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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **SAN JOSE DIVISION**

13 APPLIED MATERIALS, INC.,

14 Plaintiff,

15 vs.

16 DEMARAY LLC,

17 Defendant.  
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Case No. 5:20-cv-05676-EJD

**DECLARATION OF C. MACLAIN  
WELLS IN SUPPORT OF DEMARAY  
LLC'S MOTION TO DISMISS**

**DECLARATION OF C. MACLAIN WELLS**

I, C. Maclain Wells, hereby declare as follows:

1. I am counsel at the law firm of Irell & Manella LLP, counsel for Defendant Demaray LLC (“Demaray”). I am a member in good standing of the State Bar of California and have been duly licensed to practice law before all of the courts of the State of California. I submit this declaration in support of Demaray’s Motion to Dismiss. I have personal knowledge of the matters set forth in this declaration and, if called as a witness, could testify to its contents.

2. Attached as Exhibit 1 is a copy of the complaint filed as Dkt. 1 in *Demaray LLC v. Intel Corp.*, No. 6:20-cv-00634-ADA, in the United States District Court for the Western District of Texas, Waco Division.

3. Attached as Exhibit 2 is a copy of the complaint filed as Dkt. 1 in *Demaray LLC v. Samsung Electronics Co., Ltd.*, No. 6:20-cv-00636-ADA, in the United States District Court for the Western District of Texas, Waco Division.

4. Attached as Exhibit 3 is a copy of U.S. Patent No. 7,544,276.

5. Attached as Exhibit 4 is a copy of U.S. Patent No. 7,381,657.

6. Attached as Exhibit 5 is a copy of an email filed as Dkt. 27-2 in this case.

7. Attached as Exhibit 6 is a copy of the joint case readiness status report for the Intel and Samsung cases in Texas filed as Dkt. 24 in *Demaray LLC v. Samsung Electronics Co., Ltd.*, No. 6:20-cv-00636-ADA, in the United States District Court for the Western District of Texas, Waco Division.

8. Attached as Exhibit 7 is a copy of the scheduling order for the Intel and Samsung cases in Texas filed as Dkt. 33 in *Demaray LLC v. Samsung Electronics Co., Ltd.*, No. 6:20-cv-00636-ADA, in the United States District Court for the Western District of Texas, Waco Division.

Executed on November 23, 2020 in Sebastopol, California. I declare under penalty of perjury that the foregoing is true and correct.

By: /s/ C. Maclain Wells

C. Maclain Wells

Attorneys for Defendant DEMARAY LLC