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12 Attorneys for Plaintiff  
13 ACACIA MEDIA TECHNOLOGIES CORPORATION

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION

17 In re ) Case No.05 CV 01114 JW  
18 )  
19 ) **DECLARATION OF ALAN P. BLOCK IN**  
20 ) **SUPPORT OF PLAINTIFF ACACIA**  
21 ) **MEDIA TECHNOLOGIES**  
22 ) **CORPORATION'S OPPOSITION TO**  
23 ) **DEFENDANT ECHOSTAR'S MOTION RE**  
24 ) **EXCEPTIONAL CASE**  
25 )  
26 ) DATE: N/A  
27 ) TIME: N/A  
28 ) CTRM: 8, 4<sup>th</sup> Floor  
 ) JUDGE: Hon. James Ware  
 )

1 I, Alan P. Block, declare and state as follows:

2 1. I am an attorney admitted to practice before the Courts of the State of California. I  
3 am a partner in the law firm of Hennigan, Bennett & Dorman LLP, counsel of record for plaintiff  
4 Acacia Media Technologies, Inc. in this action. I offer this declaration in support of Plaintiff Acacia  
5 Media Technologies, Inc.'s Opposition to Defendant EchoStar's Motion re Exceptional Case.  
6 Except where specifically noted, I have personal knowledge of the facts set forth in this declaration  
7 and could and would testify competently if called as a witness.

8 2. Attached hereto as Exhibit 1 is a true and correct copy of the Notice of Compliance  
9 by Acacia With Case Management Order Narrowing Disputed Claims, Dkt. 281, filed on May 16,  
10 2008.

11 3. Attached hereto as Exhibit 2 is a true and correct copy of: (1) a January 29, 2010  
12 print-out from [http://ieeexplore.ieee.org/xpl/freeabs\\_all.jsp?arnumber=162477](http://ieeexplore.ieee.org/xpl/freeabs_all.jsp?arnumber=162477) showing that the  
13 article entitled "A Store-and-Forward Architecture for Video-On-Demand Service" by Gelman, *et*  
14 *al.* was published in *Communications, 1991, ICC '91, Conference Record, IEEE International*  
15 *Conference* on June 23-26, 1991 and (2) a copy of the article entitled *A Store-and-Forward*  
16 *Architecture for Video-On-Demand Service* by Gelman, *et al.* published in *Communications, 1991,*  
17 *ICC '91, Conference Record, IEEE International Conference* on June 23-26, 1991

18 4. Attached hereto as Exhibit 3 is a true and correct copy of Defendant Coxcom, Inc.'s  
19 Response to Plaintiff's Notice of Pendency of Other Actions, Dkt. 43 in Case No. 04-CV-02308 SI,  
20 filed on August 5, 2004.

21 5. Attached hereto as Exhibit 4 is a true and correct copy of Acacia's Reply to  
22 Defendant Coxcom, Inc.'s Response to Plaintiff's Notice of Pendency of Other Actions, Dkt. 48 in  
23 Case No. 04-CV-02308 SI, filed on August 10, 2004.

24 6. Attached hereto as Exhibit 5 is a true and correct copy of the Joint Order to Show  
25 Cause Re: Relation, Dkt. No. 103 in Case No. 04-CV-02308 SI, filed on October 20, 2004.

26 7. Attached hereto as Exhibit 6 is a true and correct copy of the Clarification of Position  
27 Regarding Acacia Media Technologies Corporation's Motion to Transfer Pursuant to 28 U.S.C.  
28 § 1407, filed with the Judicial Panel on Multidistrict Litigation on November 22, 2004.

