

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

v.

LG ELECTRONICS, INC. and LG  
ELECTRONICS U.S.A., INC.,

Defendants.

CIVIL ACTION NO. 1:20-CV-00034-ADA

JURY TRIAL DEMANDED

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
and SAMSUNG ELECTRONICS  
AMERICA, INC.,

Defendants.

CIVIL ACTION NO. 1:20-CV-00034-ADA

JURY TRIAL DEMANDED

**DECLARATION OF THOMAS E. GARTEN IN SUPPORT OF DEFENDANTS  
SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG ELECTRONICS  
AMERICA, INC.'S RESPONSE TO PLAINTIFF'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

I, Thomas E. Garten, declare and state as follows:

1. I am over the age of eighteen years, of sound mind, and competent to make this declaration. I am an attorney at the law firm of Covington & Burling LLP and represent Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. ("Samsung") in the above-captioned case. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I would testify competently to these facts.

2. Attached as **Exhibit 21** to this Declaration is a true and correct copy of correspondence to Limelight Networks, Inc. dated July 23, 2020.
3. Attached as **Exhibit 22** to this Declaration is a true and correct copy of an excerpt from email exchanges with counsel for Ancora.
4. Attached as **Exhibit 23** to this Declaration is a true and correct copy of excerpts from the January 14, 2021 and January 15, 2021 deposition of David Martin, Ph.D.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on February 17, 2021, in Oakland, CA.

Dated: February 17, 2021

Respectfully submitted,

/s/ Thomas E. Garten

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