

# Exhibit A

**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.

Defendants.

LEAD CASE NO. 2:17-cv-513-JRG

**JURY TRIAL DEMANDED**

AGIS SOFTWARE DEVELOPMENT, LLC

Plaintiff,

v.

LG ELECTRONICS, INC.

Defendant.

MEMBER CASE NO. 2:17-cv-515-JRG

**JURY TRIAL DEMANDED**

**DEFENDANT LG ELECTRONIC INC.'S INITIAL DISCLOSURES**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure Defendant LG Electronics, Inc., by and through their undersigned counsel, hereby make the following initial disclosures to Plaintiff AGIS Software Development, LLC (“AGIS”):

**A. The Correct Names Of The Parties To The Lawsuit**

Based upon the information reasonably available to LG at the present time, the following list contains the correct names of the current parties to this lawsuit:

AGIS Software Development, LLC

LG Electronics, Inc.

**B. The Name, Address, And Telephone Number Of Any Potential Parties**

Based upon the information reasonably available to LG at the present time, LG is unaware of any other persons or entities that should be named as potential parties to this lawsuit. LG reserves the right to supplement this disclosure as the case and discovery proceed.

**C. The Legal Theories And, In General, The Factual Bases Of LG's Claims Or Defenses**

Below are preliminary summaries of the legal theories and factual bases for LG's defenses. These preliminary summaries should not be construed as final disclosures, as LG will address its non-infringement and invalidity defenses, and other affirmative defenses, in the time provided by a Docket Control Order, once entered by the Court, and as permitted under the Federal Rules of Civil Procedure, the Local Rules, and the Patent Local Rules. In addition, because discovery is ongoing, many of the required disclosures in the case have yet to occur, claim construction has yet to occur, and the subject matter of these preliminary summaries is properly the subject of expert opinion, it would be premature to set forth in detail the legal theories and factual bases for LG's defenses and counterclaims. LG reserves the right to update these legal theories and factual bases as new information becomes available.

Based on the present state of the record and the discovery to date, LG asserts at least the following defenses:

1. LG has not infringed and does not infringe any valid and enforceable claim of U.S. Patent Nos. 8,213,970 (the "970 Patent"), 9,408,055 (the "055 Patent"), 9,445,251 (the "251 Patent"), and 9,467,838 (the "838 Patent") (collectively, "Asserted Patents") under any theory of infringement.
2. Each asserted claim of the Asserted Patents is invalid because the alleged invention(s) therein fail to satisfy the conditions for patentability specified in one or more of 35 U.S.C. §§ 101, 102, 103, 112, and/or 113.

3. By reason of the prior art and/or statements and representations made to the U.S. Patent and Trademark Office during prosecution of the application(s) that led to the issuance of the Asserted Patent, the claims are so limited that they cannot properly be construed as covering any activity or product of LG.
4. AGIS's claims for relief are barred or limited in whole or in part by equitable defenses, including laches, waiver, estoppel, and/or unclean hands.
5. AGIS's claim for injunctive relief is barred because there exists an adequate remedy at law for AGIS's allegations, and AGIS's claims otherwise fail to meet the requirements for such relief.
6. AGIS is not entitled to a finding that this case is exceptional or to attorneys' fees under 35 U.S.C. § 285, or pursuant to the Court's inherent power.

LG reserves the right to supplement this disclosure and add more claims and defenses as the case and discovery proceed.

**D. The Name, Address, And Telephone Number Of Persons Having Knowledge Of Relevant Facts, A Brief Statement Of Each Identified Person's Connection With The Case, And A Brief, Fair Summary Of The Substance Of The Information Known By Any Such Person**

The persons identified by LG as persons likely to have knowledge of relevant facts based on the present state of the record and the discovery to date:

Name, Location, and Contact Information	Title	Summary of Relevant Facts Likely to be Known
Malcolm K. Beyer Jr.	Unknown	May have knowledge related at least to the claimed invention, inventorship, and assignment of the Asserted Patents and to AGIS and its predecessor entities.
Christopher R. Rice	Unknown	May have knowledge related at least to the claimed invention, inventorship, and assignment of the Asserted Patents.

Google LLC	N/A	Witnesses from Google LLC who may have knowledge related to the functionality implicated in the accused applications
Witnesses identified in AGIS's initial disclosures	N/A	Witnesses identified in AGIS's initial disclosures as related to subjects on which they have been identified

LG expressly reserves the right to supplement, limit, or otherwise amend the above list, particularly as the case is in its infancy and discovery has yet to commence.

**E. Any Indemnity And Insuring Agreements Under Which Any Person Or Entity Carrying On An Insurance Business May Be Liable To Satisfy Part Or All Of A Judgment Entered In This Action Or To Indemnify Or Reimburse For Payments Made To Satisfy The Judgment**

LG is currently still investigating whether there exists any indemnity or insurance agreement under which any person or entity carrying on an insurance business may be liable to satisfy part or all of any judgment which may be entered in this action against LG or to indemnify or reimburse LG for payments made to satisfy any judgment, and will supplement these disclosures once the full scope of its investigation is complete.

**F. Any Settlement Agreements Relevant To The Subject Matter Of This Action**

Based upon the information reasonably available to LG at the present time, LG is not currently aware of any settlement agreements relevant to the subject matter of this action.

**G. Any Statement Of Any Party To The Litigation**

Based upon the information reasonably available to LG at the present time, the current record, and discovery to date, LG is not aware of any specific statements of any party to this litigation.

LG reserves the right to supplement these disclosures in accordance with applicable federal and local rules of procedures or court order, during the course of discovery, and upon further investigation, as additional information becomes known or available.

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