

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 1:10-CIV-24063-MORENO

_____	)
MOTOROLA MOBILITY, INC.,	)
	)
Plaintiff,	)
	)
vs.	)
	)
MICROSOFT CORPORATION,	)
	)
Defendant.	)
_____	)

**DECLARATION OF CURTIS B. MINER IN SUPPORT  
OF MICROSOFT’S MOTION TO TRANSFER VENUE**

1. My name is Curtis B. Miner. I am a partner at the law firm of Colson Hicks Eidson, and counsel of record for Microsoft Corporation (“Microsoft”) in this matter. I am competent to testify to all of the facts herein.

2. Attached hereto as Exhibit 1 is the complaint brought by Microsoft against Motorola Mobility, Inc. (“Motorola”) in the Western District of Washington, under the case number 10-cv-1577.

3. Attached hereto as Exhibit 2 is the stipulation by the parties in WDWA-1577 to stay the proceedings pending a final determination of the United States International Trade Commission in *In the Matter of Certain Mobile Devices, Associated Software, and Components Thereof*, Investigation No. 337-TA-744.

4. Attached hereto as Exhibit 3 is the complaint brought by Microsoft against Motorola in the Western District of Washington, under the case number 10-cv-01823.

5. Attached hereto as Exhibit 4 is a complaint brought by Motorola against Microsoft in the Western District of Wisconsin, under the case number 10-cv-699.

6. Attached hereto as Exhibit 5 is a complaint brought by Motorola against Microsoft in the Western District of Wisconsin, under the case number 10-cv-700.

7. Attached hereto as Exhibit 6 is a complaint brought by Motorola against Microsoft in the Western District of Wisconsin, under the case number 10-cv-826.

8. Attached hereto as Exhibit 7 is the WDWA-343 Transfer Order of case number 3:10-cv-00699-bbc in the Western District of Wisconsin.

9. Attached hereto as Exhibit 8 is the WDWA-595 Transfer Order of case number 3:10-cv-00826-bbc in the Western District of Wisconsin.

10. Attached hereto as Exhibit 9 is the “Opening Brief in Support of Defendant’s Motion to Dismiss Or To Sever and Transfer Claims in Plaintiff’s Amended Complaint Based on Patents At Issue In An Earlier-Filed Delaware Action” in *Apple Inc. v. Motorola, Inc.*, No. 3:10-cv-662 (W.D. Wis. Dec. 23, 2010).

11. Attached hereto as Exhibit 10 is the January 14, 2011, “Transcript of Planning & Scheduling Conference” in the case of *Motorola Mobility, Inc. v. Apple, Inc.*, Case No. 10-23580-Civ-UNGARO (S.D. Fla.).

12. Attached hereto as Group Exhibit 11 are the first pages of each of Microsoft’s patents-in-suit, which identify the seventeen inventors of the Microsoft patents-in-suit and their locations. The patents-in-suit were attached to Microsoft’s Answer, Affirmative Defenses and Counterclaim in this litigation.

13. Attached hereto as Group Exhibit 12 are the first pages of each of Motorola's patents-in-suit, which identify the sixteen inventors of the Motorola patents-in-suit and their locations. The patents-in-suit were attached to Motorola's Complaint in this litigation.

14. Attached hereto as Exhibit 13 is Motorola's Initial Disclosures in this litigation ("Initial Disclosures").

15. Attached hereto as Group Exhibit 14 are the April 26, 2011 subpoena for Research in Motion Corporation, the May 10, 2011 subpoena for HTC America, Inc., the April 20, 2011 subpoena for NTI Corporation and the April 20, 2011 subpoena for Acer America. These are the only third-party witnesses subpoenaed thus far in this litigation.<sup>1</sup>

16. Attached hereto as Group Exhibit 15 are the notices of deposition Motorola has served in this case.

17. Attached hereto as Exhibit 16 is Motorola's Initial Disclosures in the Western District of Wisconsin, under the case number 3:10-cv-826.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 17<sup>th</sup> day of May, 2011, at Coral Gables, Florida.

/s/ Curtis B. Miner  
Curtis B. Miner

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<sup>1</sup> The subpoenas attached the parties' agreed motion for a protective order and related documents. Because those materials are not necessary to the resolution of this motion, those particular documents have not been reattached to this Declaration.