

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

NOKIA CORPORATION,

Plaintiff,

v.

APPLE INC.

Defendant.

C.A. No. 09-791 GMS

---

NOKIA CORPORATION,

Plaintiff,

v.

APPLE INC.

Defendant.

C.A. No. 09-1002 GMS

*Caption continued on next page*

**DECLARATION OF KAREN L. PASCALE IN SUPPORT OF  
HIGH TECH COMPUTER CORP., A/K/A HTC CORP., HTC (B.V.I.) CORP.,  
HTC AMERICA, INC., AND EXEDEA, INC.'S  
ANSWERING BRIEF IN OPPOSITION TO APPLE INC. AND NEXT SOFTWARE,  
INC.'S MOTION FOR CONSOLIDATION OF THE CAPTIONED CASES**

*Of Counsel:*

Robert A. Van Nest  
Leo L. Lam  
Ashok Ramani  
Eugene M. Paige  
Ajay S. Krishnan  
John C. Bostic  
KEKER & VAN NEST LLP  
710 Sansome Street  
San Francisco, CA 94111-1704  
(415) 391-5400

John W. Shaw (#3362) jshaw@ycst.com  
Karen L. Pascale (#2903) kpascale@ycst.com  
YOUNG CONAWAY STARGATT & TAYLOR LLP  
The Brandywine Building  
100 West Street, 17<sup>th</sup> Floor  
Wilmington, DE 19899-0391  
(302) 571-6600  
*Attorneys for Defendants High Tech Computer  
Corp., a/k/a HTC Corp., HTC (B.V.I.) Corp.,  
HTC America, Inc., and Exedeia, Inc.*

Dated: June 21, 2010

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

---

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

---

*Caption continued from previous page*

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 complete list of the patents asserted by Apple and Nokia in the four captioned cases, C.A. Nos. 09-1002-GMS, 09-791-GMS, 10-167-RK, and 10-166-RK

3. Attached hereto as Exhibit 2 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.

4. Attached hereto as Exhibit 3 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.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 21, 2010.

*/s/ Karen L. Pascale*

---

Karen L. Pascale (#2903) [kpascale@ycst.com]  
YOUNG CONAWAY STARGATT & TAYLOR LLP  
The Brandywine Building  
1000 West Street, 17th Floor  
Wilmington, DE 19801  
Telephone: (302) 571-6600

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

**CERTIFICATE OF SERVICE**

I, Karen L. Pascale, Esquire, hereby certify that on June 21, 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:

Richard K. Herrmann [rherrmann@morrisjames.com]  
Mary B. Matterer [mmatterer@morrisjames.com]  
MORRIS JAMES LLP  
500 Delaware Avenue, Suite 1500  
Wilmington, DE 19801  
*Attorneys for Apple, Inc. and NeXT Software, Inc. in C.A. Nos. 10-166 and 167-RK*

Jack B. Blumenfeld [jblumenfeld@mnat.com]  
Rodger D. Smith II [rsmith@mnat.com]  
MORRIS NICHOLS ARSHT & TUNNELL LLP  
1201 North Market Street  
Wilmington, DE 19801  
*Attorneys for Nokia Corporation and Nokia Inc. in C.A. Nos. 09-791 and 1002-GMS*

Richard L. Horwitz [rhorwitz@potteranderson.com]  
David E. Moore [dmoore@potteranderson.com]  
POTTER ANDERSON & CORROON LLP  
Hercules Plaza, 6th Floor  
1313 N. Market Street  
Wilmington, DE 19801  
*Attorneys for Apple, Inc. in C.A. Nos. 09-791 and 1002-GMS*

I further certify that on June 21, 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**

Robert G. Krupka [bob.krupka@kirkland.com]  
KIRKLAND & ELLIS LLP  
333 Hope Street  
Los Angeles, CA 90071  
*Attorneys for Apple, Inc. and NeXT Software, Inc. in C.A. Nos. 10-166 and 167-RK*

Gregory S. Arovas [greg.arovas@kirkland.com]  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, NY 10022  
*Attorneys for Apple, Inc. and NeXT Software, Inc. in C.A. Nos. 10-166 and 167-RK*

Bryan S. Hales [bryan.hales@kirkland.com]  
Marcus E. Sernel [marc.sernel@kirkland.com]  
James A. Shimota [jshimota@kirkland.com]  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, IL 60654  
*Attorneys for Apple, Inc. and NeXT Software, Inc. in C.A. Nos. 10-166 and 167-RK*

Kenneth H. Bridges [kbridges@WongCabello.com]  
Michael T. Pieja [mpieja@WongCabello.com]  
Brian C. Kwok [bkwok@WongCabello.com]  
WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI LLP  
540 Cowper Street, Suite 100  
Palo Alto, CA 94301  
*Attorneys for Apple, Inc. and NeXT Software, Inc. in C.A. Nos. 10-166 and 167-RK*

Patrick J. Flinn [patrick.flinn@alston.com]  
John D. Haynes [john.haynes@alston.com]  
ALSTON & BIRD LLP  
One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309  
*Attorneys for Nokia Corporation and Nokia Inc. in C.A. Nos. 09-791 and 1002-GMS*

Alan L. Whitehurst [alan.whitehurst@alston.com]  
ALSTON & BIRD LLP  
The Atlantic Building  
950 F. Street, N.W.  
Washington, DC 20004-1404  
*Attorneys for Nokia Corporation and Nokia Inc. in C.A. Nos. 09-791 and 1002-GMS*

William F. Lee [william.lee@wilmerhale.com]  
WILMER HALE  
60 State Street  
Boston, MA 02109  
*Attorneys for Apple, Inc. in C.A. Nos. 09-791 and 1002-GMS*

Mark D. Selwyn [mark.selwyn@wilmerhale.com]  
WILMER HALE  
1117 California Avenue  
Palo Alto, CA 94304  
*Attorneys for Apple, Inc. in C.A. Nos. 09-791 and 1002-GMS*

YOUNG CONAWAY STARGATT & TAYLOR LLP

*/s/ Karen L. Pascale*

---

John W. Shaw (#3362) [jshaw@ycst.com]  
Karen L. Pascale (#2903) [kpascale@ycst.com]  
The Brandywine Building  
1000 West Street, 17th Floor  
Wilmington, DE 19801  
(302) 571-6600

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