

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

ECOFACOR, INC.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

**Case No. 6:20-cv-00075-ADA**

**DECLARATION OF REZA MIRAIE IN SUPPORT OF  
ECOFACOR'S OPPOSITION TO DEFENDANT GOOGLE LLC'S MOTION TO  
EXCLUDE EXPERT TESTIMONY OF DAVID KENNEDY**

I, Reza Mirzaie, declare and state as follows:

1. I am a member of the State Bar of California and a partner at the firm of Russ August & Kabat, counsel of record for Plaintiff EcoFactor, Inc. in the above-captioned action. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.

2. Attached as **Exhibit A** is a true and correct copy of excerpts from the deposition transcript of Shayan Habib, taken on September 15, 2021 (Volume 1).

3. Attached as **Exhibit B** is a true and correct copy of excerpts from the deposition transcript of Shayan Habib, taken on September 16, 2021 (Volume 1I).

4. Attached as **Exhibit C** is a true and correct copy of excerpts from the Expert Report of Erik de la Iglesia, dated September 27, 2021.

5. Attached as **Exhibit D** is a true and correct copy of the Memorandum Opinion and Order from case *CloudfChange, LLC v. NCR Corp.*, Case No. 6:19-cv-00513-ADA, dated November 9, 2021.

6. Attached as **Exhibit E** is a true and correct copy of excerpts from Expert Report of W. Todd Schoettelkotte, dated October 22, 2021.

7. Attached as **Exhibit F** is a true and correct copy of excerpts from the deposition transcript of James Maccoun, dated August 4, 2021.

8. Attached as **Exhibit G** is a true and correct copy of excerpts from the deposition transcript of W. Todd Schoettelkotte dated August 4, 2021.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Executed on December 3, 2021 at Los Angeles, California.

/s/ Reza Mirzaie