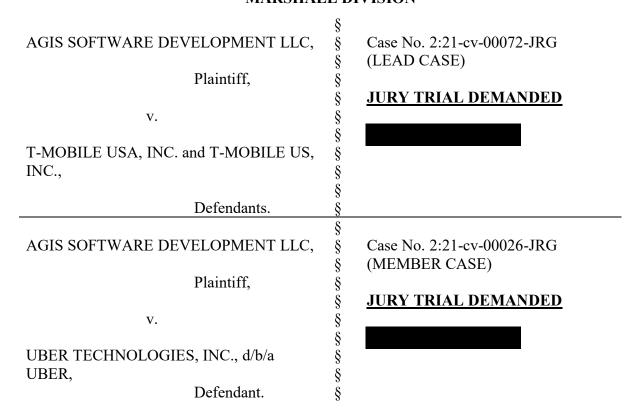
IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION



DECLARATION OF VINCENT J. RUBINO, III IN SUPPORT OF PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S RESPONSE IN OPPOSITION TO DEFENDANT UBER TECHNOLOGIES, INC., D/B/A UBER'S OPPOSED MOTION TO COMPEL AND RENEWED MOTION TO STAY (DKT. 117)

- I, Vincent J. Rubino, III, hereby declare as follows:
- 1. I have personal knowledge of the facts set forth in this declaration. I am competent to testify as to all matters stated, and I am not under any legal disability that would in any way preclude me from testifying.
- 2. I am a Partner at the law firm of Fabricant LLP and counsel of record for Plaintiff AGIS Software Development LLC, in this matter.
- 3. The exhibits attached to this declaration may contain annotations and/or excerpts of the originals.



- 4. Attached hereto as Exhibit 1 is a true and correct copy of Uber's First Set of Interrogatories to Plaintiff AGIS Software Development LLC, dated June 2, 2021.
- 5. Attached hereto as Exhibit 2 is a true and correct copy of an email from Mark Reiter to AGIS, dated July 27, 2021.
- 6. Attached hereto as Exhibit 3 is a true and correct copy of an email from E. Iturralde to Mark Reiter, dated July 27, 2021.
- 7. Attached hereto as Exhibit 4 is a true and correct copy of an email from Lynsie Rodriguez to Counsel for Lyft, Uber, and WhatsApp, dated August 2, 2021.
- 8. Attached hereto as Exhibit 5 is a true and correct copy of a document bearing Bates numbers AGISSOFTWARE_0007890 through AGISSOFTWARE_0007901.
- 9. Attached hereto as Exhibit 6 is a true and correct copy of Defendant Uber Technologies Inc.'s Notice of Subpoenas to Christopher R. Rice, dated August 6, 2021.
- 10. Attached hereto as Exhibit 7 is a true and correct copy of an email from Lynsie Rodriguez to Counsel for Uber, dated August 9, 2021.
- 11. Attached hereto as Exhibit 8 is a true and correct copy of an email from Enrique Iturralde to Counsel for Uber, dated August 13, 2021.
- 12. Attached hereto as Exhibit 9 is a true and correct copy of Plaintiff AGIS Software Development LLC's First Supplemental Responses to Uber's First Set of Interrogatories (Nos. 1-10), dated August 13, 2021.
- 13. Attached hereto as Exhibit 10 is a true and correct copy of an email from Mark Reiter to AGIS, dated July 27, 2021.
- 14. Attached hereto as Exhibit 11 is a true and correct copy of a document bearing Bates numbers AGISSOFTWARE 0007867 through AGISSOFTWARE 0007888.



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

Executed on August 23, 2021 in Livingston, New Jersey.

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

