

# Exhibit 1

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

AGIS SOFTWARE DEVELOPMENT ) (  
LLC ) ( CIVIL DOCKET NO.  
 ) ( 2:17-CV-513-JRG  
VS. ) ( MARSHALL, TEXAS  
 ) (  
HUAWEI DEVICE USE INC., ) ( AUGUST 8, 2018  
ET AL. ) ( 9:03 A.M.

EVIDENTIARY HEARING

BEFORE THE HONORABLE CHIEF JUDGE RODNEY GILSTRAP

UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE PLAINTIFF : (See Attorney Attendance Sheet docketed  
in minutes of this hearing.)

FOR THE DEFENDANTS: (See Attorney Attendance Sheet docketed  
in minutes of this hearing.)

COURT REPORTER: Shelly Holmes, CSR-TCRR  
Official Reporter  
United States District Court  
Eastern District of Texas  
Marshall Division  
100 E. Houston Street  
Marshall, Texas 75670  
(903) 923-7464

(Proceedings recorded by mechanical stenography, transcript  
produced on a CAT system.)

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I N D E X

August 8, 2018

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1 COURT SECURITY OFFICER: All rise.

2 THE COURT: Be seated, please.

3 All right. This is the time set for an evidentiary  
4 hearing in regard to AGIS Software Development versus  
5 Huawei, et al. This is Civil Case No. 2:17-CV-513.

6 Let me call for announcements on the record.

7 What says the Plaintiff, AGIS Software?

8 MR. BAXTER: Good morning, Your Honor. Sam Baxter  
9 and Jennifer Truelove from McKool Smith, and Fred Fabricant  
10 and Vincent Rubino. And we're here for the Plaintiff, and  
11 we're ready, Your Honor.

12 THE COURT: Thank you, counsel.

13 What says the Defendants?

14 MR. MANN: Good morning, Your Honor. Mark Mann on  
15 behalf of LG Electronics, and along with me today are my  
16 colleagues, Matt Wolf and Michael Berta. And we're ready to  
17 proceed.

18 THE COURT: All right. Any other announcements?

19 Counsel, as you are aware, the Court has set for  
20 today an evidentiary hearing based on -- or in relation to  
21 Defendant LG's motion to dismiss for want of personal  
22 jurisdiction. I've set out exactly what the parameters of  
23 openings, presentation of evidence, and closing arguments  
24 would be.

25 Before we proceed with this evidentiary hearing,

1 THE COURT: Okay. So it's not different than  
2 anywhere else?

3 MR. FABRICANT: It is not. But the reason we  
4 believe it's critical is that the -- the motion --

5 THE COURT: I understand the significance of the --

6 MR. FABRICANT: Thank you.

7 THE COURT: -- of the facts.

8 MR. FABRICANT: Okay.

9 THE COURT: I just want to make sure I'm completely  
10 clear.

11 MR. FABRICANT: Completely clear.

12 THE COURT: All right. Let's proceed.

13 MR. FABRICANT: So as I've stated, all of these  
14 phones are sold by Korea to the U.S. entity. The U.S.  
15 entity sells, in turn, to the -- in turn to the national  
16 retailers and carriers. And there's no dispute that those  
17 carriers, in turn, sell to end users throughout the United  
18 States of America.

19 THE COURT: And going back one more time, you  
20 indicated that there were no sales contracts produced  
21 between LG Korea and LG U.S. or United States. Is that  
22 because they don't exist, or do you know why they weren't  
23 produced? Can you speak to that?

24 MR. FABRICANT: We asked Mr. Yoon. He said they  
25 should exist. He said he didn't negotiate them, and he's

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