

# EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ROCKSTAR CONSORTIUM US LP AND  
MOBILESTAR TECHNOLOGIES, LLC

Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA, INC.,  
SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC, GOOGLE INC.,

Defendants.



Civil Action No. 13-cv-0900-JRG

**JURY TRIAL DEMANDED**

**DECLARATION OF KRISTIN J. MADIGAN  
IN SUPPORT OF DEFENDANTS’ MOTION TO STAY OR, IN THE ALTERNATIVE,  
TO TRANSFER TO THE NORTHERN DISTRICT OF CALIFORNIA**

I, Kristin J. Madigan, hereby declare as follows:

1. I am Of Counsel at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for defendants. I submit this declaration in support of Defendants' Motion To Stay Or, In The Alternative, To Transfer To The Northern District Of California. I have personal knowledge of the following facts, and would competently testify to them if called upon to do so.

2. Attached hereto as Exhibit 1 is a true and correct copy of Robert McMillan, *How Apple and Microsoft Armed 4,000 Patent Warheads*, Wired Enterprise, May 21, 2012.

3. Attached hereto as Exhibit 2 is a true and correct copy of Joff Wild, *Rockstar CEO says he would not bet against further suits to follow those issued last week*, IAM Magazine, November 4, 2013, available at [http://www.ip-rockstar.com/Press\\_Releases/First%20enforcement%20actions%20%E2%80%93%20Intellectual%20Asset%20Management.pdf](http://www.ip-rockstar.com/Press_Releases/First%20enforcement%20actions%20%E2%80%93%20Intellectual%20Asset%20Management.pdf).

4. Attached hereto as Exhibit 3 is a true and correct copy of the Order Authorizing and Approving (A) The Sale of Certain Patent and Related Assets Free And Clear of All Claims and Interests, (B) The Assumption and Assignment of Certain Executory Contracts, (C) The Rejection of Certain Patent Licenses and (D) The License Non-Assignment and Non-Renewal Protections, *In re Nortel Networks Inc., et al.*, No. 09-10138 (D. Del. July 11, 2011), Docket. No. 5935.

5. Attached hereto as Exhibit 4 is a true and correct copy of a document titled Apple Inc. Form 10-Q Quarterly Report Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 for the quarterly period ended June 25, 2011.

6. Attached hereto as Exhibit 5 is a true and correct copy of the Certificate of Limited Partnership of Rockstar Bidco, LP.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Certificate of Formation of Rockstar Consortium LLC.

8. Attached hereto as Exhibit 7 is a true and correct copy of the Certificate of Limited Partnership of Rockstar Consortium US LP.

9. Attached hereto as Exhibit 8 is a true and correct copy of the Certificate of Formation of MobileStar Technologies LLC.

10. Attached hereto as Exhibit 9 is a true and correct copy of Robert McMillan, *Facebook Infringes My Patents Too, Says CEO Who Just Sued Google*, Wired Enterprise, November 1, 2013.

11. Attached hereto as Exhibit 10 is a true and correct copy of an excerpt from the ip-rockstar.com website page titled "About Rockstar."

12. Attached hereto as Exhibit 11 is a true and correct copy of an excerpt from the ip-rockstar.com website page titled "Innovation."

13. Attached hereto as Exhibit 12 is a true and correct copy of patent assignment record Reel No. 031523, Frame No. 0182-90, from the United States Patent And Trademark Office.

14. Attached hereto as Exhibit 13 is a true and correct copy of an excerpt from the ip-rockstar.com website page titled "Grow together through innovation."

15. Attached hereto as Exhibit 14 is a true and correct copy of a website page from [www.Linkedin.com](http://www.Linkedin.com) for "Rockstar Consortium."

16. Attached hereto as Exhibit 15 is a true and correct copy of website pages from [www.Linkedin.com](http://www.Linkedin.com) for thirty-three individuals who include "Rockstar Consortium" as their current employer.

17. Attached hereto as Exhibit 16 is a true and correct copy of Joff Wild, *Star Man*, Intellectual Asset Management, July/August 2013, available at [http://www.ip-rockstar.com/Press\\_Releases/IAM%20Rockstar%20Article%20JulyAugust%202013.pdf](http://www.ip-rockstar.com/Press_Releases/IAM%20Rockstar%20Article%20JulyAugust%202013.pdf).

18. Attached hereto as Exhibit 17 is a true and correct copy of a website page from [www.Linkedin.com](http://www.Linkedin.com) for Mark Wilson, as accessed on December 19, 2013.

19. Attached hereto as Exhibit 18 is a true and correct copy of a website page from [www.Linkedin.com](http://www.Linkedin.com) for Mark Wilson.

20. Attached hereto as Exhibit 19 is a true and correct copy of a website page from [www.Linkedin.com](http://www.Linkedin.com) for Michael Dunleavy.

21. Attached hereto as Exhibit 20 is a true and correct copy of an excerpt from the ip-rockstar.com website page titled "Corporate Leaders."

22. Attached hereto as Exhibit 21 is a true and correct copy of Exhibits Q-U to Docket No. 1, *Charter Communications v. Rockstar et. al.*, No. 14-0055 (D. Del. Jan. 17, 2014).

23. Attached hereto as Exhibit 22 is a true and correct copy of a website page from [www.Linkedin.com](http://www.Linkedin.com) for Don Lindsay.

24. Attached hereto as Exhibit 23 is a true and correct copy of excerpts from the following websites:

[www.finnegan.com](http://www.finnegan.com)

[www.fisherbroyles.com](http://www.fisherbroyles.com)

[www.foley.com](http://www.foley.com)

[www.harrityllp.com](http://www.harrityllp.com)

[www.massbbo.org](http://www.massbbo.org)

25. Attached hereto as Exhibit 24 is a true and correct copy of Joff Wild, *Rockstar getting ready to roll . . .*, Intellectual Asset Management, February 19, 2012.

26. Attached hereto as Exhibit 25 is a true and correct copy of a website page from [www.Linkedin.com](http://www.Linkedin.com) for Chris Cianciolo.

27. Attached hereto as Exhibit 26 is a true and correct copy of a table from [www.uscourts.gov](http://www.uscourts.gov) titled “U.S. District Courts—Median Time Intervals From Filing to Disposition of Civil Cases Terminated, by District and Method of Disposition, During the 12-Month Period Ending June 30, 2013.”

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 21, 2014, at San Francisco, California.

*/s/ Kristin J. Madigan*  
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Kristin J. Madigan

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on March 21, 2014.

*/s/ J. Mark Mann*

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J. Mark Mann