

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 L. SIMMONS IN SUPPORT OF  
APPLE INC.'S REPLY IN SUPPORT OF ITS RENEWED MOTION TO STAY  
PENDING DETERMINATION OF *INTER PARTES* REVIEW**

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 CC** is a true and correct copy of the Scheduling Order for IPR2020-00199 (U.S. Patent No. 6,329,794) and IPR2020-00204 (U.S. Patent No. 6,928,306), dated June 19, 2020.

3. Attached as **Exhibit DD** is a true and correct copy of the Scheduling Order for IPR2020-00200 (U.S. Patent No. 10,084,991) and IPR2020-00202 (U.S. Patent No. 10,212,586), dated July 21, 2020.

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

Executed in San Francisco, California, on this 25th day of August, 2020.

/s/ Luann L. Simmons

Luann L. Simmons