

**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
	§	(LEAD CASE)
Plaintiff,	§	
	§	<u>JURY TRIAL DEMANDED</u>
v.	§	[REDACTED]
	§	
HTC CORPORATION,	§	
	§	
Defendant.	§	

**DECLARATION OF ALFRED R. FABRICANT IN SUPPORT OF
PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC’S REPLY TO
DAUBERT MOTION TO EXCLUDE THE OPINIONS OF
W. CHRISTOPHER BAKEWELL RELATING TO DAMAGES (DKT. 128)**

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 Reply to the *Daubert* Motion to Exclude the Opinions of W. Christopher Bakewell Relating to Damages (Dkt. 128).

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 annotated excerpts of the Transcript of the February 13, 2019 Deposition of W. Christopher Bakewell.

4. Attached hereto as Exhibit B is a true and correct copy of [REDACTED]
[REDACTED]

5. Attached here to as Exhibit C is a true and correct copy of [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

6. Attached hereto as Exhibit D is a true and correct copy of annotated excerpts of the Expert Report of Joseph McAlexander, dated December 14, 2018.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on February 20, 2019.

/s/ Alfred R. Fabricant
Alfred R. Fabricant

CERTIFICATE OF AUTHORIZATION TO FILE UNDER SEAL

The undersigned certifies that the foregoing document is authorized to be filed under seal pursuant to the Protective Order entered in this case.

/s/ Alfred R. Fabricant
Alfred R. Fabricant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on February 20, 2019, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Alfred R. Fabricant

Alfred R. Fabricant