

1 Courtland L. Reichman (SBN 268873)  
 creichman@mckoolsmithhennigan.com  
 2 MCKOOL SMITH HENNIGAN P.C.  
 255 Shoreline Drive, Suite 510  
 3 Redwood Shores, CA 94065  
 Telephone: (650) 394-1400  
 4 Fax: (650) 394-1422

5 Mike McKool (*pro hac vice* application to be filed)  
 mmckool@McKoolSmith.com  
 6 Douglas A. Cawley (*pro hac vice* application to be filed)  
 dcawley@McKoolSmith.com  
 7 Ted Stevenson III (*pro hac vice* application to be filed)  
 tstevenson@mckoolsmith.com  
 8 David Sochia (*pro hac vice* application filed)  
 dsochia@McKoolSmith.com  
 9 300 Crescent Court Suite 1500  
 Dallas, TX 75201  
 10 (214) 978-4000  
 (214) 978-4044 (facsimile)

11 Attorneys for Defendants Rockstar  
 12 Consortium US LP and MobileStar  
 Technologies LLC

13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**  
 15 **OAKLAND DIVISION**

16  
 17 GOOGLE INC., ) Case No. 13-CV-05933 (CW)  
 )  
 18 Plaintiffs, ) **DECLARATION OF JOSHUA BUDWIN**  
 ) **IN SUPPORT OF DEFENDANT**  
 19 vs. ) **ROCKSTAR CONSORTIUM US LP, AND**  
 ) **MOBILESTAR TECHNOLOGIES LLC'S**  
 20 ROCKSTAR CONSORTIUM US LP, and ) **ADMINISTRATIVE MOTION TO FILE**  
 MOBILESTAR TECHNOLOGIES LLC, ) **DOCUMENTS UNDER SEAL**  
 )  
 21 Defendant. )

McKool Smith Hennigan, P.C.  
 255 Shoreline Drive, Suite 510  
 Redwood Shores, CA 94065

1 I, Joshua Budwin, declare:

2 1. I am an attorney with the law firm of McKool Smith P.C., counsel of record for  
3 Defendants Rockstar Consortium US LP and Mobilestar Technologies LLC. (collectively  
4 “Rockstar”) in the above-entitled action. I am duly licensed to practice law in the State of Texas. I  
5 make this declaration based on my personal knowledge, the record in this action, and matters of  
6 public record, and if called upon as a witness, I could and would testify competently as to the  
7 matters set forth below.

8 2. Rockstar is bound by non-disclosure agreements with various non-parties to keep  
9 confidential the information contained in certain portions of Rockstar’s Motion to Dismiss under  
10 Fed. R. Civ. P. 12(b)(2) and 12(b)(3) for Lack of Personal Jurisdiction and Improper Venue and to  
11 Decline Exercising Jurisdiction under the Declaration Judgment Act (hereinafter “Motion to  
12 Dismiss”).

13 3. Rockstar is also bound by non-disclosure agreements with various non-parties to  
14 keep confidential the information contained in certain portions of the Declaration of Afzal Dean in  
15 Support of Rockstar’s Motion to Dismiss.


16 4. Details of Rockstar’s licensing negotiations with non-parties, including the identities  
17 of entities currently negotiating with Rockstar, is sensitive, confidential and proprietary business  
18 information of Rockstar and these non-party entities. Such information is relevant to Rockstar’s  
19 licensing and business strategies. Rockstar and these non-party entities will be harmed by public  
20 disclosure of this information.

21 5. I have served this declaration on the Declaratory Judgment Plaintiff on January 23,  
22 2014 pursuant to Local Rule 79-5(e).

23 6. An unredacted copy of Rockstar’s Motion to Dismiss and Declaration of Afzal Dean  
24 in Support of Rockstar’s Motion to Dismiss is attached hereto with all supporting materials,  
25 including the confidential portions described above.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 23, 2014, at Austin, Texas.



Joshua Budwin