

1 Benjamin T. Horton
2 Tron Y. Fu
3 MARSHALL, GERSTEIN & BORUN LLP
4 233 South Wacker Drive
5 6300 Willis Tower
6 Chicago, IL 60606-6357
7 (312) 474-6300
8 E: bhorton@marshallip.com
9 E: tfu@marshallip.com

10 *Attorneys for Defendant Cars.com*

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

13 **SAN JOSE**

14 IN RE: PERSONALWEB TECHNOLOGIES, LLC
15 et al., PATENT LITIGATION

MULTI-DISTRICT LITIGATION
Case No. 5:18-md-02834-BLF

16 PERSONALWEB TECHNOLOGIES, LLC, a Texas
17 limited liability company, and
18 LEVEL 3 COMMUNICATIONS, LLC, a Delaware
19 limited liability company,

DECLARATION OF JOHN J. LUCAS
IN SUPPORT OF CARS.COM'S
ADMINISTRATIVE MOTION TO
APPEAR TELEPHONICALLY FOR
CLAIM CONSTRUCTION TUTORIAL
ON MAY 2, 2019

20 Plaintiffs,

21 v.

Case No. 1:18-cv-01140-GMS

22 CARS.COM, a Delaware Corporation,

23 Defendant.
24
25
26
27
28

DECLARATION OF JOHN J. LUCAS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I, John J. Lucas, hereby declare as follows:

1. I am an attorney duly admitted to practice before this Court and an associate of Marshall, Gerstein & Borun LLP, counsel of record for Defendant Cars.com (“Cars”) in the above captioned case. I have personal knowledge of the matters stated below and, if called as a witness, I could competently testify thereto.

2. Benjamin T. Horton and John J. Lucas, two of the attorneys of record for Cars.com, reside in the Chicago area.

3. Live appearances by the above-mentioned Midwest counsel for Cars.com are not feasible because of the time and expense involved, requiring 13 to 18 hours of travel and an overnight stay.

4. As one of the customer cases currently stayed while the Court proceeds with the Amazon DJ action, Cars.com anticipates limited involvement required of its counsel at the Claim Construction Tutorial scheduled to be held May 2, 2019 at 2:00 p.m.

5. Counsel for Cars.com has inquired whether Plaintiffs object to this request and have been informed that Plaintiffs do not object.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration is executed on April 29, 2019 at Chicago, Illinois.

Date: April 29, 2019

By: /s/ John J. Lucas
John J. Lucas