

**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.	§	<b><u>JURY TRIAL DEMANDED</u></b>
	§	
HTC CORPORATION,	§	
	§	
Defendant.	§	

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

**DECLARATION OF ALFRED R. FABRICANT IN SUPPORT OF  
PLAINTIFF AGIS SOFTWARE DEVELOPMENT, LLC’S  
SUR-REPLY IN OPPOSITION TO LG ELECTRONICS INC.’S  
SEALED MOTION FOR SUMMARY JUDGMENT  
OF NON-INFRINGEMENT OF U.S. PATENT NO. 8,213,970 (DKT. 112)**

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 Sur-Reply in Opposition to LG Electronics Inc.’s Sealed Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 8,213,970 (Dkt. 112). 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 R is a true and correct copy of annotated excerpts of the deposition transcript of Joseph C. McAlexander, III taken February 27, 2019.

4. Attached hereto as Exhibit S is a true and correct copy of annotated excerpts of the deposition transcript of Edward R. Tittel taken February 15, 2019.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on February 28, 2019.

/s/ Alfred R. Fabricant

Alfred R. Fabricant