

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIBERTY MUTUAL INSURANCE CO.
Petitioner

v.

PROGRESSIVE CASUALTY INSURANCE CO.
Patent Owner

Case CBM2013-00009
Patent 8,140,358

Declaration of John V. Biernacki

Progressive Exhibit 2033
Liberty Mutual v. Progressive
CBM2013-00009

Declaration of John V. Biernacki

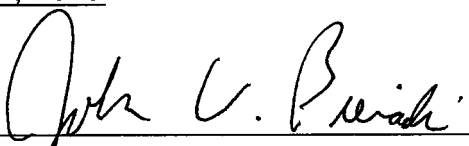
I, John V. Biernacki, make the following Declaration pursuant to 28 U.S.C.

§ 1746:

1. I am an attorney with the law firm Jones Day.
2. I provide this Declaration in connection with the above-identified Covered Business Method Patent Review proceeding. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.
3. Exhibit 2031 hereto is a true and correct copy of “Risk Classification Statement of Principles,” a booklet prepared by the American Academy of Actuaries Committee on Risk Classification in 1980.
4. Exhibit 2032 hereto is a true and correct copy of excerpted pages from the deposition transcript of Scott Andrews dated September 24, 2013.

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

Date: October 4, 2013

Signature: 
John W. Biernacki