## 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
	§ (LEAD CASE)
Plaintiff,	§
	§ <u>JURY TRIAL DEMANDED</u>
V.	§
	§
T-MOBILE USA, INC. and T-MOBILE US,	§
INC.,	§
	§
LYFT, INC.,	§ Case No. 2:21-cv-00024-JRG
	§ (MEMBER CASE)
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	§ JURY TRIAL DEMANDED
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UBER TECHNOLOGIES, INC., d/b/a	§ Case No. 2:21-cv-00026-JRG
UBER,	§ (MEMBER CASE)
,	8
Defendants.	§ JURY TRIAL DEMANDED
	§

## DECLARATION OF ALFRED R. FABRICANT IN SUPPORT OF PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S MOTION FOR RECONSIDERATION OF THE CLAIM CONSTRUCTION MEMORANDUM AND ORDER (DKT. 213)

- I, Alfred R. Fabricant, 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 A is a true and correct copy of excerpts of the Transcript of the Claim Construction Proceedings before The Honorable Roy S. Payne, dated October 21, 2021.

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

Executed on November 24, 2021 in Rye, New York.

/s/ Alfred R. Fabricant
Alfred R. Fabricant

