

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

**NORTHEASTERN UNIVERSITY and
JARG CORPORATION**

Plaintiffs,

v.

GOOGLE INC.

Defendant.

Civil Action No. 2:07-CV-486-CE

Jury Trial Demand

Oral Argument Requested

**DECLARATION OF JERRY T. YEN IN SUPPORT OF
DEFENDANT GOOGLE INC.'S REPLY IN SUPPORT OF ITS MOTION FOR
SUMMARY JUDGMENT OF INVALIDITY FOR LACK OF WRITTEN
DESCRIPTION AND FAILURE TO DISCLOSE THE BEST MODE**

I, Jerry T. Yen, declare and state as follows:

1. I am an attorney licensed to practice law in the State of California and admitted to the Eastern District of Texas. I am an attorney at the law firm of Fish & Richardson P.C., counsel in this action for Google Inc. in this case and one of the attorneys responsible for working on this case. I have personal knowledge of the matters stated in this declaration and would testify to them under oath if called upon to do so.

2. Attached as Exhibit K is a true and correct copy of an April 2011 email string between Google's counsel and counsel for Plaintiffs, Michael Valek, re *Super Sack* letter for Mustang and Index Server on all claims of the patent.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 6th day of April, 2011 in Marshall, Texas.

By: /s/ Jerry T. Yen
Jerry T. Yen

50772873.doc