

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MEDTRONIC, INC., MEDTRONIC VASCULAR, INC.,  
and MEDTRONIC COREVALVE, LLC  
Petitioner

v.

TROY R. NORRED, M.D.  
Patent Owner

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Case IPR2014-00111  
Patent 6,482,228

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Filed: November 21, 2013

**DECLARATION IN SUPPORT OF  
MOTION FOR PRO HAC VICE ADMISSION**

I, David L. Marcus, declare:

1. I am an attorney duly authorized to practice law in the States of Missouri, Kansas and Arizona. I am a partner at the law firm Bartle & Marcus LLC. I have personal knowledge of the facts contained

hereto and, if called as a witness, could and would competently testify thereto.

2. I have been retained to assist in the representation of the Patent Owner, Troy R. Norred, M.D., in this matter. My business address is Bartle & Marcus LLC, 1100 Main Street, Suite 2730, Kansas City, Missouri 64105. My residence address is 9100 West 156th Place, Overland Park, Kansas 66221.

3. I was admitted before the following courts on the dates indicated:

- |    |                                  |            |
|----|----------------------------------|------------|
| a. | Supreme Court of Missouri:       | 10/4/1996  |
| b. | Supreme Court of Kansas:         | 4/25/1997  |
| c. | Supreme Court of Arizona:        | 1/18/2013  |
| d. | Western District of Missouri:    | 10/21/1996 |
| e. | Eastern District of Missouri:    | 7/8/2009   |
| f. | District of Kansas:              | 4/24/1997  |
| g. | Eastern District of Wisconsin:   | 4/4/2008   |
| h. | Northern District of Texas:      | 11/17/2010 |
| i. | Eighth Circuit Court of Appeals: | 3/20/2009  |
| j. | Tenth Circuit Court of Appeals:  | 10/2/2011  |

4. I am presently in good standing and eligible to practice before the courts listed above, and have never been suspended or disbarred in any court. I have never had sanctions or contempt citations imposed on me by any court or administrative body.

5. I have not made application or appeared *pro hac vice* before the Patent Trial and Appeal Board in any matter. I have never been denied admission *pro hac vice* before any court or administrative body.

6. The attorney of record for Patent Owner, Troy R. Norred, M.D., in this case with whom I will be associated is:

James J. Kernell, Reg. No. 42720

Erickson Kernell Derusseau & Kleypas, LLC

8900 State Line Road, Suite 500

Leawood, Kansas 66206

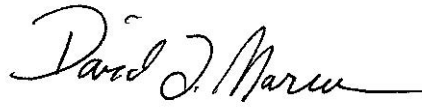
Telephone: 913-549-4700 / Facsimile: 913-549-4646

Email: [jjk@kcpatentlaw.com](mailto:jjk@kcpatentlaw.com)

7. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R. If this motion is granted, I understand I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

8. I am familiar with the subject matter at issue in this proceeding and have knowledge of the facts set forth in the Motion for *Pro Hac Vice* Admission.

9. I declare under penalty of perjury that the foregoing is true and correct, and that this Declaration is made this 21st day of November 2013.



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David L. Marcus