


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

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	Case No. 2:17-CV-0514-JRG
Plaintiff,	§	(LEAD CASE)
	§	
v.	§	<u>JURY TRIAL DEMANDED</u>
	§	
HTC CORPORATION,	§	
	§	
Defendant.	§	

LG ELECTRONICS INC.,	§	Case No. 2:17-CV-0515-JRG
	§	(CONSOLIDATED CASE)
Defendant.	§	
	§	<u>JURY TRIAL DEMANDED</u>

**DECLARATION OF ALFRED R. FABRICANT IN SUPPORT OF
PLAINTIFF AGIS SOFTWARE DEVELOPMENT, LLC’S
RESPONSE IN OPPOSITION TO LG ELECTRONICS INC.’S
SEALED MOTION FOR PARTIAL SUMMARY JUDGMENT
OF LIMITATION OF DAMAGES (DKT. 117)**

I, Alfred R. Fabricant, hereby declare as follows:

1. I am a member of Brown Rudnick LLP, lead counsel of record for Plaintiff AGIS Software Development LLC (“AGIS”). I am admitted to practice before this Court. I submit this declaration in support of AGIS Software Development LLC’s Response in Opposition to LG Electronics Inc.’s Sealed Motion for Partial Summary Judgment of Limitation of Damages (Dkt. 117). I am familiar with the facts set forth herein.

2. The exhibits attached to this declaration may contain annotations and/or excerpts of the originals.

3. Attached hereto as Exhibit A is a true and correct copy of the Expert Report of Joseph McAlexander, dated December 14, 2018.

4. Attached hereto as Exhibit B is a true and correct copy of Website Upload Information for U.S. Patent No. 9,408,055.
5. Attached hereto as Exhibit C is a true and correct copy of Defendants' Notice of Deposition of AGIS Software Development LLC Pursuant to Rule 30(b)(6), dated July 27, 2018.
6. Attached hereto as Exhibit D is a true and correct copy of an email from E. Iturralde to Defendants, dated September 21, 2018.
7. Attached hereto as Exhibit E is a true and correct copy of document bearing Bates numbers AGISTX_00275447-00275457.
8. Attached hereto as Exhibit F is a true and correct copy the Rebuttal Expert Report of Joseph McAlexander, dated January 11, 2019.
9. Attached hereto as Exhibit G is a true and correct copy of the [REDACTED]
[REDACTED]
10. Attached hereto as Exhibit H is a true and correct copy of the [REDACTED]
[REDACTED]
11. Attached hereto as Exhibit I is a true and correct copy of [REDACTED]
[REDACTED]
12. Attached hereto as a Exhibit J is a true and correct copy of the [REDACTED]
[REDACTED]

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on February 19, 2019.

/s/ Alfred R. Fabricant
Alfred R. Fabricant