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*AGIS Software Development LLC*

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

19 LYFT, INC.,  
 20 Plaintiff,  
 21 v.  
 22 AGIS SOFTWARE DEVELOPMENT LLC,  
 23 Defendant.

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

**DECLARATION OF VINCENT J. RUBINO  
 IN SUPPORT OF AGIS SOFTWARE'S  
 RESPONSE IN OPPOSITION TO LYFT,  
 INC.'S MOTION FOR LEAVE TO  
 AMNEND COMPLAINT**

Dept: Courtroom 3 – 5th Floor  
 Judge: Hon. Beth Labson Freeman

Trial date: October 16, 2023

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I, Vincent J. Rubino, hereby declare as follows:

1. I am a partner at the law firm of Fabricant LLP and counsel for Defendant AGIS Software Development LLC (“AGIS Software”). I am admitted to practice before this Court. I have personal knowledge of the facts stated in this declaration and can and would testify truthfully thereto if called upon to do so.

2. I submit this declaration in support of AGIS Software’s Response in Opposition to Lyft, Inc.’s Motion for Leave to Amend Complaint.

3. Attached hereto as Exhibit 1 is a true and correct copy of portions from the rough transcript of the March 22, 2022 Deposition of Thomas Meriam in this case, and which is designated highly confidential – attorneys eyes only.

I declare under penalty of perjury under the laws of the United States the foregoing is true and correct.

Executed April 12, 2022.

Respectfully submitted,

/s/ Vincent J. Rubino, III  
Vincent J. Rubino, III, Declarant

BAKER BOTTS L.L.P.

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**CERTIFICATE OF SERVICE**

I certify that I caused the foregoing document to be electronically filed with the Clerk of the Court for the United States District Court for the Northern District of California using the CM/ECF System on April 4, 2022.

I certify that all counsel of record who are deemed to have consented to electronic service are being served on April 4, 2022 with a copy of this document via the Court’s CM/ECF systems per Local Rule CV-5(a)(3). Any other counsel will be served by electronic mail, facsimile, overnight delivery and/or First Class Mail on this date.

DATED: April 12, 2022

*/s/Benjamin T. Wang*