

# EXHIBIT 2

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

HUAWEI DEVICE USA INC., HUAWEI  
DEVICE CO., LTD. AND HUAWEI DEVICE  
(DONGGUAN) CO., LTD.,  
HTC CORPORATION,  
LG ELECTRONICS, INC.,  
APPLE INC.,  
ZTE CORPORATION, ZTE (USA), INC.,  
AND ZTE (TX), INC.,

Defendants.

Civil Action No. 2:17-CV-513-JRG (Lead  
Case)

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**DEFENDANT APPLE'S SECOND AMENDED INITIAL AND ADDITIONAL  
DISCLOSURES PURSUANT TO PARAGRAPHS 1 AND 3 OF THE COURT'S  
DISCOVERY ORDER**

Pursuant to Paragraphs 1 and 3 of the Discovery Order (D.I. 118, hereinafter "Discovery Order"), Defendant Apple Inc. ("Apple") hereby makes the following initial and additional disclosures to Plaintiff AGIS Software Development LLC ("AGIS").

These disclosures are based upon information reasonably and presently available to Apple, without the benefit of formal discovery, any significant production of documents, or any meaningful disclosures from AGIS. Accordingly, Apple reserves the right, consistent with its obligations under Federal Rule of Civil Procedure 26(e) and Paragraph 8 of the Discovery Order, to modify, amend, retract, and/or supplement the disclosures made herein as additional evidence and information becomes available. Apple further reserves the right to call any witness or present

the extent any claims of the Patents-in-Suit are invalid, AGIS is barred from recovering costs under 35 U.S.C. § 288.

**8. No Willful Infringement**

Apple did not have notice of any of the Patents-in-Suit prior to service of the Complaint. For at least this reason, Apple could not have, and did not, willfully infringe any of the Patents-in-Suit prior to service of the Complaint. Nor has Apple engaged in any egregious misconduct, as required for a finding of willful infringement.

**9. Exceptional Case**

Apple should receive its fees and costs pursuant to 35 U.S.C. § 285, as this is an exceptional case. For example, AGIS's assertion of 250 patent claims against more than a dozen accused products is unreasonable and renders this case exceptional. Apple is presently unable to compute these costs, as the majority of them have not yet accrued, but Apple will provide computations of such costs at an appropriate time.

**d) Names, Addresses, and Telephone Numbers of Persons Having Knowledge of Relevant Facts**

Pursuant to Federal Rule of Civil Procedure 26(a)(1)(A)(i) and the Discovery Order, and subject to and without waiving the limitations and objections set forth above, Apple identifies the following individuals who are believed likely to have knowledge of the relevant facts based on currently available information. Apple provides the following brief statement of each identified person's connection with the case and a brief summary of the substance of the information believed to be known by each person. Apple further reserves the right to supplement and/or amend this list based on further investigation, analysis, and discovery, to the extent additional disclosures are not mooted or made redundant by future discovery requests. This disclosure list shall not, in any way,

be deemed a representation that additional witnesses do not exist and Apple reserves the right to amend and/or supplement this list as discovery proceeds in this action.

<u>Name</u>	<u>Contact Information (to the extent known)</u>	<u>Relation to the case and substance of information believed to be known</u>
Raghu Pai Director of Engineering for iCloud Apple Inc.	Contact only through counsel for Defendant: Desmarais LLP 230 Park Avenue New York, NY 10169 Tel: 212-351-34000	Believed to be knowledgeable about the development and operation of the Find My Friends and Find My iPhone applications accused of infringement.
Rahul Zingde Senior Program Manager - iCloud Apple Inc.	Contact only through counsel for Defendant: Desmarais LLP 230 Park Avenue New York, NY 10169 Tel: 212-351-34000	Believed to be knowledgeable about the development and operation of the Find My Friends and Find My iPhone applications accused of infringement.
Scott Lopatin Software Engineering Manager Apple Inc.	Contact only through counsel for Defendant: Desmarais LLP 230 Park Avenue New York, NY 10169 Tel: 212-351-34000	Believed to be knowledgeable about the development and operation of the Find My Friends and Find My iPhone applications accused of infringement.
Navin Suparna Software Engineering Manager Apple Inc.	Contact only through counsel for Defendant: Desmarais LLP 230 Park Avenue New York, NY 10169 Tel: 212-351-34000	Believed to be knowledgeable about the development and operation of the Find My Friends and Find My iPhone applications accused of infringement.
Roberto Garcia Engineering Manager Apple Inc.	Contact only through counsel for Defendant: Desmarais LLP 230 Park Avenue New York, NY 10169 Tel: 212-351-34000	Believed to be knowledgeable about the design and development of the location sharing features of the Messages application accused of infringement.
Evan Krasts Product Marketing Manager - iCloud Apple Inc.	Contact only through counsel for Defendant: Desmarais LLP 230 Park Avenue New York, NY 10169 Tel: 212-351-34000	Believed to be knowledgeable about Apple's marketing of the applications and features accused of infringement.
Michael Jaynes Finance Manager Apple Inc.	Contact only through counsel for Defendant: Desmarais LLP	Believed to be knowledgeable about the sales and financial information

<u>Name</u>	<u>Contact Information (to the extent known)</u>	<u>Relation to the case and substance of information believed to be known</u>
	230 Park Avenue New York, NY 10169 Tel: 212-351-34000	regarding the products accused of infringement.
Brian Ankenbrandt Senior Legal Counsel Apple Inc.	Contact only through counsel for Defendant: Desmarais LLP 230 Park Avenue New York, NY 10169 Tel: 212-351-34000	Believed to be knowledgeable regarding agreements, licenses, or contracts, and attachments or exhibits to those documents, relating to the technology accused of infringement in this case.
AGIS Software Development LLC	Contact information believed to be:  92 Lighthouse Dr., Jupiter, FL 33469	Plaintiff and purported assignee of the Patents-in-Suit believed to be knowledgeable regarding the ownership, assignment, and control of the Patents-in-Suit; and business, valuation, and efforts to enforce and/or license the Patents-in-Suit.
AGIS Holdings Inc.	Contact information believed to be:  92 Lighthouse Dr., Jupiter, FL 33469	Purported former assignee of the Patents-in-Suit believed to be knowledgeable regarding the ownership, assignment, and control of the Patents-in-Suit; and business, valuation, and efforts to enforce and/or license the Patents-in-Suit.
Advanced Ground Information Systems, Inc.	Contact information believed to be:  92 Lighthouse Dr., Jupiter, FL 33469	Purported former assignee of the Patents-in-Suit believed to be knowledgeable regarding the ownership, assignment, and control of the Patents-in-Suit; business, valuation, and efforts to enforce and/or license the Patents-in-Suit; and the conception, reduction to practice, prosecution, technology, and scope of the alleged inventions claimed in the Patents-in-Suit.
Malcolm K. Beyer, Jr.	Contact information believed to be:  92 Lighthouse Dr., Jupiter, FL 33469	Named inventor on all of the Patents- in-Suit, alleged founder of Advanced Ground Information Systems, Inc. and alleged current CEO of AGIS Software Development LLC, believed to be knowledgeable about the conception, reduction to practice, prosecution, ownership, technology,

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