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,	§
	§ JURY TRIAL DEMANDED
V.	\$
T-MOBILE USA, INC. and T-MOBILE US, INC.,	8 § 8
	\$ §
Defendant.	- §
	<u>§</u>
AGIS SOFTWARE DEVELOPMENT LLC,	 § Case No. 2:21-cv-00024-JRG § (CONSOLIDATED CASE)
Plaintiff,	§ (())))
	§ JURY TRIAL DEMANDED
V.	§
LYFT, INC.,	§ 8
L111, IIVC.,	8 8
Defendant.	ş
	8

DECLARATION OF VINCENT J. RUBINO, III IN SUPPORT OF PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S SUR-REPLY IN FURTHER OPPOSITION TO DEFENDANT LYFT, INC.'S MOTION TO DISMISS FOR IMPROPER VENUE (DKT. 30)

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.

DOCKF

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 V is a true and correct copy of a screen capture of the Denton County Transportation Authority webpage entitled Lewisville Access to Flower Mound Lyft Program, taken June 18, 2021, and available at https://www.dcta.net/Lewisville-access-lyft-program.

5. Attached hereto as Exhibit W is a true and correct copy of a screen capture of an article dated January 16, 2018 by Leopold Knopp entitled "Denton County Transportation Authority Partners with Lyft to Offer \$2 Discount in Highland Village and North Lewisville," taken June 18, 2021, and available at https://www.lewisvilletexan.org/news/news/local-news/denton-county-transportation-authority-partners-with-lyft-to-offer-2-discount-in-highland-village-and-north-lewisville/.

6. Attached hereto as Exhibit X is a true and correct copy of a White Paper from the Texas A&M Transportation Institute entitled Existing Transportation Network Companies Used as a Part of Basic Mobility: White Paper by Todd Hansen, Zachary Elgart, Kristi Miller, and Maarit Moran, dated November 26, 2018.

7. Attached hereto as Exhibit Y is a true and correct copy of a screen capture of the Denton County Transportation Authority webpage entitled UNT/LYFT taken June 18, 2021, and available at https://www.dcta.net/service-overview/additional-services/unt/lyft.

8. Attached hereto as Exhibit Z is a true and correct copy of a screen capture of the University of North Texas webpage "UNT Locations – University of North Texas," taken June 21, 2021, and available at https://www.unt.edu/locations.

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

Executed on June 22, 2021 in Livingston NJ.

/s/ Vincent J. Rubino, III

Vincent J. Rubino, III