

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ACCELERATION BAY LLC, )  
)  
Plaintiff, )  
)  
v. ) C.A. No. 16-454 (RGA)  
)  
ELECTRONIC ARTS INC., ) REDACTED -  
) PUBLIC VERSION  
Defendant. )

**DECLARATION OF KATHLEEN B. BARRY  
IN SUPPORT OF ELECTRONIC ART INC.'S OPPOSITION TO  
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND  
MOTION TO EXCLUDE EXPERT TESTIMONY OF CATHERINE M. LAWTON**

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I, Kathleen B. Barry, declare:

1. I am a partner at the law firm of Winston & Strawn LLP and counsel to Electronic Arts Inc. ("EA") in the above-captioned matter. I declare that the following statements are true to the best of my knowledge, information, and belief, and that if called upon to testify, I could and would testify competently thereto. I make this declaration in support of Electronic Art Inc.'s opposition to Plaintiff's motion for summary judgment and motion to exclude expert testimony of Catherine M. Lawton under FRE 702.

2. Attached as Exhibit B-2 is a true and correct copy of the declaration of David O'Neill in support of Defendant Electronic Arts Inc.'s Opposition to Plaintiff's Motion for Partial Summary Judgment.

3. Attached as Exhibit C-15 is a true and correct copy of the expert report of Catherine M. Lawton.

4. Attached as Exhibit C-16 is a true and correct copy of Defendant Electronic Arts Inc.'s Objections and Responses to Plaintiff Acceleration Bay LLC's First Set of Party Specific Interrogatories (Nos. 1-7).

5. Attached as Exhibit E-15 is a true and correct copy of the deposition transcript of Catherine Lawton in *Acceleration Bay v. Activision Blizzard, Inc.* (16-453-RGA).

6. Attached as Exhibit E-16 is a true and correct copy of the deposition transcript of Catherine Lawton in *Acceleration Bay v. Electronic Arts Inc.* (16-454-RGA).

7. Attached as Exhibit E-17 is a true and correct copy of the deposition transcript of John P.J. Kelly, Ph.D.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of April, 2018, in Chicago, Illinois.

/s/ Kathleen B. Barry

Kathleen B. Barry