

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

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

**DECLARATION OF VINCENT J. RUBINO, III IN SUPPORT OF
PLAINTIFF AGIS SOFTWARE DEVELOPMENT, LLC’S SUR-REPLY IN
OPPOSITION TO DEFENDANT HTC CORPORATION’S MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. 12(B)(2), OR, IN THE ALTERNATIVE,
TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(A)
TO THE NORTHERN DISTRICT OF CALIFORNIA (DKT. 29)**

I, Vincent J. Rubino III, being duly sworn, hereby deposes and states as follows:

1. I am a member of Brown Rudnick LLP, counsel of record for Plaintiff AGIS Software Development LLC (“AGIS”). I am a member of the Bar of the State of New York and have been admitted to practice in the United States District Court for the Eastern District of Texas. I make this declaration in support of AGIS Software Development LLC’s Sur-Reply in Opposition to Defendant HTC Corporation’s Motion to Dismiss (Dkt. 29). The statements in this declaration are based upon my review of information obtained from public records.

2. Attached hereto as Exhibit 10 is a true and correct copy of the store locator webpage of the HTC Corporation website identifying stores located in or near Marshall, Texas, available at <http://www.htc.com/us/support/storelocator.aspx> (last accessed 3/7/2018).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on March 7, 2018.

/s/ Vincent J. Rubino, III
Vincent J. Rubino, III