

**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. | § | JURY TRIAL DEMANDED |
| | § | |
| HTC CORPORATION, et al. | § | |
| | § | |
| Defendant. | § | |

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

DECLARATION OF MICHAEL A. BERTA IN SUPPORT OF DEFENDANT LG ELECTRONICS INC.’S REPLY IN SUPPORT OF ITS MOTION FOR PARTIAL SUMMARY JUDGMENT OF LIMITATION OF DAMAGES

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

1. I am a partner 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 Reply In Support of Its Motion For Partial Summary Judgment of Limitation of Damages. 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 1 is a true and correct highlighted copy of excerpts of the deposition transcript of Sandel Blackwell, taken on October 15, 2018.

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.