Exhibit 1

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

AGIS SOFTWARE DEVELOPMENT LLC v. T-MOBILE USA, INC., and T-MOBILE US, INC.	§ § § § § § §	CASE NO. 2:21-cv-00072-JRG (Lead Case)
AGIS SOFTWARE DEVELOPMENT LLC v. LYFT, INC.	§ § § § § § §	CASE NO. 2:21-cv-00024-JRG (Member Case)
AGIS SOFTWARE DEVELOPMENT LLC v. UBER TECHNOLOGIES, INC., d/b/a UBER	§ § § § § § §	CASE NO. 2:21-cv-00026-JRG (Member Case)
AGIS SOFTWARE DEVELOPMENT LLC v. WHATSAPP, INC.	§ § § § § § § §	CASE NO. 2:21-cv-00029-JRG (Member Case)

**DECLARATION OF MAX LOOSEN IN SUPPORT OF LYFT, INC.'S MOTION TO
DISMISS FOR IMPROPER VENUE**

I, Max Loosen, hereby declare as follows:

1.   I am a Regional Director at Lyft, Inc. ("Lyft"). I have been working for Lyft since November 19, 2018.

2.   I am over the age of eighteen. I make this declaration based upon my personal knowledge and, if called upon to testify before the Court, I could and would testify competently to the truth of the matters set forth herein.

3.   I am knowledgeable about various aspects of Lyft's business, including the operation of aspects of the Lyft driver app and the Lyft rider app, driver and vehicle requirements to use the Lyft driver app, and Lyft's Express Drive program. Unless otherwise stated herein, this declaration is based upon my personal knowledge, the records at Lyft, and/or information reported to me by other individuals in the organization with personal knowledge of such facts.

4.   Lyft is currently and was, at all times on and after January 29, 2021, incorporated in Delaware.

5.   Express Drive is a program which connects drivers with rental cars provided and managed by Express Drive partners, such as The Hertz Corporation ("Hertz").

6.   Hertz operated a vehicle rental location inside of a Pep Boys located at 928 West Spring Creek Parkway, Plano, Texas 75023 from December 18, 2017 to August 15, 2019. This location participated in the Express Drive program. As of August 15, 2019, this location ceased to be an Express Drive site.

7.   Lyft does not lease, and has never leased, space at 928 West Spring Creek Parkway, Plano, Texas 75023 from Pep Boys or any other entity. Lyft did not compensate Pep Boys or any other entity for the use of space at 928 West Spring Creek Parkway, Plano, Texas 75023.

8.   No Express Drive locations exist or existed in the following Texas counties on or

after January 29, 2021:

• Hardin	• Tyler	• Bowie
• Jasper	• Camp	• Franklin
• Jefferson	• Cass	• Red River
• Liberty	• Harrison	• Titus
• Newton	• Marion	• Anderson
• Orange	• Morris	• Cherokee
• Angelina	• Upshur	• Gregg
• Houston	• Collin	• Henderson
• Lamar	• Cooke	• Panola
• Nacogdoches	• Delta	• Rains
• Polk	• Denton	• Rusk
• Sabine	• Fannin	• Smith
• San Augustine	• Grayson	• Van Zandt
• Shelby	• Hopkins	• Wood
• Trinity	• Lamar	

9.   Lyft did not maintain a rider pickup location physically marked with Lyft branding

and visible through the Lyft rider app or Lyft driver app at 928 West Spring Creek Parkway, Plano,

Texas 75023 on or after January 29, 2021.

10.   Users of Lyft's app designate where they would like to be picked up for a ride.

Pickup locations may be street corners, restaurants, homes, or other locations which are not owned,

leased or otherwise controlled by Lyft.

11.   Using the Lyft rider app, a rider can request a ride from a first point to a second

point. The first point and second point do not need to be within the same city, the same county, or

the same judicial district.

12.   At a rider's request, a driver using the Lyft driver app can transport riders across

geographic boundaries such as county lines or city limits. Drivers using the Lyft driver app may

cross geographic boundaries to accept or complete rides through the Lyft driver app without first

seeking approval or otherwise gaining permission from Lyft to cross the geographic boundaries.

13. To be approved to accept rides via the Lyft driver app, a driver must supply his or her own vehicle (e.g. owned, rented, or leased).

14. A driver using the Lyft driver app may provide rides via the Lyft driver app on his or her own schedule.

15. Lyft requires vehicles used to provide rides via the Lyft driver app to meet certain eligibility requirements.

16. Drivers using the Lyft driver app decide when and whether to accept rides at particular locations or times.

17. Lyft does not require vehicles providing rides via the Lyft driver app to stay within the counties listed in paragraph 8 of this declaration.

18. A driver using the Lyft driver app may accept a ride to and from locations in Plano, Texas, and shortly afterwards, choose to accept a ride to and from locations in Dallas, Texas.

19. Lyft makes the Lyft driver app available in certain geographic areas. Lyft does not guarantee, however, that drivers using the Lyft driver app will be available to provide rides in any particular location.

20. Lyft does not operate any servers in Texas that communicate with the Lyft rider app or Lyft driver app.

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