

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

B.E. TECHNOLOGY, L.L.C.,
Plaintiff,

v.

SAMSUNG TELECOMMUNICATIONS
AMERICA LLC.,
Defendants.

CIVIL ACTION NO.
2:12-CV-02824-JPM-tmp

JURY TRIAL DEMANDED

B.E. TECHNOLOGY, L.L.C.,
Plaintiff,

v.

SAMSUNG ELECTRONICS AMERICA,
INC.,
Defendants.

CIVIL ACTION NO.
2:12-CV-02825-JPM-tmp

JURY TRIAL DEMANDED

**DECLARATION OF JUSTIN A. MACLEAN IN SUPPORT OF SAMSUNG'S REPLY
MEMORANDUM SUPPORTING ITS MOTION TO TRANSFER VENUE**

I, Justin A. MacLean, hereby declare and state as follows:

1. I am an associate in the New York office of Greenberg Traurig, LLP ("GT"), located at 200 Park Avenue, New York, NY 10166. I submit this declaration in support of Defendants Samsung Telecommunications America LLC ("STA") and Samsung Electronics America, Inc.'s ("SEA") (collectively, "Samsung") Motion to Transfer Venue to the District of New Jersey ("Motion"). This declaration is based upon facts of which I have personal knowledge.

2. Attached hereto as **Exhibit 1** is a true and correct copy of B.E. Technology, L.L.C.'s ("B.E.") Application for Certificate of Authority received by the Tennessee Secretary of State, dated September 6, 2012.

3. Attached hereto as **Exhibit 2** is a true and correct copy of B.E.'s 2013 Annual Statement filed with the Michigan Secretary of State and retrieved from the Michigan Department of Licensing and Regulatory Affairs website.

4. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from the file history for U.S. Patent Publication No. 2012-0158512.

5. On January 7, 2013, counsel for B.E. Technology, LLC ("B.E.") produced documents pursuant to Local Patent Rule 3.2(b) along with its initial infringement contentions. That production was comprised of 222 documents. Attached hereto as **Exhibit 4** is a true and correct copy of the cover letter to that production sent by B.E.'s counsel in the Northern District of California.

6. Attached hereto as **Exhibit 5** is a true and correct copy of an excerpt from Exhibit A to Plaintiff's Infringement Contentions, served on Samsung on January 7, 2013, which is an exemplar chart of one of the 177 Samsung products accused of infringement purportedly under Local Patent Rule 3.1(c). The complete Appendix A totaled 10,363 pages.

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

Executed in New York, New York on February 21, 2013.


Justin A. MacLean