

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

MAXELL, LTD.,

Plaintiff,

v.

ZTE USA INC.,

Defendants.

Case No. 5:16-cv-00179-RWS

JURY TRIAL DEMANDED

**DECLARATION OF SAQIB J. SIDDIQUI IN SUPPORT OF
PLAINTIFF MAXELL, LTD.'S POST-TRIAL MOTIONS AND
RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW**

I, Saqib J. Siddiqui, declare as follows.

1. I am an attorney with the law firm of Mayer Brown LLP. I am admitted to practice in the Eastern District of Texas. I represent Plaintiff Maxell, Ltd. in the above-captioned action.

2. I am submitting this declaration on behalf of Maxell in support of its Post-Trial Motions and Renewed Motion for Judgment as a Matter of Law.

3. I attended the June 18-29, 2018 trial and assisted with witness preparation.

4. Maxell's expert witness for the '794 patent, Dr. Joshua Phinney, was in Texarkana, TX, preparing with Maxell attorneys for his trial testimony (including validity testimony) for a time period that included June 11 through June 17. This work included preparation for testimony on prior art that ZTE then dropped from the case on the day the parties exchanged opening slides.

5. Maxell's expert witness on the '493 and '729 patents, Dr. Vijay Madiseti, was in Texarkana, TX, preparing with Maxell attorneys for his trial testimony (including validity testimony) for a time period that included June 11 through June 17. This work included preparation for testimony on prior art on which Maxell moved for summary judgment of no invalidity, and which ZTE opposed and fully briefed and argued in front of the Court before dropping on June 17. It was Maxell's understanding until June 17 that ZTE would be presenting these invalidity grounds at trial.

6. Maxell's expert witness for the '491 and '695 Patents, Dr. Robert Maher, was in Texarkana, TX, preparing with Maxell attorneys for his trial testimony (including validity testimony) for a time period that included June 11 through his infringement testimony on June 22. work prior to June 11 included preparation for testimony on prior art that was not disclosed in ZTE's invalidity contentions.

7. After his direct testimony, Dr. Maher left and returned to Texarkana, TX, on June 24, 2018, solely to prepare for his rebuttal validity testimony. Dr. Maher prepared with Maxell attorneys for his validity testimony through June 27, 2018.

8. Maxell's expert witness for the '193 patent, Dr. Michael Caloyannides, was in Texarkana, TX, preparing with Maxell attorneys for his trial testimony (including validity testimony) for a time period that included June 12 through June 17. This preparation covered the prior art grounds that ZTE never presented at trial. It was Maxell's understanding until Dr. Ding's testimony that ZTE would be presenting these invalidity grounds at trial.

9. I hereby declare under penalty of perjury that the foregoing statements are true and accurate to the best of my knowledge, information, and belief.

Executed on August 3, 2018.



Saqib J. Siddiqui