IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

BLITZSAFE TEXAS, LLC,	§ §	
	§	Case No. 2:15-cv-01274-JRG-RSP
Plaintiff,	§	
	§	JURY TRIAL DEMANDED
v.	§	
	§	LEAD CASE
HONDA MOTOR CO., LTD., ET AL,	§	
	§	
	§	
Defendants.	§	

REPLY DECLARATION OF JOHN F. RABENA, ESQ ISO DEFENDANTS' MOTION FOR LEAVE TO SUPPLEMENT INVALIDITY CONTENTIONS

I, John F. Rabena, declare:

- I am a lawyer with the firm of Sughrue Mion, PLLC ("Sughrue"). Sughrue represents
 defendants Toyota Motor Corporation, Toyota Motor Sales USA Inc., Toyota Motor
 Manufacturing Texas, Inc., Toyota Motor Manufacturing Kentucky, Inc., and Toyota Motor
 Manufacturing Mississippi, Inc. in the above consolidated case.
- 2. I submit this declaration in support of Defendants' Reply ISO Their Motion for Leave to Supplement Invalidity Contentions. I have been admitted *pro hac vice* in this case, and I am familiar with and have personal knowledge of the procedures and practices of the United States District Court for the Eastern District of Texas. The statements of fact made in this declaration are based on my personal knowledge.
- 3. Attached as **Exhibit 21** is a true and correct copy of a Discovery Confidentiality Order entered in the case *Marlowe Patent Holdings LLC*, v. Ford Motor Company, 3:11-cv-07044-PGS-DEA (D. NJ).



- 4. Mr. Edward Fischer represented to me in a telephone call that he had not retained copies of the prior art TOY/PAN source code after producing it in the prior litigation, because he was afraid of repercussions from Mr. Marlowe.
- 5. Attached as **Exhibit 22** is a true and correct copy of an Order Dismissing Case with Prejudice in *Marlowe Patent Holdings LLC*, v. Ford Motor Company, 3:11-cv-07044-PGS-DEA (D. NJ) dated June 1, 2015.

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

Dated: August 18, 2016

John F. Rabena

John FRalena

