

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

AGIS SOFTWARE DEVELOPMENT LLC, §
v. § CASE NO. 2:21-cv-00072-JRG
T-MOBILE USA, INC., AND T-MOBILE § (Lead Case)
US, INC. §

AGIS SOFTWARE DEVELOPMENT LLC, §
v. § CASE NO. 2:21-cv-00024-JRG
LYFT, INC. § (Member Case)

AGIS SOFTWARE DEVELOPMENT LLC, §
v. § CASE NO. 2:21-cv-00026-JRG
UBER TECHNOLOGIES, INC., § (Member Case)
d/b/a UBER, §

AGIS SOFTWARE DEVELOPMENT LLC, §
v. § CASE NO. 2:21-cv-00029-JRG
WHATSAPP, INC. § (Member Case)

**DECLARATION OF ASHBEY N. MORGAN IN SUPPORT OF
DEFENDANT'S MOTION TO STAY PENDING RESOLUTION OF
STANDING ISSUE**

I, Ashbey N. Morgan, hereby declare as follows:

1. I am an associate at the law firm of Gibson, Dunn & Crutcher LLP and represent Uber Technologies, Inc. (“Uber”) in the above-captioned action. I am a member in good standing of the State Bar of Texas. The facts set forth herein are true and correct to the best of my own personal knowledge. If called upon to testify as a witness, I could and would competently testify thereto.

2. I submit this declaration in support of Uber’s Motion to Stay Pending Resolution of Standing Issue.

3. Attached as **Exhibit 1** is a true and correct copy of the LinkedIn profile of Rus Rice.

4. Attached as **Exhibit 2** is a true and correct copy of U.S. Patent No. 8,618,984, titled “Selecting Beacons for Location Inference,” dated December 31, 2013.

5. Attached as **Exhibit 3** is a true and correct copy of Exhibit A to the First Amended Complaint filed in *Ancora Technologies, Inc. v. Toshiba America Information Systems, Inc. et al.*, Case. No. 2:09-cv-00270, Dkt. No. 48 (W.D. Wash. May 13, 2009).

6. Attached as **Exhibit 4** is a true and correct copy of the Assignment of Invention and Patent Application for U.S. Patent App. No. 11/308,648, signed by Christopher R. Rice on June 19, 2006.

7. Attached as **Exhibit 5** is a true and correct copy of the Patent Assignment Cover Sheet for U.S. Pat. App. Nos. 15/722,660 and 15/809,102, signed by Christopher R. Rice on April 23, 2015.

8. Attached as **Exhibit 6** is a true and correct copy of correspondence sent from Mark Reiter, counsel of record for Uber, to Alfred R. Fabricant, counsel of record for Plaintiff AGIS Software Development LLC (“AGIS”), dated April 2, 2021.

9. Attached as **Exhibit 7** is a true and correct copy of correspondence sent from Vincent

J. Rubino, counsel of record for AGIS, to Mark Reiter, counsel of record for Uber, dated April 21, 2021.

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

Executed on April 23, 2021.



Ashbey N. Morgan