

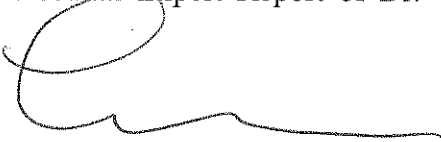
STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

AFFIDAVIT

BEFORE ME, the undersigned authority, on this day personally appeared Eric M. Adams, who, after being sworn by me, deposed and stated under oath as follows:

1. My name is Eric M. Adams, and I am a shareholder with the law firm of MehaffyWeber, P.C., One Allen Center, 500 Dallas Street, Houston, Texas 77002, (713) 655-1200. I am over eighteen (18) years of age and am fully competent to give testimony contained in this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.
2. **Exhibit 4** is a true and correct copy of Howrey LLP’s Request for *Ex Parte* Reexamination under 37 C.F.R. § 1.510 for U.S. Patent No. 6,401,824.
3. **Exhibit 5** is a true and correct copy of Howrey LLP’s Request for *Ex Parte* Reexamination under 37 C.F.R. § 1.510 for U.S. Patent No. 6,679,336.
4. **Exhibit 7** is a true and correct copy of a letter from Stephen H. Cagle to Gordon Arnold dated August 24, 2005 [ARNOLD\_0000192-209].
5. **Exhibit 8** is a true and correct copy of a letter from Stephen H. Cagle to Gordon Arnold dated August 4, 2006, with attached Declaration of James G. Martens [ARNOLD\_0000002-11].
6. **Exhibit 12** is a true and correct copy of a printout from the website of the U.S. Patent and Trademark Office related to Tyler VanHoutan.
7. **Exhibit 14** is a true and correct copy of Rebuttal-Expert Report of Dr. William W. Fleckenstein.

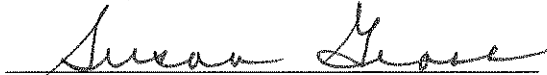
Further affiant sayeth not.


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Eric M. Adams

SUBSCRIBED AND SWORN TO BEFORE ME on this the 30th day of July, 2009, to certify which witness my hand and official seal of office.


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Notary Public, the State of Texas

SUSAN GROSS  


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Printed or Typed Name of Notary

3-24-2011  


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My Commission Expires

