

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

ROCKSTAR CONSORTIUM US LP)
AND NETSTAR TECHNOLOGIES LLC,)

Plaintiffs,)

v.)

GOOGLE INC.)

Defendant.)

Civil Action No. 13-cv-00893-RG

JURY TRIAL DEMANDED

DECLARATION OF MICHELLE ERNST IN SUPPORT OF GOOGLE INC.'S
UNOPPOSED MOTION FOR ISSUANCE OF LETTER ROGATORY TO KSHITIJ
BHATIA

I, Michelle Ernst, declare as follows:

1. I am an attorney at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Defendant Google Inc. (“Google”) in this matter. I have personal knowledge of the facts stated herein and if called to testify could and would competently testify thereto.

2. Attached as Exhibit 1 is a true and correct copy of the October 31, 2013 Complaint for Patent Infringement.

3. Attached as Exhibit 2 is a true and correct copy of Google’s January 10, 2014 Answer to Plaintiffs’ Complaint for Patent Infringement.

4. Attached as Exhibits 3-9 are true and correct copies of the patents-in-suit, U.S. Patent Nos. 6,098,065; 7,236,969; 7,469,245; 7,672,970; 7,895,178; 7,895,183; and 7,933,883.

5. Attached as Exhibit 10 is a true and correct copy of Rockstar’s Initial Disclosures.

6. Attached as Exhibit 11 is a true and correct copy of the Court’s May 13, 2014 Docket Control Order.

7. Prior to the September 16, 2014 deadline to substantially complete document discovery, Rockstar had only produced about 10,000 pages of documents relating to conception and reduction to practice, and the file histories of the patents-in-suit. On September 16, 2014 Rockstar started to produce documents related to the Nortel auction.

8. On August 6, 2014, Google served document subpoenas pursuant to Federal Rule of Civil Procedure 45 on Lazard and three former Lazard employees currently residing in the United States: David Descoteaux, Colin Keenan, and Justin Lux.

9. On August 20 and August 26, 2014, counsel for Lazard, Mr. Arthur Ruegger at the law firm, Dentons, advised that he would also be representing Messieurs Descoteaux, Keenan, and Lux in connection with Google’s Subpoenas.

10. On August 27, 2014, Mr. Ruegger further advised that he would likely be able to accept service of a Rule 45 Subpoena on behalf of Mr. Bhatia as well, pending final confirmation from Lazard.

11. On September 15, 2014, Mr. Ruegger advised that he would not be able to accept service on behalf of Mr. Bhatia.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed October 20, 2014 in New York, New York.



Michelle Ernst