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

VERTICAL COMPUTER SYSTEMS, INC., 8 Plaintiff, § § § v. § CIVIL ACTION NO. 2:10-CV-490 TJW INTERWOVEN, INC., LG ELECTRONICS § MOBILECOMM U.S.A., INC., LG § **ELECTRONICS INC., SAMSUNG** § § § ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., Defendants.

DECLARATION OF JULIAN MOORE

- I, Julian Moore, declare as follows:
- 1. I am an associate with the law firm of Weil, Gotshal & Manges LLP, counsel of record for Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung") in the above-captioned action. I submit this declaration in support of Samsung's Motion to Dismiss, Stay, or Transfer.
- 2. Attached hereto as Exhibit A is a true and correct copy of Judge Seeborg's Order Denying: (1) Plantiff's Motion to Enjoin; and (2) Defendant's Motion to Transfer or Dismiss, filed on January 24, 2011 in the Northern District of California, Case No. 3:10-cv-04645-RS (*Interwoven, Inc. v. Vertical Computer Sys., Inc.*).
- 3. Attached hereto as Exhibit B is a true and correct copy of Interwoven's complaint, filed on October 14, 2010 in the Northern District of California, Case No. 3:10-cv-04645-RS (*Interwoven, Inc. v. Vertical Computer Sys., Inc.*).

- 4. Attached hereto as Exhibit C is a true and correct copy of Samsung's complaint, filed on January 12, 2011 in the Northern District of California, Case No. 3:11-cv-00189-RS (*Samsung Elec. Co. Ltd. et al. v. Vertical Computer Sys., Inc.*).
- 5. Attached hereto as Exhibit D is a true and correct copy of Judge Seeborg's Order Relating Cases C 10-04645 and 11-00189, filed on January 21, 2011 in the Northern District of California, Case No. 3:10-cv-04645-RS (*Interwoven, Inc. v. Vertical Computer Sys.*, *Inc.*).
- 6. Attached hereto as Exhibit E is a true and correct copy of Hoover's Company Overview of LG Electronics Mobilecomm USA, Inc.
- 7. Attached hereto as Exhibit F is a true and correct copy of Vertical's Memorandum in Support of its Motion to Transfer Venue, or in the Alternative, to Dismiss Interwoven's Complaint for Declaratory Judgment, filed by Vertical on December 7, 2010, in the Northern District of California, Case No. 3:10-cv-04645-RS (*Interwoven, Inc. v. Vertical Computer Sys., Inc.*).
- 8. Attached hereto as Exhibit G is a true and correct copy of Vertical's Claim Chart for the Android Framework, alleging infringement of US 6,826,744, by Samsungs' Android-Powered Smartphones and Tablet Computers.
- 9. Attached hereto as Exhibit H is a true and correct copy of Vertical's Claim Chart for the Android Framework, alleging infringement of US 7,716,629, by Samsungs' Android-Powered Smartphones and Tablet Computers.

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

Executed on February 25, 2011

Julian Moore