

Exhibit 17

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

LYFT, INC.,) CV-21-4653-BLF
)
PLAINTIFF,) SAN JOSE, CALIFORNIA
)
VS.) JANUARY 27, 2022
)
AGIS SOFTWARE DEVELOPMENT LLC,) PAGES 1-56
)
DEFENDANT.)
)
_____)

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE BETH LABSON FREEMAN
UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S

FOR THE PLAINTIFF: **BY: JEREMY TAYLOR**
BAKER BOTTS L.L.P.
101 CALIFORNIA STREET, SUITE 3600
SAN FRANCISCO, CA 94111

FOR THE DEFENDANT: **BY: MINNA Y. CHAN**
DANIEL B KOLKO
RUSS, AUGUST & KABAT
12424 WILSHIRE BLVD, 12TH FLOOR
LOS ANGELES, CA 90025

APPEARANCES CONTINUED ON THE NEXT PAGE

OFFICIAL COURT REPORTER: SUMMER FISHER, CSR, CRR
CERTIFICATE NUMBER 13185

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY
TRANSCRIPT PRODUCED WITH COMPUTER

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APPEARANCES CONTINUED:

FOR THE PLAINTIFF:

BY: BETHANY SALPIETRA
BAKER BOTTS L.L.P.
2001 ROSS AVENUE, SUITE 900
DALLAS, TX 75201

FOR THE DEFENDANT:

BY: VINCENT JOSEPH RUBINO, III
BROWN RUDNICK LLP
7 TIMES SQUARE
NEW YORK, NY 10036

1 SAN JOSE, CALIFORNIA

JANUARY 27, 2022

2 P R O C E E D I N G S

3 (COURT CONVENED AT 10:46 A.M.)

4 THE CLERK: CALLING CASE 21-4653. LYFT VERSUS AGIS
5 SOFTWARE DEVELOPMENT.

6 COUNSEL, IF YOU WOULD PLEASE STATE YOUR APPEARANCES. AND
7 IF WE COULD BEGIN WITH PLAINTIFF AND THEN MOVE TO DEFENDANT.

8 MR. TAYLOR: THIS IS JEREMY TAYLOR WITH BAKER BOTTS
9 ON BEHALF OF DECLARATORY JUDGMENT PLAINTIFF, LYFT INC. WITH ME
10 IS BETHANY SALPIETRA.

11 I WILL BE ARGUING THE JURISDICTIONAL MOTION, BETHANY WILL
12 HANDEL THE TRANSFER MOTION, AS WELL AS ANY ISSUES WITH RESPECT
13 TO THE CMC.

14 ALSO HERE, BUT NOT PARTICIPATING IN THE ARGUMENTS, ARE
15 COUNSEL WITH LYFT, IN-HOUSE COUNSEL FOR LYFT, TINA LOWE AND
16 SARA GIARDINA.

17 THE COURT: GOOD. AND WELCOME TO YOU, I'M GLAD YOU
18 ARE JOINING IN.

19 MS. CHAN: GOOD MORNING, YOUR HONOR.

20 THIS IS MINNA CHAN ON BEHALF OF THE PLAINTIFF. WITH ME IS
21 MY COLLEAGUE, DANIEL KOLKO, FROM RUSS AUGUST & KABAT, AND ALSO
22 VINCENT RUBINO FROM FABRICANT.

23 THE COURT: SO WHEN YOU SAY PLAINTIFF, YOU DON'T
24 ACTUALLY MEAN PLAINTIFF, YOU MEAN DEFENDANT.

25 MS. CHAN: I APOLOGIZE, YOUR HONOR.

1 I'M IN THE MIDDLE OF TRIAL, SO I'M IN THE PLAINTIFF
2 MINDSET, YOUR HONOR. YES, ON BEHALF OF DEFENDANT AGIS.

3 THE COURT: SO JUST TO BE CLEAR, MR. TAYLOR AND
4 MS. SALPIETRA ARE APPEARING FOR LYFT, AND MS. CHAN AND
5 MR. KOLKO AND MR. RUBINO ARE APPEARING ON BEHALF OF AGIS,
6 CORRECT?

7 MS. CHAN: YES.

8 THE COURT: OKAY. ESPECIALLY WITH A RECORDING. AND
9 WE HAVE A COURT REPORTER HERE, AND WE WILL MAKE SURE THAT
10 THAT'S ALL CLEAR.

11 OKAY. WELL THIS IS A LITTLE BIT OF A PUZZLE FOR ME TO
12 UNWIND, AND OF COURSE YOU HAVE BEEN BRIEFING THIS FOR SOME
13 TIME, AND THE LANDSCAPE HAS CHANGED PRETTY DRAMATICALLY SINCE
14 THE FIRST MOTION WAS FILED IN THIS CASE.

15 SO MS. CHAN, SOME OF WHAT YOU HAVE ASKED FOR IS REALLY
16 QUITE DIFFERENT THAN WHEN YOU INITIALLY LAID OUT THE REASONS
17 THAT WOULD SUPPORT YOUR REQUEST.

18 LET ME JUST SAY AT THE BEGINNING ON THE MOTION TO
19 TRANSFER, THERE'S NOTHING MORE RIDICULOUS THAN CAUSING THIS
20 CASE TO BECOME THE PING PONG BALL THAT YOUR MOTION WOULD
21 SUGGEST, GIVEN JUDGE GILSTRAP'S DISMISSAL OF THE -- YOUR CASE
22 AGAINST LYFT IN THE EASTERN DISTRICT OF TEXAS, AND MY
23 UNDERSTANDING THAT THE UBER CASE HAS BEEN DISMISSED. THERE'S
24 NOTHING IN ED TEX ANYMORE THAT DEALS WITH THIS MATTER, AND
25 JUDGE GILSTRAP HAS DISMISSED IT.

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