

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

MAXELL, LTD.,

Plaintiff,

vs.

APPLE INC.,

Defendant.

Civil Action No. 5:19-cv-00036-RWS

JURY TRIAL DEMANDED

**DECLARATION OF LUANN SIMMONS IN SUPPORT OF DEFENDANT
APPLE INC.'S REPLY IN FURTHER SUPPORT OF ITS OPPOSED MOTION TO
STAY PENDING DECISION ON ITS MOTION TO TRANSFER VENUE PURSUANT
TO 28 U.S.C. § 1404(A)**

I, Luann L. Simmons, hereby declare as follows:

1. I am an attorney at the law firm of O'Melveny & Myers LLP, counsel for Defendant Apple, Inc. ("Apple") in this matter filed by Plaintiff Maxell, Ltd. ("Maxell"). I have personal knowledge of the facts stated herein and if called to testify could and would competently testify thereto.

2. Attached as **Exhibit A** is an excerpt of a true and correct copy of "Maxell, Ltd.'s First Supplemental Objections and Responses to Apple Inc.'s First Set of Interrogatories (NOS. 1-16)" served on October 9, 2019.

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

Executed in San Francisco, California, on this 30th day of October, 2019.

/s/ Luann L. Simmons

Luann L. Simmons