

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

| | | |
|--------------------------------------|---|----------------------------------|
| WI-LAN INC., |) | |
| |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | Civil Action No. 6:10-CV-521-LED |
| ALCATEL-LUCENT USA INC.; |) | |
| TELEFONAKTIEBOLAGET LM |) | JURY TRIAL DEMANDED |
| ERICSSON; ERICSSON INC.; SONY MOBILE |) | |
| COMMUNICATIONS AB; SONY MOBILE |) | |
| COMMUNICATIONS (USA) INC.; HTC |) | |
| CORPORATION; HTC AMERICA, INC.; |) | |
| EXEDEA INC. |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

ALCATEL-LUCENT’S REBUTTAL TRIAL WITNESS LIST

Defendant Alcatel-Lucent USA Inc. (“Alcatel-Lucent”), pursuant to the Court’s Docket Control Order (Dkt. No. 99, as amended by Dkt. No. 216), identifies and categorizes the following trial witnesses that they will call or that they may call in rebuttal to Wi-LAN’s presentation of evidence at the trial scheduled to commence on April 8, 2013: all individuals identified and categorized on Alcatel-Lucent’s Trial Witness List (Dkt. No. 257, as revised by Dkt. No. 266).

Alcatel-Lucent also reserves the right to call any witness identified on Wi-LAN’s Trial Witness List (Dkt. No. 256), Ericsson and Sony Mobile’s Joint Trial Witness List (Dkt. No. 258), or HTC’s Trial Witness List (Dkt. No. 259). Alcatel-Lucent also reserves the right to call any witness appearing on any rebuttal trial witness lists of Wi-LAN, Ericsson, Sony Mobile, or HTC. Alcatel-Lucent includes in this Rebuttal Trial Witness List individuals who may be listed on Wi-LAN’s opening and rebuttal witness lists without waiving any right to object to Wi-

LAN's presentation of such witnesses at trial, without waiving any objections to the admissibility of any such testimony, and without waiving the right to move for the exclusion of any testimony.

Alcatel-Lucent reserves the right to amend and/or supplement this list to the extent permitted by the Federal Rules of Civil Procedure, by the Local Rules, or by other Order of this Court.

Dated: November 30, 2012

Respectfully submitted,

By: /s/ Akshay S. Deoras

Gregory S. Arovas (*pro hac vice*)
Robert A. Appleby (*pro hac vice*)
Jeanne M. Heffernan (*pro hac vice*)
Akshay S. Deoras (*pro hac vice*)
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
Tel: (212) 446-4800
Fax: (212) 446-4900
Alcatel-Lucent-Wi-LAN-Defense@kirkland.com

Local Counsel

Michael E. Jones (TX Bar No. 10929400)
Allen F. Gardner (TX Bar No. 24043679)
John F. Bufe (TX Bar No. 03316930)
POTTER MINTON PC
110 N. College, Suite 500
P.O. Box 359
Tyler, TX 75710-0359
Tel: (903) 597-8311
Fax: (903) 593-0846
mikejones@potterminton.com
allengardner@potterminton.com
johnbufe@potterminton.com

*Attorneys for Defendant
Alcatel-Lucent USA Inc.*

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 30th day of November, 2012. Any other counsel of record will be served by first class U.S. mail on this same date.

/s/ Akshay S. Deoras

Akshay S. Deoras