

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

HTC CORPORATION and  
HTC AMERICA, INC.,

Plaintiffs,

v.

INNOVATION SCIENCES, LLC

Defendant.

Civil Action No. 4:20-cv-00180-ALM

JURY TRIAL DEMANDED

**DECLARATION OF JAMES D. BERQUIST IN SUPPORT  
OF INNOVATION SCIENCES, LLC'S  
MOTION TO STRIKE OR FOR ALTERNATE RELIEF**

I, James D. Berquist, declare as follows:

1. I am a partner with the law firm of Davidson Berquist Jackson & Gowdey, LLP and serve as counsel to Innovation Sciences LLC ("Innovation") in the above-captioned matter. If called as a witness, I could and would testify competently to each fact stated herein.
2. Attached as **Exhibit 1** is a true and correct copy of an email string between counsel for Innovation and the HTC parties.
3. Attached as **Exhibit 2** is a true and correct copy of the Entry of Appearance in this Action filed on April 1, 2020 by Mr. Philip Ou as counsel for both HTC Corp. and HTC America, Inc.

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

DATED: May 13, 2020

/s/ James D. Berquist  
James D. Berquist