

**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

FILED UNDER SEAL

**DECLARATION OF TIFFANY A. MILLER IN SUPPORT OF
MAXELL, LTD.'S REPLY IN SUPPORT OF OPPOSED MOTION TO STRIKE MR.
GUNDERSON'S USE OF OFFERS MADE IN LICENSING NEGOTIATIONS AND
EXCLUDE TESTIMONY REGARDING THE SAME**

I, Tiffany A. Miller, 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 Reply in Support of Opposed Motion to Strike Mr. Gunderson's Use of Offers Made in Licensing Negotiations and Exclude Testimony Regarding the Same. 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 I are true and correct excerpts from the Deposition Transcript of Kenji Nakamura, dated February 21, 2020.

3. Attached as Exhibit J are true and correct excerpts from the Deposition Transcript of Alan Loudermilk, dated April 28, 2020.

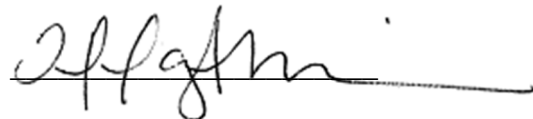
4. Attached as Exhibit K are true and correct excerpts from the Deposition Transcript of Heather Mewes, dated April 15, 2020.

5. Attached as Exhibit L are true and correct excerpts of Maxell, Ltd.'s Third Supplemental Objections and Responses to Apple Inc.'s First Set of Interrogatories, dated March 31, 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 23, 2020 in Washington, D.C.

Dated: July 23, 2020

By:

A handwritten signature in black ink, appearing to read 'Tiffany A. Miller', written over a horizontal line.

Tiffany A. Miller