

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

MAXELL, LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 5:19-cv-00036-RWS

JURY TRIAL DEMANDED

PUBLIC VERSION

**DECLARATION OF ALISON T. GELSLEICHTER IN SUPPORT OF
MAXELL, LTD.'S OPPOSITION TO DEFENDANT APPLE INC.'S MOTION
TO STRIKE PORTIONS OF MAXELL'S OPENING EXPERT REPORTS THAT
EXCEED THE SCOPE OF MAXELL'S P.R. 3-1 INFRINGEMENT CONTENTIONS
AND NEW EXPERT THEORIES OFFERED AFTER EXPERT REPORTS**

I, Alison T. Gelslechter, hereby declare and state as follows:

1. I am an attorney at Mayer Brown LLP, counsel for Plaintiff Maxell, Ltd. ("Maxell") in the above-captioned lawsuit. I submit this declaration in support of Maxell's Opposition to Defendant Apple Inc.'s ("Apple") Motion to Strike Portions of Maxell's Opening Expert Reports that Exceed the Scope of Maxell's P.R. 3-1 Infringement Contentions and New Expert Theories Offered After Expert Reports. I have personal knowledge of the statements herein, and, if called to do so, I could and would testify competently as to the same.

2. Attached as Exhibit 1 is a true and correct excerpt from Maxell's Infringement Contentions Pursuant to Patent Local Rules 3-1 and 3-2 served June 12, 2019 and Maxell's Second Supplemental Infringement Contentions Pursuant to Patent Local Rules 3-1 and 3-2 served March 13, 2020 and appendices thereto (collectively, "Infringement Contentions").

3. Attached as Exhibit 2 is a true and correct excerpt from the Initial Expert Report of Vijay Madiseti, Ph.D. Concerning Apple's Infringement of U.S. Patent No. 8,339,493, served May 7, 2020.

4. Attached as Exhibit 3 is a true and correct excerpt from the transcript of the *Markman* Hearing in the instant case dated January 8, 2020.

5. Attached as Exhibit 4 is a true and correct excerpt from the Initial Expert Report of Branimir Vojcic, Ph.D. Concerning Apple's Infringement of U.S. Patent No. 6,408,193, served May 7, 2020.

6. Attached as Exhibit 5 is a true and correct excerpt from the Expert Report of John Crockett Regarding Source Code Relating to Cellular Functionalities, served May 7, 2020.

7. Attached as Exhibit 6 is a true and correct excerpt from the deposition transcript of Tim A. Williams, Ph.D., dated June 25, 2020.

8. Attached as Exhibit 7 is a true and correct copy of a letter from Jamie Beaber to Marc Pensabene dated April 13, 2020.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct and that this Declaration was executed on July 15, 2020 in Washington, D.C.

Dated: July 15, 2020

By: Alison T. Gelsleichter

Alison T. Gelsleichter