



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

AGIS SOFTWARE DEVELOPMENT, LLC

Plaintiff,

v.

HTC CORPORATION, et al.

Defendant.

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CASE NO. 2:17-cv-514-JRG  
(LEAD CASE)

**JURY TRIAL DEMANDED**

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AGIS SOFTWARE DEVELOPMENT, LLC

Plaintiff,

v.

LG ELECTRONICS INC.

Defendant.

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CASE NO. 2:17-CV-515-JRG  
(CONSOLIDATED CASE)

**JURY TRIAL DEMANDED**

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**LG ELECTRONICS INC.'S OPPOSITION TO AGIS SOFTWARE DEVELOPMENT  
LLC'S *DAUBERT* MOTION TO EXCLUDE THE OPINIONS OF W. CHRISTOPHER  
BAKEWELL RELATING TO DAMAGES**

[REDACTED]

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[REDACTED]

Defendant LG Electronics Inc. (“LGEKR”) hereby opposes Plaintiff AGIS Software Development LLC’s (“AGIS”) *Daubert* Motion to Exclude the Opinions of W. Christopher Bakewell Relating to Damages (the “Motion”). For the reasons set forth below, AGIS’s Motion should be denied.

**I. INTRODUCTION**

AGIS moves to strike the opinions of LGEKR’s damages expert, W. Christopher Bakewell, because he bases his opinions, in part, on [REDACTED]. AGIS’s Motion gives the impression that Mr. Bakewell’s expert report on damages is based on [REDACTED].

Mr. Bakewell’s discussion of [REDACTED]. AGIS’s *Daubert* Motion to Exclude the Opinions of W. Christopher Bakewell Relating to Damages amounts to no more than a disagreement over how a piece of evidence in this case should be weighed. AGIS provides no basis to doubt the soundness of Mr. Bakewell’s economic methodology. AGIS presents the Court with fragments of Mr. Bakewell’s report, ignores the extensive and well-reasoned analysis he provided, and launches attacks that go to the weight of Mr. Bakewell’s opinions and are subjects for cross-examination, not reasons for exclusion.

**II. ARGUMENT**

A. [REDACTED]

Mr. Bakewell considers [REDACTED]. The Federal Circuit holds that in some circumstances, licenses settling litigation can be the *best* evidence of a reasonable royalty. *See ResQNet.com, Inc. v.*

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