. “

#32: “To gain access to Client Central, Defendants circumvented the access restrictions on Client Central and ... took an assortment of confidential Credentials belonging to Yardi employees, clients, and consultants. Defendants used these Credentials to access Client Central from internet protocol (IP) addresses registered to and/or used by Defendants at locations in or near their offices.”

#40: “To date, Yardi has identified more than **two hundred log-ins** to Client Central by Defendants from multiple IP addresses in various locations believed to be associated with Defendants, and multiple Credentials that Defendants have apparently taken from Yardi and used from these multiple IP addresses. All told, Defendants have illegally downloaded over **one hundred individual Documentation files.**”

Examples of Documentation files that have been downloaded:

Para#	Date	Location	Misappropriated Credentials	Document
#33	4/1/2010	Tulsa, OK	Yardi Employee	Yardi Price list
#35	11/4/2010	Eugene, OR	Yardi Employee	Yardi Voyager 7.0 Manuals (New release)
#36	10/7/2010	Washington, DC	Yardi Consultant	Voyager Debt & Mortgage
#37	11/10/2010	Washington, DC	Yardi Consultant	Voyager International Manual
#38	1/3/2011	Carrollton, TX	Voyager Client	Enterprise End of Year procedures

#7: “While Yardi welcomes fair competition, if RealPage chooses to service Yardi customers, it must do so without stealing Yardi’s intellectual property.”

#35: “Defendants used Ms. Mills’ Credential to access and download several pieces of copyrighted and trade secret Documentation for the latest release of Yardi’s Voyager 7.0 software. A competitor with access to these and similar materials could reverse-engineer the unique functionality of Yardi’s software, which took Yardi years to develop.”

#45: “In other words, RealPage is competing with Yardi by using Yardi’s own intellectual property against it – the epitome of unfair competition.”