

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

ANASCAPE, LTD.

Plaintiff,

v.

MICROSOFT CORPORATION, and
NINTENDO OF AMERICA, INC.,

Defendants.

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Hon. Ron Clark

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

Oral Argument Requested

DECLARATION OF ANDREW TESNAKIS

I, Andrew Tesnakis, declare that:

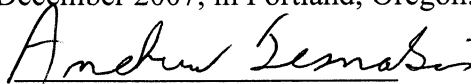
1. I am over 18 years of age and make this declaration based on my own knowledge, personal experience and belief; and I am competent to make this declaration.

2. Attached hereto as Exhibit 1 is a true and correct copy of Anascape, Ltd.'s Disclosure of Asserted Claims and Preliminary Infringement Contentions dated December 28, 2006.

3. Attached hereto as Exhibit 2 is a true and correct copy of Anascape, Ltd.'s Amended Infringement Disclosure of Asserted Claims and Preliminary Infringement Contentions along with an excerpt from the exhibits to the Amended Infringement Contentions, dated December 12, 2007. We have consecutively numbered all the pages in Exhibit 2 for easier reference.

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

Executed on this 21st day of December 2007, in Portland, Oregon.


Andrew Tesnakis