

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

AGIS SOFTWARE DEVELOPMENT, LLC	§	CASE NO. 2:17-cv-514-JRG
	§	(Lead Case)
Plaintiff,	§	
	§	
v.	§	JURY TRIAL DEMANDED
	§	
HTC CORPORATION, et al.	§	
	§	
Defendant.	§	

AGIS SOFTWARE DEVELOPMENT, LLC	§	CASE NO. 2:17-CV-515-JRG
	§	(Member Case)
	§	
Plaintiff,	§	
	§	JURY TRIAL DEMANDED
v.	§	
	§	
LG ELECTRONICS INC.	§	
	§	
Defendant.	§	

**DECLARATION OF NICHOLAS H. LEE IN SUPPORT OF DEFENDANT LG
ELECTRONICS INC.’S MOTION FOR SUMMARY JUDGMENT OF
NON-INFRINGEMENT OF U.S. PATENT NO. 8,213,970**

I, Nicholas H. Lee, state and declare as follows:

1. I am a member of Arnold & Porter Kaye Scholer, LLP (“APKS”), counsel of record for Defendant LG Electronics Inc. (“LGEKR”). I am a member of the Bar of the State of California and have been admitted to practice in the United States District Court for the Eastern District of Texas (“EDTX”). I provide this declaration in support of Defendant LGEKR’s Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 8,213,970. I have personal knowledge of the matters stated in this declaration and would testify competently and truthfully to them if called upon to do so.

2. Attached hereto as Exhibit 1 is a true and correct copy of Plaintiff's Infringement Contentions against LGEKR pursuant to Patent Local Rule 3-1, Exhibit A, served on December 19, 2018.

3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the deposition transcript of Jaehong Pak, dated November 16, 2018.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Expert Report of Edward R. Tittel in Rebuttal to the Expert Report of Joseph McAlexander Regarding Alleged Infringement of U.S. Patent Numbers: 8,213,970; 9,408,055; 9,445,251; and 9,467,838, served on January 11, 2019.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Expert Report of Joseph C. McAlexander III Regarding Infringement of U.S. Patent Numbers: 8,213,970; 9,408,055; 9,445,251; and 9,467,838, and Attachment A, served December 14, 2018.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Los Angeles, California on January 25, 2019.

/s/ Nicholas H. Lee

Nicholas H. Lee

Attorney for Defendant LG Electronics Inc.