

Read in open court 4/21/23

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|------------------|---|---------------------|
| ARENDI S.A.R.L., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 13-919-JLH |
| |) | |
| GOOGLE LLC, |) | |
| |) | |
| Defendant. |) | |
| |) | |

VOIR DIRE

Good morning, ladies and gentlemen. I am Judge Hall. We are going to select a jury in a case called *Arendi S.A.R.L. v. Google LLC*.

I am going to ask you some questions, the purpose of which is to: (1) enable the Court to determine whether or not any prospective juror should be excused for cause; and (2) enable counsel for the parties to exercise their individual judgment with respect to what are called peremptory challenges, that is, challenges that counsel can make to a potential juror without giving any reason.

Before I ask any questions, I am going to ask my Courtroom Deputy to swear the jury panel to answer all questions truthfully. *[To Deputy, Please swear the panel.]*

You each have a list of the questions that I am also going to read out loud. If any of you answer “yes” to any of the questions that I ask, please make a note to yourself about which questions you had “yes” answers to. At the end of the questions, the Courtroom Deputy may ask some of you whether you had any “yes” answers and, after that, the lawyers and I may ask those of you who answered “yes” to one or more questions to come back to the jury room to discuss your answers with the lawyers and me.

The presentation of evidence in this case is expected to take five (5) days but jury deliberations could extend your service beyond that. We will start next week on Monday and

continue through Thursday. We will take Friday off, and then we will conclude with the last day of the presentation of evidence on the following Monday. The schedule that I expect to keep over the days of evidence presentation will include a morning break of fifteen minutes, a lunch break of an hour, and an afternoon break of fifteen minutes. We will start at 9:00 a.m. and finish at approximately 4:30 p.m. each day. Now I will read the questions. Remember, make a note on your paper if you have a “yes” answer to a particular question.

1. Does the schedule that I have just mentioned present a special problem to any of you?

2. This is a patent lawsuit involving smartphones and smartphone apps. The Plaintiff is Arendi S.A.R.L., which I will call Arendi. Arendi has sued Google LLC for alleged patent infringement. Google denies that claim. Have any of you heard or read anything about this case?

3. Have any of you or someone close to you ever been employed by Arendi or Google?

4. Have any of you or someone close to you ever been employed by Alphabet Inc.?

5. Have any of you or someone close to you ever owned stock in Google or Alphabet?

6. Have any of you or someone close to you ever had a business relationship with Arendi or Google?

7. Have any of you or someone close to you ever had any experience, good or bad, with Arendi or Google, or opinions about Arendi or Google, that might keep you from being a fair and impartial juror in this case?

8. The lawyers and the law firms involved in this case are as follows:

Plaintiffs are represented by lawyers from Smith, Katzenstein & Jenkins LLP and Susman Godfrey LLP.

From Smith, Katzenstein & Jenkins: Neal Belgam and Daniel Taylor.

From Susman Godfrey: Kalpana Srinivasan, John Lahad, Seth Ard, Kemper Diehl and Max Straus.

Google is represented by lawyers from Potter Anderson & Corroon LLP and Paul Hastings LLP.

From Potter Anderson & Corroon LLP: David Moore and Bindu Palapura

From Paul Hastings: Robert Unikel, Chad Peterman, Matthias Kamber, and Andrea Roberts.

Do any of you know any of these attorneys or law firms I have just named, or have any of you or someone close to you had any business dealings with, or been employed by, any of these attorneys or law firms?

9. Have any of you owned a Google Pixel smartphone?

10. Do any of you use any of the following apps on an Android smartphone: Chrome, Google Docs, Google Sheets, Google Slides, Inbox by Gmail, Google News, Google Messages, Google Tasks, Google Calendar, Google Contacts, Gmail, Google Keep, or Google Hangouts?

11. The potential witnesses in this case are:

- Ted Choc
- Anind Dey
- Brahim Elbouchikhi
- Edward Fox
- Atle Hedløy
- Douglas Kidder
- Jim Miller
- Martin Rinard
- Earl Sacerdoti
- Trevor Smedley
- Abodunrinwa Toki
- Roy Weinstein

Are any of you familiar with any of these individuals?

12. Have any of you or someone close to you ever had any experience with patents, patent law, patent licenses, a dispute about patent rights, or the U.S. Patent and Trademark Office?

13. Do any of you have strong opinions about patents, patent rights, or the U.S. Patent and Trademark Office?

14. Have any of you served on a jury in a civil case within the last fifteen years or have you ever been a plaintiff, a defendant, or a witness in a lawsuit?

15. Do any of you have any education, training or work experience in the fields of software development, computer science, economics, or finance?

16. If you are selected as a juror in this case, are any of you aware of any reason why you would be unable to render a verdict based solely on the evidence presented at trial?

17. If you are selected as a juror in this case, are any of you aware of any reason why you would not be able to follow the law as I give it to you?

18. Do any of you have strong feelings either way about your ability to follow my instructions in a civil case like this where one party is seeking money damages from another?

19. Is there anything, such as poor vision, difficulty hearing or difficulty understanding spoken or written English, that would make it difficult for any of you to serve on this jury?

20. Have any of you ever had any experience with the legal system that might prevent you from being a fair and impartial juror?

21. Is there anything else, including something you have remembered in connection with one of the earlier questions, or that any of you think may prevent you from rendering a fair and impartial verdict based solely upon the evidence and my instructions as to the law?