

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

ANASCAPE, LTD.,

Plaintiff,

v.

MICROSOFT CORP. and
NINTENDO OF AMERICA INC.,

Defendants.

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Hon. Ron Clark

Civil Action No.: 9:06-CV-00158-RC

**DECLARATION OF JAMES S. BLANK IN SUPPORT OF NINTENDO'S RENEWED
MOTION TO STAY PROCEEDINGS**

1. I, James S. Blank, am an attorney with the firm of Latham & Watkins LLP, counsel for defendant Nintendo of America Inc. and I have been admitted *pro hac vice* to practice in this Court for this case. I have personal knowledge of the facts herein and, if called as a witness, could testify competently thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of the PTO communication dated July 13, 2007 ordering reexamination of U.S. Patent No. 6,906,700.

3. I declare under penalty of perjury that the foregoing statements are true.

Executed this 31st day of July, 2007 at New York, New York

/s/ James S. Blank

James S. Blank

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 31st day of July, 2007.

/s/ James S. Blank

James S. Blank