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

GESTURE TECHNOLOGY PARTNERS, LLC,	\$ \$
Plaintiff v. HUAWEI DEVICE CO., LTD., HUAWEI DEVICE USA, INC., Defendants.	<pre>§ § CASE NO. 2:21-cv-00040-JRG (Lead Case) § JURY TRIAL DEMANDED § §</pre>
GESTURE TECHNOLOGY PARTNERS, LLC, Plaintiff v. SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG ELECTRONICS AMERICA, INC.,	<pre>§ § § § CASE NO. 2:21-cv-00041-JRG § (Member Case) § JURY TRIAL DEMANDED § §</pre>
Defendants.	8

DECLARATION OF DAVID M. FOX IN SUPPORT OF SAMSUNG DEFENDANTS' DAUBERT MOTION TO PRECLUDE THE OPINIONS AND TESTIMONY OF PLAINTIFF'S DAMAGES EXPERT DAVID KENNEDY

I, David M. Fox, hereby declare as follows:

1. I am an attorney at the law firm of Paul Hastings LLP, counsel for Defendants

Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung")

in the above-entitled consolidated action. I have personal knowledge of the facts stated herein and

if called to testify could and would competently testify thereto.

2. Attached as Exhibit A is a true and correct copy of Plaintiff Gesture Technology

Partners, LLC's September 20, 2021 Supplemental Amended Infringement Contentions.

R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

3. Attached as Exhibit B is a true and correct copy of excerpts from the Expert Report of Benedict Occhiogrosso On Behalf of Plaintiff Gesture Technology Partners, LLC Regarding Infringement, dated October 20, 2021.

4. Attached as Exhibit C is a true and correct copy of the Expert Report of Mr. David Kennedy, dated October 20, 2021.

5. Attached as Exhibit D is a true and correct copy of excerpts from the transcript of the deposition of David Kennedy taken on November 24, 2021.

6. Attached as Exhibit E is a true and correct copy of excerpts from the Report of Dr. Andreas Groehn, dated October 20, 2021.

7. Attached as Exhibit F is a true and correct copy of a chart relating to Samsung Camera Features.

8. Attached as Exhibit G is a true and correct copy of the Opinion and Order dated November 9, 2021 in the case captioned *CloudChange, LLC v. NCR Corp.*, Case No. 6:19-CV-00513-ADA, United States District Court, Western District of Texas.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 1st day of December, 2021 in Milpitas, California.

<u>/s/ David Fox</u> David Fox