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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DISPLAYLINK CORPORATION, a Washington Corporation

Plaintiff,

vs.

MAGIC CONTROL TECHNOLOGY, CORPORATION, a Taiwanese Corporation;

Defendant.

AND RELATED COUNTERCLAIMS

Case No.: 5:07-CV-01998-RMW

DECLARATION OF ERICK P. WOLF IN SUPPORT OF DEFENDANT AND COUNTERCLAIM PLAINTIFF MAGIC CONTROL TECHNOLOGY'S NOTICE OF MOTION AND MOTION TO STRIKE THE JONES DECLARATION AND CORRESPONDING PORTIONS OF DISPLAYLINK CORPORATION'S RESPONSIVE BRIEF

I, Erick P. Wolf, herby declare that:

1. I am over the age of 18 and have personal knowledge about the facts described below.

2. I am an attorney at Wang, Hartmann, Gibbs & Cauley PC, counsel for Defendant and Counterclaim Plaintiff, Magic Control Technology Corporation. I submit this declaration in

support of Magic Control Technology's Motion to Strike the Jones Declaration and Corresponding Portions of Displaylink Corporation's Responsive Brief.

3. On December 12, 2007, MCT and DisplayLink filed their Joint Statement. DisplayLink reserved its right to call Dr. Jones to demonstrate the understanding of one of ordinary skill in the art and to rebut the expert testimony of MCT's expert, Dr. Paul Min.

4. Attached hereto as Exhibit A is a true and correct copy of Docket No. 32, Joint Claim Construction and Prehearing Statement.

5. MCT deposed Dr. Jones on January 8, 2008 based upon DisplayLink's Patent Local Rule 4-3 disclosure. During his testimony Dr. Jones failed to describe any of the additional evidence set forth in Exhibits 9, 11-16, or the undisclosed web pages.

6. Attached hereto as Exhibit B is a true and correct copy of Docket No. 37, Declaration of Alan Jones, Ph.D. (without exhibits).

7. On January 28, 2008, MCT filed its Opening Claim Construction Brief based upon the '788 patent specification, the half-day deposition of Dr. Jones, and the limited testimony of Dr. Min directed to "USB" and "VGA." Dr. Min's testimony was not discussed absent "USB" and "VGA." MCT did not have an opportunity to address Exhibits 9, 11-16, or the undisclosed web pages, as none of this extrinsic evidence had been identified yet.

8. On February 11, 2008, DisplayLink filed its Responsive Brief, citing to the Jones Declaration over 100 times. The 27-page Jones Declaration contains sixteen (16) exhibits – seven (7) of which MCT did not have the opportunity to address. In response, MCT's counsel emailed DisplayLink's counsel in an attempt to meet and confer over the new evidence cited in the Jones Declaration. However, counsel for DisplayLink would not agree that the Jones Declaration contained improper extrinsic evidence that should have been disclosed. Counsel was therefore not able to reach a resolution.

9. Attached hereto as Exhibit C is a true and correct copy of a February 11, 2008 email from Richard Cauly to Stefani Shanberg and James Yoon and the February 12, 2008 responsive letter from Stefani Shanberg.

10 Attached hereto as Exhibit D is a true and correct copy of Atmel Corp. v. Info. Storage Devices, Inc., 1998 U.S. Dist. LEXIS 17564 at *7 (N.D. Cal. Nov. 5, 1998) (Smith, J.).

11. Attached hereto as Exhibit E is a true and correct copy of IXYS Corp. v. Advanced Power Technology, Inc., 2004 U.S. Dist. LEXIS 10934 at *8 (N.D. Cal. June 16, 2004) (Patel, J.).

Executed on March 3, 2008, at Newport Beach, California.

Erick P. Wolf