

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

APPLE INC., NeXT SOFTWARE, INC.,  
f/k/a/ NeXT COMPUTER, INC.,

Plaintiffs,

v.

HIGH TECH COMPUTER CORP., a/k/a HTC  
CORP., HTC (B.V.I.) CORP., HTC  
AMERICA, INC., EXEDEA, INC.,

Defendants.

C.A. No. 10-166-RK

**REDACTED –  
PUBLIC VERSION**

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APPLE, INC.,

Plaintiff,

v.

HIGH TECH COMPUTER CORP., a/k/a HTC  
CORP., HTC (B.V.I.) CORP., HTC  
AMERICA, INC., and EXEDEA, INC.,

Defendants.

C.A. No. 10-167-RK

**REDACTED –  
PUBLIC VERSION**

**DECLARATION OF KAREN L. PASCALE IN SUPPORT OF  
REPLY BRIEF OF DEFENDANTS HIGH TECH COMPUTER CORP., a/k/a HTC  
CORP., HTC (B.V.I.) CORP., HTC AMERICA, INC., AND EXEDEA, INC. IN SUPPORT  
OF MOTION TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404**

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*Attorneys for Defendants High Tech Computer  
Corp., a/k/a HTC Corp., HTC (B.V.I.) Corp.,  
HTC America, Inc., and Exedeia, Inc.*

June 9, 2010

Redacted Version: June 18, 2010

I, Karen L. Pascale, declare as follows:

1. I am an attorney licensed to practice law in the State of Delaware and am Special Counsel of the law firm of Young Conaway Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, Wilmington, DE 19801, counsel to Defendants in this case. I have personal knowledge of the facts set forth in this declaration and if called as a witness, I could testify competently thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of Apple Inc.'s Motion to Transfer Venue to the Northern District of California Pursuant to 28 U.S.C. § 1404(A) filed in *Harvey v. Apple Inc.*, E.D. Tex. C.A. No. 2:07-CV-327-TJW-CE on July 7, 2009.

3. Attached hereto as Exhibit 2 is a true and correct copy of the Civil Cover Sheet from C.A. No. 10-166-RK (D.I. 1-6), filed on March 2, 2010.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Civil Cover Sheet from C.A. No. 10-167-RK (D.I. 1-1), filed on March 2, 2010.

5. Attached hereto as Exhibit 4 are true and correct copies of page one to Apple Inc.'s Answer, Defenses, and Counterclaims filed in *Nokia Corporation v. Apple Inc.*, C.A. No. 09-791-GMS, showing a filing date of December 11, 2009, and page one to Apple Inc.'s Answer, Defenses, and Counterclaims filed in *Nokia Corporation v. Apple Inc.*, C.A. No. 09-1002-GMS, showing a filing date of February 24, 2010.

6. Attached hereto as Exhibit 5 is a true and correct copy of Complainants Apple Inc. and NeXT Software Inc.'s Combined Opposition to the Staff's, Nokia's and HTC's Motions for Consolidation, filed in ITC Inv. Nos. 337-TA-704 and 337-TA-710 on April 21, 2010.

7. Attached hereto as Exhibit 6 is a true and correct copy of relevant excerpts of the deposition testimony of Brian Ong, taken on May 4, 2010.

8. Attached hereto as Exhibit 7 is a true and correct copy of relevant excerpts of the deposition testimony of Andrew Rubin, taken on May 11, 2010.

9. Attached hereto as Exhibit 8 is a true and correct copy of Order No. 5: Granting the Commission Investigative Staff's Motion for Partial Consolidation of Investigation Nos. 335-TA-704 and 337-TA-710 and Denying Nokia's Motion for Full Consolidation, filed in ITC Inv. No. 337-TA-704 on April 26, 2010.

10. Attached hereto as Exhibit 9 is a true and correct copy of the Commission Investigative Staff's Memorandum in Support of its Motion for Partial Consolidation of Investigation Nos. 337-TA-704 and 337-TA-710, filed in ITC Inv. Nos. 337-TA-704 and 337-TA-710 on April 13, 2010.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 9, 2010.

*/s/ Karen L. Pascale*

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**CERTIFICATE OF SERVICE**

I, Karen L. Pascale, Esquire, hereby certify that on June 18, 2010, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification of such filing to the following counsel of record:

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I further certify that on June 18, 2010, I caused a copy of the foregoing document to be served by e-mail on the above-listed counsel and on the following non-registered participants in the manner indicated:

**By E-Mail**

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