

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

AGIS Software Development, LLC,  
Plaintiff

v.

ZTE Corporation et al.,  
Defendants

Case No. 2:17-cv-517

**AFFIDAVIT OF TONE HOLMEN**

I, Tone Holmen, declare under penalty of perjury as follows:

1. I am over the age of eighteen years and competent to make this declaration.
2. The facts stated in this Declaration are true and correct to the best of my knowledge and belief.
3. I am employed in the role of Senior Vice President of Operations with iQor US Inc. (“iQor”).
4. iQor, not ZTE (USA) Inc. (“ZTA”), operates and controls the call center located at 6865 Windcrest Drive, Building 1, Plano TX 75024. iQor utilizes the Plano facility for its operations pursuant to a May 12, 2015 lease with Legacy VI-VII Investors, LLC.
5. I understand that, in the opposition brief filed by AGIS Software Development, LLC (“AGIS”) (dkt. #46), AGIS asserts, among other things, that “[ZTA] established a local customer service center with iQor in Plano, Texas.” I do not know what AGIS means by “establish,” but the Plano call center is not a ZTA business. ZTA does not have control over the call center

agents' apparel, nor does ZTA maintain direct control over the call center agents, representatives, or the call center itself. The call center is an iQor business. Additionally, iQor entities support numerous Fortune 500 companies in order to provide call center services for their customers; we employ approximately 10,000 call center agents located in more than fifteen U.S. cities; we provide initial and periodic training for call center agents; and we, not these companies, provide supervision over the call center agents. These call centers are iQor businesses, not the companies' we provide support for.

I declare under penalty of perjury that the foregoing is true and correct. Executed on:

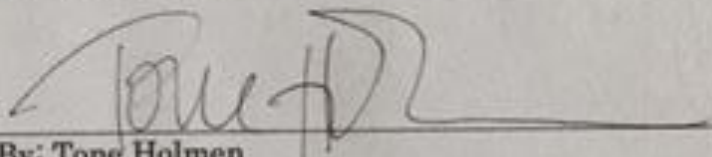
\_\_\_\_\_  
Date

\_\_\_\_\_  
By: Tone Holmen  
Senior Vice President of Operations, iQor US Inc.

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I declare under penalty of perjury that the foregoing is true and correct. Executed on:

1-18-18  
Date

  
By: Tone Holmen  
Senior Vice President of Operations, iQor US Inc.