

EXHIBIT 3

**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:

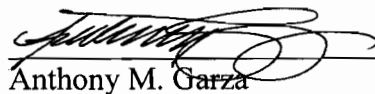
1. My name is Anthony M. Garza. I am over the age of twenty-one (21) years, have never been convicted of a felony, and am fully competent to make this declaration. I have personal knowledge of matters set forth herein and know them to be true and correct. I understand that this declaration is submitted in support of Anascape, Ltd.'s Motions for Prejudgment Interest, Postjudgment Interest, and Costs. 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 4 to the Motion is a true and correct copy of a webpage showing historical changes in the prime rate.

3. Attached as Exhibit 5 to the Motion is a true and correct copy of a spreadsheet calculating pre-judgment interest, and an explanation showing the procedure used for that computation.

4. Attached as Exhibit 6 to the Motion is a true and correct copy of Walter Bratic's summary slide, introduced at trial as Plaintiff's Exhibit 364.

5. 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 Dallas, Texas.


Anthony M. Garza