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Attorneys for Plaintiff Lyft, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

LYFT, INC.

Plaintiff,

v.

AGIS SOFTWARE DEVELOPMENT LLC,

Defendant.

Case No. 5:21-cv-04653-BLF

**DECLARATION OF BETHANY R.
SALPIETRA IN SUPPORT OF
PLAINTIFF LYFT, INC.'S MOTION FOR
LEAVE TO FILE FIRST AMENDED
COMPLAINT**

Date: July 28, 2022
Time: 9:00 A.M.
Judge: Hon. Beth Labson Freeman
Trial Date: October 16, 2023
Courtroom: 3, Fifth Floor

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1 I, Bethany R. Salpietra, declare as follows:

2 1. I am over the age of 21 and am fully competent to make this declaration. I have
3 personal knowledge of all facts recited herein and state that such facts are true and correct to my
4 knowledge or information and belief, and, if called upon to do so, I would testify competently about
5 them.

6 2. I am duly admitted to practice law in the State of Texas and before this Court. I am
7 counsel at the law firm of Baker Botts L.L.P., 2001 Ross Avenue, Suite 900, Dallas, TX 75201, and
8 I represent Lyft, Inc. (“Lyft”) in the above-captioned action.

9 3. I have reviewed and complied with the Northern District of California’s Civil L.R.
10 (dated November 1, 2021).

11 4. I make this Declaration in support of Plaintiff’s Motion for Leave to File First
12 Amended Complaint (“FAC”).

13 5. I met and conferred with counsel for AGIS Software Development LLC (“AGIS
14 Software”) on March 14, 2022, seeking a stipulation that Lyft may add the Alter Ego Parties and a
15 breach of contract claim to its FAC.

16 6. At the March 14, 2022 meet and confer, counsel for AGIS Software informed me
17 that Defendants would not stipulate for Lyft. to add the Alter Ego Parties and a breach of contract
18 claim to its FAC.

19 7. Attached hereto as Exhibit 1 is a true and correct copy of Lyft, Inc.’s Proposed First
20 Amended Complaint. The First Amended Complaint adds the Alter Ego Parties and a breach of
21 contract claim.

22 8. Attached hereto as Exhibit 2 is a true and correct copy of Plaintiff Lyft, Inc.’s
23 Jurisdictional 30(b)(6) Notice to Defendant AGIS Software Development LLC served on February
24 4, 2022 in the above-captioned case.

25 9. Attached as Exhibit 3 is a true and correct copy of Plaintiff Lyft, Inc.’s First Set of
26 Jurisdictional Interrogatories to Defendant AGIS Software Development LLC, AGIS, Inc., and
27 AGIS Holdings, Inc. served on February 4, 2022 in the above-captioned case.

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1 10. Attached as Exhibit 4 is a true and correct copy of Plaintiff Lyft, Inc.'s Notice of
2 Subpoena to AGIS, Inc. issued on February 4, 2022 in the above-captioned case.

3 11. Attached as Exhibit 5 is a true and correct copy of Plaintiff Lyft, Inc.'s Notice of
4 Subpoena to AGIS Holdings, Inc. issued on February 4, 2022 in the above-captioned case.

5 12. Attached as Exhibit 6 is a true and correct copy of Defendant AGIS Software
6 Development LLC's Objections and Responses to Lyft Inc.'s Jurisdictional 30(b)(6) Notice to
7 Defendant AGIS Software Development LLC served on February 18, 2022 in the above-captioned
8 case.

9 13. Attached as Exhibit 7 is a true and correct copy of Defendant AGIS Software
10 Development LLC's First Supplemental Objections and Responses to Lyft's First Set of
11 Jurisdictional Interrogatories, which was served on March 17, 2022 in the above-captioned case and
12 which AGIS Software designated highly confidential. Lyft takes no position with regard to this
13 designation.

14 14. Attached as Exhibit 8 is a true and correct copy of Defendant AGIS Software
15 Development LLC's Objections and Responses to Lyft Inc.'s First Set of Jurisdictional
16 Interrogatories, which was served on March 7, 2022 in the above-captioned case.

17 15. Attached as Exhibit 9 is a true and correct copy of AGIS Holding, Inc.'s Objections
18 and Responses to Plaintiff Lyft, Inc.'s Subpoena to Testify in a Civil Action served on March 16,
19 2022 in the above-captioned case.

20 16. Attached as Exhibit 10 is a true and correct copy of AGIS, Inc.'s Objections and
21 Responses to Plaintiff Lyft, Inc.'s Subpoena to Testify in a Civil Action served on March 16, 2022
22 in the above-captioned case.

23 17. Attached as Exhibit 11 are excerpts from a true and correct copy of the March 22,
24 2022 Deposition Tr. of Thomas Meriam, which AGIS Software designated as highly confidential.
25 Lyft takes no position with regard to this designation.

26 18. Attached as Exhibit 12 is a true and correct copy of Plaintiff AGIS Software's
27 Disclosure of Asserted Claims and Infringement Contentions from Case No. 2:21-cv-00072 in the
28 Eastern District of Texas served on May 19, 2021.

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Executed on this 28th day of March, 2022 at Dallas, Texas, County of Dallas. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: March 28, 2022

Respectfully submitted,

By: /s/ Bethany R. Salpietra

Bethany R. Salpietra

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