



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

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	Case No. 2:21-cv-00072-JRG
Plaintiff,	§	(LEAD CASE)
	§	
v.	§	<b><u>JURY TRIAL DEMANDED</u></b>
	§	
T-MOBILE USA, INC. and T-MOBILE US,	§	
INC.,	§	
	§	
Defendants.	§	

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AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	Case No. 2:21-cv-00026-JRG
Plaintiff,	§	(MEMBER CASE)
	§	
v.	§	<b><u>JURY TRIAL DEMANDED</u></b>
	§	
UBER TECHNOLOGIES, INC., d/b/a	§	
UBER,	§	
	§	
Defendant.	§	

**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 Lysie 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 Lysie 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