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

LODSYS, LLC,

CIVIL ACTION NO. 2:11-cv-272-TJW

Plaintiff

HEARING REQUESTED

v.

ATARI INTERACTIVE, INC.;
COMBAY, INC.;
ELECTRONIC ARTS, INC.;
ICONFACTORY, INC.;
ILLUSION LABS AB;
MICHAEL G. KARR D/B/A SHOVELMATE;
QUICKOFFICE, INC.;
ROVIO MOBILE LTD.;
RICHARD SHINDERMAN;
SQUARE ENIX LTD.;
TAKE-TWO INTERACTIVE SOFTWARE,
INC.,

Defendants.

NOTICE OF SUPPLEMENTAL DECLARATION OF JONATHAN C. SANDERS IN FURTHER SUPPORT OF APPLE INC.'S MOTION TO INTERVENE

Intervenor Apple Inc. ("Apple") hereby files this Notice of Supplemental Declaration of Jonathan C. Sanders in Further Support of Apple Inc.'s Motion to Intervene.

Dated: July 26, 2011 Respectfully submitted,

By _/s/Melissa Richards Smith
Melissa Richards Smith
Texas State Bar No. 24001351
GILLAM & SMITH, L.L.P
303 South Washington Avenue
Marshall, Texas 75670

Telephone: (903) 934-8450 Facsimile: (903) 934-9257

E-mail: melissa@gillamsmithlaw.com

GEORGE M. NEWCOMBE gnewcombe@stblaw.com JONATHAN C. SANDERS jsanders@stblaw.com SIMPSON THACHER & BARTLETT LLP 2550 Hanover Street Palo Alto, California 94304 Telephone: (650) 251-5000 Facsimile: (650) 251-5002

Attorneys for Intervenor APPLE INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this the 26th day of July, 2011, the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/Melissa Richards Smith Melissa Richards Smith