

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.)	

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

ACCELERATION BAY LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 16-455 (RGA)
)	
TAKE-TWO INTERACTIVE SOFTWARE,)	REDACTED -
INC., ROCKSTAR GAMES, INC. and)	PUBLIC VERSION
2K SPORTS, INC.,)	
)	
Defendants.)	

**DECLARATION OF COUNSEL (MICHAEL A. TOMASULO)
IN SUPPORT OF DEFENDANTS' OPENING BRIEF IN SUPPORT
OF THEIR MOTION TO DISMISS FOR LACK OF STANDING**

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October 4, 2016 - Original Filing Date
October 12, 2016 - Redacted Filing Date

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

1. I am counsel for defendants in the above-captioned actions. I make this declaration of my own personal knowledge.

2. Attached hereto are true and correct copies of the following:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Exhibit C	Memorandum Order, <i>Toshiba Samsung Storage Tech. Korea Corp. v. LG Elecs., Inc.</i> , No. 15-691-LPS-CJB, D.I. 91 (D. Del. Sept. 20, 2016)

3. Attached hereto as Exhibits are true and correct copies of the packaging for the following Accused Products for the Sony PlayStation platform. The games themselves are publicly available and Defendants reserve the right to rely on them for evidence, including showing depictions of them at any hearing on this motion:

Exhibit D	FIFA 15
Exhibit E	FIFA 16
Exhibit F	NHL 15
Exhibit G	NHL 16
Exhibit H	Tiger Woods PGA Tour 14
Exhibit I	Rory McIlroy PGA Tour
Exhibit J	Crysis 3
Exhibit K	Plants v. Zombies: Garden Warfare
Exhibit L	NBA 2K15
Exhibit M	NBA 2K16

Exhibit N	Grand Theft Auto V
Exhibit O	Call of Duty: Advanced Warfare
Exhibit P	Call of Duty: Black Ops 3
Exhibit Q	Destiny

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Michael A. Tomasulo

Date: October 4, 2016

Michael A. Tomasulo