

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ACCELERATION BAY LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 16-453 (RGA)
)	
ACTIVISION BLIZZARD, INC.,)	REDACTED
)	PUBLIC VERSION
Defendant.)	

**REPLY DECLARATION OF COUNSEL (MICHAEL A. TOMASULO) IN SUPPORT OF
ACTIVISION|BLIZZARD, INC.'S MOTION TO DISMISS WITH PREJUDICE AND
FOR MONETARY SANCTIONS FOR VIOLATION OF RULE 11**

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Original Filing Date: March 16, 2017
Redacted Filing Date: March 23, 2017

DECLARATION OF MICHAEL A. TOMASULO

I, Michael A. Tomasulo, make the following Declaration pursuant to 28 U.S.C. § 1746:

1. I am counsel for Activision|Blizzard Inc. (“Activision”) in the above-captioned actions. I make this declaration of my own personal knowledge.

2. Exhibit 26 is a true a correct copy of the transcript of the February 7, 2017 deposition of Dr. Harry Bims, designated “CONFIDENTIAL – OUTSIDE COUNSEL ONLY.”

3. Exhibit 27 is a true a correct copy of the transcript of the February 8, 2017 deposition of Dr. Harry Bims, designated “CONFIDENTIAL – OUTSIDE COUNSEL ONLY.”

4. Exhibit 28 is a true and correct copy of a declaration of Dr. Harry Bims dated April 10, 2014 filed in *Fujifilm Corporation v. Motorola Mobility LLC*, No. C 12-03587 WHO.

5. Exhibit 29 is a true and correct copy of ATI03604-3607, designated “CONFIDENTIAL – OUTSIDE COUNSEL ONLY.”

6. Exhibit 30 is a true and correct copy of ATI03613-3618, designated “CONFIDENTIAL – OUTSIDE COUNSEL ONLY.”

7. Exhibit 31 is a true and correct excerpts of a transcript dated October 13, 2015.

8. Exhibit 32 is a true and correct copy of United States Patent No. 5,644,715.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 16th day of March, 2017, in Los Angeles, California.

/s/ Michael A. Tomasulo

Michael A. Tomasulo

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2017, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on March 23, 2017, upon the following in the manner indicated:

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