

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**NETLIST, INC.,**

**Plaintiff,**

**v.**

**MICRON TECHNOLOGY, INC.,  
MICRON SEMICONDUCTOR  
PRODUCTS, INC., MICRON  
TECHNOLOGY TEXAS, LLC,**

**Defendants.**

**Civil Action Nos. 6:21-CV-430-ADA;  
6:21-CV-431-ADA**

**DECLARATION OF BOE HOLBROOK IN SUPPORT OF  
MICRON'S OPPOSED MOTION TO TRANSFER VENUE UNDER 28 U.S.C. § 1404(a)**

I, Boe Holbrook, hereby declare as follows:

1. My name is Boe Holbrook. I am a citizen of the United States and am at least eighteen years of age. I have personal knowledge of and am competent to testify as to the facts herein.

2. I have been an employee at Micron Technology, Inc. (“Micron”) since June 2002. My current title is Senior Manager in the Module Development Group.

3. I understand that Plaintiff Netlist, Inc. (“Netlist”) alleges Micron’s infringement of certain patents that relate to computer-memory-module systems. In particular, I understand that the patents are directed to dual in-line memory-module (“DIMM”) technologies, specifically nonvolatile DIMM (“NVDIMM”) and load-reduction DIMM (“LRDIMM”) technologies.

4. I understand that to the extent they can be understood, certain infringement allegations appear to be directed to, or at least identify, DDR4 LRDIMM-module products sold by Micron (the “Accused LRDIMM Products”). *See, e.g., -431 Complaint (“Compl.”) ¶ 40.* As explained below, the engineers, salespersons, and marketing people who work most closely with, and have the most specialized knowledge of, the Accused LRDIMM Products all work from our headquarters in Boise, Idaho. I am not aware of any Micron personnel with specialized knowledge of the Accused LRDIMM Products who work from our Austin office, elsewhere in the Western District of Texas, or anywhere in Texas.

5. The underlying research, design, development, testing, and sales of the Accused LRDIMM Products have been performed by Micron employees based in its Boise headquarters.

6. Micron also stores the majority of its documentary evidence relevant to the Accused LRDIMM Products, including records relating to the research, design, and testing of the Accused LRDIMM Products and marketing, sales, and financial information for the Accused LRDIMM

Products, on servers at its Boise headquarters. Likewise, to the extent engineering documents concerning the Accused LRDIMM Products are stored on local computers, they reside in or around Boise. I am not aware of any such documents in the Austin office, elsewhere in the Western District of Texas, or anywhere in Texas.

7. Micron's engineering teams focusing on the Accused LRDIMM Products are based primarily in the company's headquarters in Boise. Its technical research and development teams are also primarily based in Micron's Boise headquarters. Further, these technical research and development teams are not supported by any office in Texas.

8. I took the lead in designing Micron's first LRDIMM product, and I have been intimately involved in the development of the accused LRDIMM products. I likely have specialized knowledge about the Accused LRDIMM Products.

9. Micron has also identified the following employees at its Boise headquarters who are knowledgeable about the Accused LRDIMM Products:

- Scott Emmart has managed Micron's System Compatibility Group to ensure its NVDIMM and LRDIMM products function properly within its customers' systems.
- Scott Cyr has been a member of the JEDEC task group responsible for creating standards for LRDIMM products.
- Dirgha Khatri has been a principal engineer involved with the design and development of the Accused NVDIMM Products and Accused LRDIMM Products.
- Yogesh Sharma has been an engineer involved with the design and development of the Accused NVDIMM Products and Accused LRDIMM Products.

10. Micron has also identified the following former employees who reside in the Boise area and who are knowledgeable about the Accused LRDIMM Products:

- Jo-Ann Lance was a CAD designer for some of the Accused Products;
- Brett Dodds, was a manager of Micron's System Compatibility Group and ensured LRDIMM products function properly within its customers' systems; and
- Joe McManamen, was a manager of Micron's System Compatibility Group and ensured LRDIMM products function properly within its customers' systems.

11. Micron has also identified the following former employee who does not reside in the Boise area and who is knowledgeable about the Accused LRDIMM Products:

- George Pax was Micron's lead scientist for LRDIMM products and Micron's primary JEDEC representative and is now retired and residing in Florida.

12. I am not aware of any engineers in Austin or elsewhere in the Western District of Texas who focus on or have specialized knowledge of the Accused LRDIMM Products.

13. Micron's sales, marketing, and distribution personnel are headquartered in Boise. A significant number of Micron's sales and marketing personnel responsible for the Accused LRDIMM Products are located in Boise. In addition, there are sales and marketing personnel located in different places throughout the United States, near particular customers.

14. I understand that Micron's Austin office employs a small group of employees whose job duties are in sales or marketing, which is primarily responsible for customer support. The engineering team in this office does not work on the Accused LRDIMM Products and did not design, test, or implement the LRDIMM products. I am not aware of any employees in the Austin office have unique, specialized, or deep technical knowledge of the Accused LRDIMM Products.

The Austin engineering team focuses primarily on other products, such as solid-state drives (“SSD”).

15. Micron regularly conducts business in the District of Idaho involving the Accused LRDIMM Products. To the extent that any of the Accused LRDIMM Products are sold or used in the Western District of Texas, they are not used in any manner or degree differently from how they are used nationwide.

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

Dated: November 23, 2021

By: Boe Holbrook  
Boe Holbrook