

EXHIBIT 2

No. 22-____

**United States Court of Appeals
for the Federal Circuit**

IN RE GOOGLE LLC, SAMSUNG ELECTRONICS CO., LTD., SAMSUNG
ELECTRONICS AMERICA, INC., AND WAZE MOBILE LIMITED,

Petitioners.

On Petition for a Writ of Mandamus to the
United States District Court for the Eastern District of Texas,
Case Nos. 2:19-cv-00361, 2:19-cv-00359, 2:19-cv-00362
Chief Judge J. Rodney Gilstrap

PETITION FOR A WRIT OF MANDAMUS

EVAN MANN
MUNGER, TOLLES & OLSON LLP
560 Mission Street
27th Floor
San Francisco, CA 94105
Telephone: (415) 512-4000

GINGER D. ANDERS
MUNGER, TOLLES & OLSON LLP
601 Massachusetts Avenue NW
Suite 500 E
Washington, DC 20001
Telephone: (202) 220-1100

Email: ginger.anders@mto.com
jordan.segall@mto.com
evan.mann@mto.com

JORDAN D. SEGALL
MUNGER, TOLLES & OLSON LLP
350 South Grand Avenue
50th Floor
Los Angeles, CA 90071
Telephone: (213) 683-9100

*Counsel for Petitioners Google LLC, Samsung Electronics Co., Ltd.,
Samsung Electronics America, Inc., & Waze Mobile Limited*

April 1, 2022

CERTIFICATE OF INTEREST

Counsel for Petitioners certifies the following:

1. The full name of every party represented by me is:

Google LLC; Samsung Electronics Co., Ltd.; Samsung Electronics America, Inc.; Waze Mobile Limited

2. The names of the real parties in interest represented by me are:

None other than Petitioners.

3. All parent corporations and any publicly held companies that own 10% or more of stock in the parties represented by me are:

Google LLC: Alphabet Inc.; XXVI Holdings Inc.

Samsung Electronics Co., Ltd.: None

Samsung Electronics America, Inc.: Samsung Electronics Co., Ltd.

Waze Mobile Limited: Acrum (Israel) Ltd.; Alphabet Inc.; Google LLC; Google Europe, Middle East and Africa Unlimited Company; Google International LLC; Google Technology Holdings LLC; KHA Technologies Inc.; XXVI Holdings Inc.

4. The names of all law firms and the partners or associates that appeared for the parties now represented by me before the originating court or that are expected to appear in this court (and who have not or will not enter an appearance in this case) are:

O'Melveny & Myers LLP (for all Petitioners): Darin W. Snyder; Luann L. Simmons; David S. Almeling; Mark Liang; Alexander B Parker; Amy Liang; Andrew Bledsoe; Bill Trac; Nancy Schroeder; Sorin Zaharia; Stacy Yae; Will C. Autz.

Mann Tindel & Thompson (for all Petitioners): J. Mark Mann; G. Blake Thompson.

Gillam & Smith, LLP (for Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.): Melissa R. Smith

Baker Botts LLP (for Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.): Neil P. Sirota, Timothy S. Durst,¹ Margaret M. Welsh, Katharine M. Burke, Robert L. Maier.

5. The title and number of any case known to counsel to be pending in this or any other court or agency that will directly affect or be directly affected by this Court's decision in the pending appeal is:

In re Google LLC, No. 22-126 (Fed. Cir.)

6. Organizational Victims and Bankruptcy Cases: Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees) are not applicable because this is not a criminal or bankruptcy case. See Fed. Cir. R. 47.4(a)(6).

DATED: April 1, 2022

By: /s/ Ginger D. Anders

Ginger D. Anders

¹ Since filing his notice of appearance in the trial court, Mr. Durst left Baker Botts LLP and joined O'Melveny & Myers LLP.

TABLE OF CONTENTS

	<u>Page</u>
CERTIFICATE OF INTEREST	i
RELIEF SOUGHT	1
INTRODUCTION	1
ISSUE PRESENTED	4
STATEMENT OF FACTS	5
A. AGIS Sues Google, Samsung, and Waze in EDTX Despite NDCA Being the Center of Gravity for the Actions	5
1. The Parties	6
2. The Witnesses and Sources of Proof	7
B. Petitioners Challenge Venue, and the District Court Delays Deciding Those Motions	10
C. Petitioners File a Mandamus Petition Seeking a Stay, Which Impels the District Court to Rule on the Pending Venue-Transfer Motions	14
REASONS WHY THE WRIT SHOULD ISSUE	17
I. Mandamus Is Warranted Because Petitioners Have Shown That NDCA Is Clearly a More Convenient Venue.....	17
II. The Convenience Factors Show that NDCA Is Clearly More Convenient.....	20
A. Many Third Parties Are Subject to Compulsory Process in NDCA, While No Relevant Witnesses Are Subject to Compulsory Process in EDTX.....	20
B. NDCA Is More Convenient for the Willing Witnesses	23
C. Petitioners’ Sources of Proof Are More Accessible in NDCA.....	27
D. NDCA Has a Strong Local Interest in These Actions, While EDTX Has No Legitimate Local Interest.....	31

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.