

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

AGIS SOFTWARE DEVELOPMENT LLC,	§	Case No. 2:22-cv-00263-JRG
	§	
Plaintiff,	§	<b><u>JURY TRIAL DEMANDED</u></b>
	§	
v.	§	
	§	
SAMSUNG ELECTRONICS CO., LTD. and	§	
SAMSUNG ELECTRONICS AMERICA,	§	
INC.,	§	
	§	
Defendants.	§	
	§	

**DECLARATION OF ALFRED R. FABRICANT IN SUPPORT OF  
PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC’S RESPONSE  
IN OPPOSITION TO DEFENDANTS SAMSUNG ELECTRONICS CO., LTD. AND  
SAMSUNG ELECTRONICS AMERICA, INC.’S MOTION TO STAY (DKT. 40)**

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 Google LLC, Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Waze Mobile Limited’s Petition for a Writ of Mandamus, Dkt. No. 2-1, dated February 22, 2022 in *In re Google LLC, et al.*, Case No. 22-126.

5. Attached hereto as Exhibit B is a true and correct copy of Google LLC, Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Waze Mobile Limited's Petition for a Writ of Mandamus, Dkt. No. 2-1, dated April 1, 2022 in *In re Google LLC, et al.*, Case No. 22-140.

6. Attached hereto as Exhibit C is a true and correct copy of Plaintiff's First Set of Interrogatories to Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (Nos. 1-14), dated December 22, 2022.

7. Attached hereto as Exhibit D is a true and correct copy of an Order, Dkt. No. 7, dated May 23, 2022 in *In re Waze Mobile Limited*, Case No. 22-140.

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

Executed on January 10, 2023 in Rye, New York.

/s/ Alfred R. Fabricant  
Alfred R. Fabricant