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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

UNWIRED PLANET LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 3:13-cv-4134-VC

**DECLARATION OF BROOKE MYERS  
WALLACE IN SUPPORT OF DEFENDANT  
APPLE INC.'S MOTION TO EXCLUDE  
UNWIRED PLANET'S SURVEY EXPERT  
DR. GREG M. ALLENBY, DAMAGES  
EXPERT MR. ROBERT MILLS, AND THE  
"EXPERT" DISCLOSURE OF MR. TIM  
ROBBINS**

1 I, Brooke Myers Wallace, declare and state:

2 1. I am an associate at Gibson, Dunn & Crutcher LLP and counsel of record for  
3 Defendant Apple Inc. ("Apple") in this action. The items stated below are based on my personal  
4 knowledge.

5 2. Attached hereto as **Exhibit A** is an excerpt of a true and correct copy of the February  
6 19, 2015 deposition of Greg M. Allenby, Ph.D.

7 3. Attached hereto as **Exhibit B** is an excerpt of a true and correct copy of the February  
8 26, 2015 deposition of Robert Mills.

9 4. Attached hereto as **Exhibit C** is a true and correct copy of the Order Re Apple's  
10 Motion to Exclude, Doc. No. 524, from the matter *NetAirus Techs., LLC v. Apple, Inc.*, No. 10-cv-  
11 03257 (C.D. Cal. Oct. 23, 2013).

12 5. Attached hereto as **Exhibit D** is a true and correct copy of the Opening Expert Report  
13 of Dr. Greg M. Allenby, dated December 3, 2014.

14 6. Attached hereto as **Exhibit E** is an excerpt of a true and correct copy of the February  
15 5-6, 2015 deposition of Dr. Mark Thomas Jones.

16 7. Attached hereto as **Exhibit F** is an excerpt of a true and correct copy of Appendices A,  
17 B, and D to the Opening Expert Report of Dr. Mark Jones, dated December 3, 2014.

18 8. Attached hereto as **Exhibit G** is a true and correct copy of the Memo. Op. and Order,  
19 Doc. No. 374, from the matter *Smartflash LLC v. Apple, Inc.*, No. 13-CV-447 (E.D. Tex. Dec. 23,  
20 2014).

21 9. Attached hereto as **Exhibit H** is an excerpt of a true and correct copy of Exhibit 1 to  
22 the Expert Report of Dr. Greg M. Allenby, dated December 3, 2014, containing an article titled  
23 "Economic Valuation of Product Features."

24 10. Attached hereto as **Exhibit I** is a true and correct copy of the Rebuttal Expert Report  
25 of Dr. Lynne J. Weber to Allenby Expert Report and Use of Allenby Results in the Mills Expert  
26 Report, dated January 19, 2015.

27 11. Attached hereto as **Exhibit J** is a true and correct copy of a document titled "FY2007  
28 – Q2FY2014 iPhone Summary," Bates numbered APL-UP\_00196908.

12. Attached hereto as **Exhibit K** is an excerpt of a true and correct copy of the October 22, 2014 deposition of Timothy Robbins.

13. Attached hereto as **Exhibit L** is an excerpt of a true and correct copy of the October 23, 2014 deposition of Timothy Robbins.

14. Attached hereto as **Exhibit M** is an excerpt of a true and correct copy of the February 12, 2015 deposition of Tim Robbins.

15. Attached hereto as **Exhibit N** is an excerpt of a true and correct copy of the Expert Report of Robert Mills, dated December 3, 2014.

16. Attached hereto as **Exhibit O** is an excerpt of a true and correct copy of Exhibit 1 to the Expert Report of Dr. Greg M. Allenby, dated December 3, 2014, containing an article titled “Valuation of Patented Product Features.”

17. Attached hereto as **Exhibit P** is a true and correct copy of a document by Shari Diamond, “Reference Guide on Survey Research,” REFERENCE MANUAL ON SCIENTIFIC EVIDENCE (Fed. Judicial Ctr. 3d ed.).

18. Attached hereto as **Exhibit Q** is a true and correct copy of a document titled “US Patent – Apple Chartable,” Bates numbered UPA\_0217331.

19. Attached hereto as **Exhibit R** is a true and correct copy of a document titled “Unwired Planet’s CEO Presents at Patent Purchase Agreement Conference (Transcript),” dated January 10, 2013.

20. Attached hereto as **Exhibit S** is a true and correct copy of Unwired Planet LLC’s Rule 26(A)(2)(C) Disclosure Of Testimony By Tim Robbins, dated December 3, 2014 (“corrected” version served by UP on February 11, 2015).

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