

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

AGIS SOFTWARE DEVELOPMENT, LLC	§	CASE NO. 2:17-cv-514-JRG
	§	(Lead Case)
Plaintiff,	§	
	§	
v.	§	<b>JURY TRIAL DEMANDED</b>
	§	
HTC CORPORATION, et al.	§	
	§	
Defendant.	§	

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AGIS SOFTWARE DEVELOPMENT, LLC	§	CASE NO. 2:17-CV-515-JRG
	§	(Member Case)
	§	
Plaintiff,	§	
	§	<b>JURY TRIAL DEMANDED</b>
v.	§	
	§	
LG ELECTRONICS INC.	§	
	§	
Defendant.	§	

**DECLARATION OF MICHAEL A. BERTA IN SUPPORT OF DEFENDANT LG ELECTRONICS INC.’S SUR-REPLY TO AGIS’S MOTION TO STRIKE PORTIONS OF THE JANUARY 11, 2019 EXPERT REPORT OF EDWARD R. TITTEL**

I, Michael A. Berta, state and declare as follows:

1. I am a member of Arnold & Porter Kaye Scholer, LLP (“Arnold & Porter”), counsel of record for Defendant LG Electronics Inc. (“LG Korea”). I am a member of the Bar of the State of California and have been admitted to practice in the United States District Court for the Eastern District of Texas (“EDTX”). I provide this declaration in support of Defendant LG Korea’s Sur-Reply to AGIS’s Motion to Strike Portions of the January 11, 2019 Expert Report of Edward R. Tittel. I have personal knowledge of the matters stated in this declaration and would testify competently and truthfully to them if called upon to do so.

2. Attached hereto as Exhibit A is a true and correct copy of an annotated excerpt of the deposition transcript of Edward Tittel.

I declare under penalty of perjury that the foregoing is true and correct. Executed in San Francisco, California on February 27, 2019.

/s/ Michael A. Berta  
Michael A. Berta  
Attorney for Defendant LG Electronics Inc.