

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

AGIS SOFTWARE DEVELOPMENT LLC, §  
§ Case No. 2:17-CV-0513-JRG  
§ (LEAD CASE)  
Plaintiff, §  
§  
v. § **JURY TRIAL DEMANDED**  
§  
HUAWEI DEVICE USA INC. ET AL., §  
§ [REDACTED]  
§  
Defendants. §

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APPLE, INC., § Case No. 2:17-CV-0516-JRG  
§ (CONSOLIDATED CASE)  
Defendant. §  
§ **JURY TRIAL DEMANDED**  
§

**PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S OPPOSITION  
TO APPLE INC.'S DAUBERT MOTION TO EXCLUDE THE  
OPINIONS OF MR. ALAN RATLIFF RELATING TO DAMAGES (DKT. 231)**

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<b><u>Exhibit Number</u></b>	<b><u>Description</u></b>
Ex. A	Damages Expert Report of Alan Ratliff
Ex. B	Ratliff Expert Report Exhibits and Workpapers
Ex. C	Declaration of Alan Ratliff
Ex. D	Deposition of Alan Ratliff, Dec. 7, 2018
Ex. E	Expert Report of Joseph C. McAlexander III Regarding Infringement
Ex. F	www.appannie.com webpage for Family Tracker - iOS Store Top Apps
Ex. G	Deposition of Joseph McAlexander III, Dec. 7, 2018
Ex. H	Deposition of [REDACTED]

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Plaintiff AGIS Software Development LLC (“Plaintiff” or “AGIS”) submits this memorandum in opposition to the motion by Defendant Apple Inc. (“Defendant” or “Apple”) to exclude certain opinions of AGIS’s damages expert, Alan Ratliff, under *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). For the reasons set forth below, Apple’s motion should be denied.

**I. INTRODUCTION**

[REDACTED]

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<sup>1</sup> *Summit 6, LLC v. Samsung Elecs. Co.*, 802 F.3d 1283, 1296 (Fed. Cir. 2015).

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