

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

MIRROR WORLDS, LLC,

Plaintiff,

v.

APPLE INC.

Defendant.

Civil Action No. 6:08-CV-88 LED

JURY TRIAL DEMANDED

APPLE INC.,

Counterclaim Plaintiff,

v.

MIRROR WORLDS, LLC,
MIRROR WORLDS TECHNOLOGIES, INC.,

Counterclaim Defendants.

**DECLARATION OF ALEXANDER SOLO IN SUPPORT OF
MIRROR WORLDS, LLC'S OPPOSITION TO APPLE INC.'S MOTION TO STRIKE
THE UNTIMELY SUPPLEMENTAL EXPERT REBUTTAL REPORT OF JOHN LEVY,
PH.D. REGARDING VALIDITY AND TO PRECLUDE DR. LEVY FROM TESTIFYING
AT TRIAL ABOUT HIS NEW OPINIONS**

I, Alexander Solo, declare as follows:

1. I am one of the attorneys representing Mirror Worlds, LLC ("Mirror Worlds") in the above-captioned case.

2. During the end of July and beginning of August, 2010, I was involved in a series of discussions between Mirror Worlds' counsel and Apple's counsel. During these conferences, the parties agreed that Mirror Worlds would withdraw its Motion to Preclude

Apple's Amended Invalidity Contentions to Strike Portions of the Expert Report of Steven K. Feiner, Ph.D Regarding Invalidity (D.I. 196) and Apple would identify a reduced amount of prior art references that it would assert at trial and would withdraw Apple's Motion to Strike the Surprise Expert Reports of John Levy, Ph.D. on the Purported Invalidity and Non-Infringement of U.S. Patent No. 6,613,101 (D.I. 205). As part of the parties' agreement, Mirror Worlds reserved its right to supplement the rebuttal expert report in support of validity of Dr. John Levy upon Apple's identification of the prior art that would be asserted at trial.

3. Attached hereto as **Exhibit 1** is a true and correct copy of an email from Christian Platt to Alex Solo, et al., dated August 18, 2010.

4. Attached hereto as **Exhibit 2** is a true and correct copy of an email chain ending with an August 31, 2010 email from Alex Solo to Christian Platt, et al..

5. Attached hereto as **Exhibit 3** is a true and correct copy of an email chain ending with an August 24, 2010 email from Alex Solo to Christian Platt, et al.

6. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from the transcript to the August 26, 2010 Pretrial Hearing.

Executed this 22nd day of September, 2010, in Tyler, TX.

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

/s/ Alexander Solo

Alexander Solo

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on this 22nd day of September, 2010. As of this date, all counsel of record had consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Alexander Solo
Alexander Solo