

# EXHIBIT A

**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.

No. 9:06-cv-158-RC

Judge Ron Clark

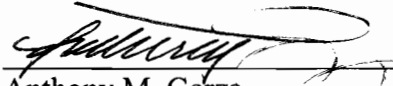
**DECLARATION OF ANTHONY M. GARZA**

I, Anthony M. Garza, declare and state under the penalty of perjury as follows:

1. My name is Anthony M. Garza. I am over the age of twenty-one (21) years, have never been convicted of a felony, and am fully competent to make this declaration. I have personal knowledge of matters set forth herein and know them to be true and correct. I understand that this declaration is submitted in support of Anascape, Ltd.'s Surreply to Defendants' Motion for Leave to Amend Their Invalidity Contentions Under P.R. 3-6(b), or, in the Alternative, Under P.R. 3-6(a). I am an Associate at the law firm of McKool Smith, P.C., attorneys representing Plaintiff Anascape, Ltd., ("Anascape") having day-to-day conduct of this litigation, and have gained knowledge of the following matters in that capacity:

2. Attached as Exhibit B is a true and correct copy of an email from Joseph Jakubek to Luke McLeroy dated November 7, 2007, regarding Anascape's claim of priority for the '525 and '700 Patents.

3. I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct, and that this declaration was executed on April 21, 2008, in Dallas, Texas.

  
\_\_\_\_\_  
Anthony M. Garza