

EXHIBIT 2

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 BRAD ARMSTRONG

I, Brad Armstrong, declare and state under the penalty of perjury as follows:

1. My name is Brad Armstrong. 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.

2. Between July 2006 and July 2008, I enjoyed significant personal wealth, due primarily to Anascape's license agreement with Sony. During that time period, I invested well over one million dollars in various vehicles, including stocks, money-market accounts, and savings accounts.

3. Had I received proceeds from a Nintendo reasonable royalty, based on my investment portfolio at that time, I would not have invested such proceeds in treasury bills, due to their extremely low rate of return. I would have invested such proceeds in various positions that could result in a higher rate of return, as I did not need to invest in low-risk securities.

4. 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 July 2, 2008, in Tyler, Texas.


Brad Armstrong