

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

**ROCKSTAR CONSORTIUM US LP  
AND NETSTAR TECHNOLOGIES  
LLC,**

**Plaintiff,**

**v.**

**GOOGLE INC.,**

**Defendant.**

**Civil Action No. 2:13-cv-893**

**JURY TRIAL DEMANDED**

**DECLARATION OF AMANDA K. BONN IN SUPPORT OF  
PLAINTIFFS' MOTION TO COMPEL DISCOVERY FROM GOOGLE INC.**

I, Amanda K. Bonn, declare as follows:

1. I am a member in good standing of the California State Bar.
2. I am an attorney at the law firm of Susman Godfrey L.L.P., and I am counsel of record for Plaintiffs Rockstar Consortium US LP and NetStar Technologies LLC (collectively "Plaintiffs") in this action. I submit this declaration in support of Plaintiffs' Motion to Compel Discovery from Google Inc.
3. The parties' meet-and-confer efforts concerning Plaintiffs' document requests included an in-person meeting of lead and lead local counsel for both parties on July 10, 2014 that lasted several hours. In addition, the parties prepared for the in-person meet-and-confer with multi-hour telephone calls on July 8, 2014, and July 9, 2014. The parties also followed up on the in-person meet-and-confer with a further telephone call on August 1, 2014. In addition to the

above telephonic and in-person meet-and-confer efforts, the parties further exchanged voluminous correspondence as reflected in the exhibits below.

4. During a telephonic meet-and-confer over Plaintiffs' document requests, counsel for Google Inc. indicated they did not believe "Quality Score" was implicated by Plaintiffs' Preliminary Infringement Contentions because a word search of the PDFs failed to indicate the words "Quality Score" appeared in the document. Plaintiffs' Preliminary Infringement Contentions indeed show "Quality Score" is accused; however, due to the fact that screen captures from Google's websites are used in the charts, a word search would not be expected to result in hits for that term.

5. During the parties' meet-and-confer efforts, Google Inc. objected to producing information from Google's dashboards because it would be unduly burdensome. Plaintiffs requested that Google Inc. provide further information regarding its dashboards so that they could refine their requests and avoid unduly burdening Google Inc. Instead, Google Inc. refused to provide such information other than via an interrogatory response, which further delayed the meet-and-confer process.

6. In jointly moving the Court for entry of an e-discovery Order, Google Inc. took the position that it need only conduct a general search of central repositories for responsive ESI and that custodial documents (whether ESI or e-mail) should be subject to limits on the number of custodians and search terms. Plaintiffs, by contrast, argued that the Model Order only imposed custodial and search term limits for e-mail and not for other forms of ESI. The Court adopted an e-discovery Order largely tracking Plaintiffs' proposal, ordering limits for custodians and search terms only as to e-mail and not to other forms of custodial ESI.

7. Google Inc. has taken the position that senior executives including Larry Page, Salar Kamangar, Susan Wojcicki, Sridhar Ramaswamy, and Nikesh Arora are unlikely to have “relevant, non-duplicative emails” as compared to more junior Google Inc. employees. Similarly, Google has not included any members of its Executive Management Group in its disclosure of significant e-mail custodians and has taken the position that such custodians need not be searched for non-email ESI.

8. Attached as **Exhibit 1** is a true and correct copy of a letter from counsel for Plaintiffs to counsel for Google Inc. requesting the production of documents, dated April 30, 2014.

9. Attached as **Exhibit 2** is a true and correct copy of a letter from counsel for Google Inc. to counsel for Plaintiffs responding to Plaintiffs’ document requests, dated June 18, 2014.

10. Attached as **Exhibit 3** is a true and correct copy of a letter from counsel for Plaintiffs to counsel for Google Inc. regarding Plaintiffs’ document requests and Google Inc.’s objections thereto, dated July 1, 2014.

11. Attached as **Exhibit 4** is a true and correct copy of an email from counsel for Plaintiffs to counsel for Google Inc. regarding the parties’ meet-and-confer efforts, dated July 9, 2014.

12. Attached as **Exhibit 5** is a true and correct copy of an email from counsel for Plaintiffs to counsel for Google Inc. regarding the parties’ meet-and-confer efforts, dated July 10, 2014.

13. Attached as **Exhibit 6** is a true and correct copy of is a true and correct copy of is a true and correct copy of a letter from counsel for Google Inc. to counsel for Plaintiffs regarding the parties' meet-and-confer efforts, dated July 16, 2014.

14. Attached as **Exhibit 7** is a true and correct copy of an email from counsel for Plaintiffs to counsel for Google Inc. regarding the parties' meet-and-confer efforts, dated July 25, 2014.

15. Attached as **Exhibit 8** is a true and correct copy of a letter from counsel for Google Inc. to counsel for Plaintiffs regarding the parties' meet-and-confer efforts, dated July 29, 2014.

16. Attached hereto as **Exhibit 9** is a true and correct copy of a letter from counsel for Google Inc. to counsel for Plaintiffs dated August 6, 2014.

17. Attached hereto as **Exhibit 10** is a true and correct copy of Plaintiffs' Preliminary Infringement Contentions, dated March 24, 2014.

18. Attached hereto as **Exhibit 11** is a true and correct copy of Exhibit B to Plaintiffs' Preliminary Infringement Contentions charting U.S. Patent No. 7,236,969 against the Accused Instrumentalities.

19. Attached hereto as **Exhibit 12** is a true and correct copy of Exhibit C to Plaintiffs' Preliminary Infringement Contentions charting U.S. Patent No. 7,469,245 against the Accused Instrumentalities.

20. Attached hereto as **Exhibit 13** is a true and correct copy of Exhibit D to Plaintiffs' Preliminary Infringement Contentions charting U.S. Patent No. 7,672,970 against the Accused Instrumentalities.

21. Attached hereto as **Exhibit 14** is a true and correct copy of Exhibit E to Plaintiffs' Preliminary Infringement Contentions charting U.S. Patent No. 7,895,178 against the Accused Instrumentalities.

22. Attached hereto as **Exhibit 15** is a true and correct copy of Exhibit F to Plaintiffs' Preliminary Infringement Contentions charting U.S. Patent No. 7,895,183 against the Accused Instrumentalities.

23. Attached hereto as **Exhibit 16** is a true and correct copy of Exhibit G to Plaintiffs' Preliminary Infringement Contentions charting U.S. Patent No. 7,933,883 against the Accused Instrumentalities.

24. Attached hereto as **Exhibit 17** is a true and correct copy of certain demonstrative exhibits from the trial in I/P Engine, Inc. v. AOL, Inc., et al., No. 11-cv-512 (E.D. Va.).

25. Attached hereto as **Exhibit 18** is a true and correct copy of a Reuters.com article titled "Google, Samsung, Huawei sued over Nortel patents," dated October 31, 2013, and accessed online on August 18, 2014, at <http://www.reuters.com/assets/print?aid=USBRE99UIEN20131031>.

26. Attached hereto as **Exhibit 19** is a true and correct copy of a print-out from Google Inc.'s website regarding the company's founding, accessed online on August 18, 2014, at <https://www.google.com/about/company>.

27. Attached hereto as **Exhibit 20** is a true and correct copy of a print-out from Google Inc.'s website regarding AdSense for content, accessed online on August 18, 2014, at <https://support.google.com/adsense/answer/17470?hl=en>.

28. Attached hereto as **Exhibit 21** is a true and correct copy of an email from counsel for Google Inc. to counsel for Plaintiffs dated August 18, 2014.

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

Signed this 18th day of August 18, 2014, at Los Angeles, California

/s/ Amanda K. Bonn  
Amanda K. Bonn

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served this 18th day of August, 2014 with a copy of this document and Exhibits 1-21 hereto via the Court's CM/ECF system per Local Rule CD-5(a)(3).

/s/ Amanda K. Bonn  
Amanda K. Bonn