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9 Counsel for Defendant
 10 CEQUEL III COMMUNICATIONS I, LLC
 11 (D/B/A CEBRIDGE CONNECTIONS)

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

15 In re

16 ACACIA MEDIA TECHNOLOGIES
 17 CORPORATION

18 Case No. C 05-01114 JW

19 **DECLARATION OF MITCHELL D.
 20 LUKIN IN SUPPORT OF THE
 21 BILL OF COSTS OF CEQUEL III
 22 COMMUNICATIONS I, LLC
 23 (D/B/A CEBRIDGE CONNECTIONS)**

24 Date: N/A
 25 Time: N/A
 26 Courtroom: 8, 4th Floor
 27 Judge: Hon. James Ware

1 I, Mitchell D. Lukin, hereby declare:

2 1. I am a partner of the law firm Baker Botts L.L.P., counsel of record for defendant
3 Cequel III Communications I, LLC (D/B/A Cebridge Connections) ("Cebridge") in this case.
4 Unless otherwise stated, I have personal knowledge of the matters stated below and, if called as a
5 witness to testify could and would do so.

6 2. This declaration is made pursuant to Locale Rule 54-1(a) and 28 U.S.C. § 1924 in
7 support of Cebridge's bill of costs.

8 3. On October 23, 2009, the Court granted judgment in favor of defendants and against
9 Acacia on all counts.

10 4. Cebridge seeks \$2,067.44 in costs for court reporters. The court reporter fees include
11 preparing transcripts for depositions and hearings before the court. Attached hereto as Exhibit A are
12 true and correct copies of invoices for the court reporter costs incurred by Cebridge. These costs
13 were shared among several defendants, and the costs requested are only those paid by Cebridge.

14 5. Cebridge seeks \$1,464.03 in costs for the court-appointed expert, Rainer W. Schulz.
15 Attached hereto as Exhibit B are true and correct copies of invoices for the special master costs
16 requested by Cebridge. These costs were shared among several defendants, and the costs requested
17 are only those paid by Cebridge.

18 6. All of the costs identified in Cebridge's bill of costs are correctly stated, were
19 necessarily incurred, and are allowable by law.

20 7. I declare under penalty of perjury that the foregoing is true and correct to the best of
21 my knowledge and belief.

22 Executed on November 6, 2009 in Houston, Texas.

23 s/ Mitchell D. Lukin

24 Mitchell D. Lukin

PROOF OF SERVICE

I hereby certify that on November 6, 2009, I caused the foregoing BILL OF COSTS to be filed electronically with the Clerk of Court through ECF, which will send notice of the same to counsel of record for all parties via Court's ECF system.

s/ Mitchell D. Lukin

Mitchell D. Lukin

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