

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

OANDA CORPORATION,

*Plaintiff,*

v.

GAIN CAPITAL HOLDINGS, INC. and  
GAIN CAPITAL GROUP, LLC,

*Defendants.*

Case No. 3:20-cv-05784-ZBQ-DEA

**DECLARATION OF NATALIE J. MORGAN IN SUPPORT OF DEFENDANTS’  
OPPOSITION TO OANDA’S MOTION TO AMEND INFRINGEMENT CONTENTIONS**

I, Natalie J. Morgan, declare as follows:

1. I am an attorney at the law firm of Wilson Sonsini Goodrich & Rosati, P.C., and counsel of record for defendants Gain Capital Holdings, Inc. and Gain Capital Group, LLC (collectively, “GAIN” or “Defendants”). I have personal knowledge of the facts set forth in this declaration, and if called as a witness, I could and would testify competently thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of Plaintiff’s proposed Amended Infringement Contentions for U.S. Patent No. 7,146,336, with highlights as described in GAIN’s motion.

3. Attached hereto as **Exhibit B** is a true and correct copy of Plaintiff’s proposed Amended Infringement Contentions for U.S. Patent No. 8,392,311, with highlights as described in GAIN’s motion.

4. Attached hereto as **Exhibit C** is a true and correct copy of Defendants Gain Capital Holdings, Inc. and Gain Capital Group, LLC’s Rule 26(a) Initial Disclosures, dated June 16, 2021.

5. Attached hereto as **Exhibit D** is a true and correct copy of Defendant Gain Capital Holdings, Inc.'s Second Supplemental Responses to Plaintiff's First Set of Requests for Production (Nos. 1-32), dated November 1, 2021.

6. Attached hereto as **Exhibit E** is a true and correct copy of a document bearing Bates numbers GAIN\_00353438 – GAIN\_0353440, titled PRICING/G2-Pricing-Architecture\_37226701.html.

7. Attached hereto as **Exhibit F** is a true and correct copy of a document bearing Bates numbers GAIN\_0011524 - GAIN\_0011594.

8. Attached hereto as **Exhibit G** is a true and correct copy of a document bearing Bates numbers GAIN\_0011595 – GAIN\_0011609.

9. Attached hereto as **Exhibit H** is a true and correct copy of the Declaration of Shaun Paisley in Support of Plaintiff Oanda Corporation's Motion to Amend Infringement Contentions under Local Patent Rule 3.7 (D.I. 171-1), with exemplary highlights identifying the statements that constitute attorney argument. That portions of Exhibit H are *not* highlighted does not mean that GAIN agrees with what may be asserted as "facts."

10. Attached hereto as **Exhibit I** is a true and correct copy of the errata for the deposition of David Leach, dated November 18, 2022.

11. Attached hereto as **Exhibit J** is a true and correct copy of a document bearing Bates numbers GAIN\_0021033 – GAIN\_0021036, marked as Exhibit 7 to the Deposition of David Leach.

12. Attached hereto as **Exhibit K** is a true and correct copy of a document bearing Bates numbers GAIN\_0021345 – GAIN\_0021347, marked as Exhibit 8 to the Deposition of David Leach.

13. Attached hereto as **Exhibit L** is a true and correct copy of a document bearing Bates number GAIN\_0021975, marked as Exhibit 9 to the Deposition of David Leach.

14. Attached hereto as **Exhibit M** is a true and correct copy of a document bearing Bates numbers GAIN\_0022054 – GAIN\_0022056, marked as Exhibit 10 to the Deposition of David Leach.

I declare under penalty of perjury that the foregoing is true and correct. Executed in San Diego, California on this 2nd day of June, 2023.

By:



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Natalie J. Morgan