

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ACCELERATION BAY LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 16-453 (RGA)
)	
ACTIVISION BLIZZARD, INC.,)	
)	
Defendant.)	

[PROPOSED] VOIR DIRE TO JURY PANEL

Pursuant to D. Del. LR 47.1(a)(2), Defendant Activision Blizzard, Inc. submits the attached proposed voir dire to the jury panel.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Stephen J. Kraftschik

OF COUNSEL:

Michael A. Tomasulo
Gino Cheng
David K. Lin
Joe S. Netikosol
WINSTON & STRAWN LLP
333 South Grand Avenue, 38th Floor
Los Angeles, CA 90071
(213) 615-1700

Jack B. Blumenfeld (#1014)
Stephen J. Kraftschik (#5623)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
skraftschik@mnat.com

David P. Enzminger
Louis L. Campbell
WINSTON & STRAWN LLP
275 Middlefield Road, Suite 205
Menlo Park, CA 94025
(650) 858-6500

Attorneys for Defendants

Dan K. Webb
Kathleen B. Barry
Sean H. Suber
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601
(312) 558-5600

Krista M. Enns
WINSTON & STRAWN LLP
101 California Street, 35th Floor
San Francisco, CA 94111
(415) 591-1000

Michael M. Murray
Anup K. Misra
WINSTON & STRAWN LLP
200 Park Avenue,
New York, NY 10166
(212) 294-6700

Andrew R. Sommer
Thomas M. Dunham
Joseph C. Masullo
Paul N. Harold
WINSTON & STRAWN LLP
1700 K Street, N.W.
Washington, DC 20006
(202) 282-5000

B. Trent Webb
Aaron E. Hankel
Jordan T. Bergsten
Maxwell C. McGraw
SHOOK HARDY & BACON LLP
2555 Grand Boulevard
Kansas City, MO 64108
(816) 474-6550

October 16, 2018

VOIR DIRE

Good morning, ladies and gentlemen. I am Judge Andrews. We are going to select a jury in a civil case called *Acceleration Bay, LLC v. Activision Blizzard, Inc.*

I am going to ask you a series of questions to help the Court and the attorneys in the jury selection process. Before I ask any questions, I am going to ask the Deputy Clerk to swear the jury panel to answer any questions truthfully. (To Deputy, Please swear the panel).

If any of you answer “yes” to any of the questions that I ask, please raise your hand, and, when recognized by me, please stand, state your name and your jury number. At the end of the questions, the Deputy Clerk will ask some of you to take seats in the jury box, and, after that, the lawyers and I may ask those of you who answered “yes” to one or more questions to come up to the bench to discuss your answers with the lawyers and me.

The presentation of evidence in this case is expected to take __days, but jury deliberations could extend your service beyond that. 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 9:30 a.m. and finish no later than 5 p.m. each day.

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

2. (Description of the case). This is a patent lawsuit involving video games. The Plaintiff is Acceleration Bay. Acceleration Bay owns patents relating to computer networks. It has sued the defendant Activision Blizzard (or “Activision”), which sells video games. Acceleration Bay says some of those video games infringe its patents. Activision denies infringement and also says that the patents are invalid. The jury in this case will be asked to decide whether the video games infringe the patents, and whether the patents are valid. For those of you who end up being on the jury, I will give more detailed instructions on the law later in the case.

Have any of you heard or read anything about this case?

3. The lawyers and law firms involved in this case are:

Attorneys for Plaintiffs

Philip A. Rovner, Esquire
Jonathan A. Choa, Esquire
POTTER ANDERSON & CORROON LLP

Paul J. Andre, Esquire
Lisa Kobialka, Esquire
James R. Hannah, Esquire
Hannah Lee, Esquire
Yuridia Caire, Esquire
Greg Proctor, Esquire
Aaron M. Frankel, Esquire

Marcus A. Colucci, Esquire
Cristina Martinez, Esquire
KRAMER LEVIN NAFTALIS & FRANKEL LLP

Attorneys for Defendant

Jack B. Blumenfeld
Stephen J. Kraftschik
MORRIS, NICHOLS, ARSHT & TUNNELL LLP

Michael A. Tomasulo
Gino Cheng
David K. Lin
Joe S. Netikosol
David P. Enzminger
Louis L. Campbell
Dan K. Webb
Kathleen B. Barry
Krista M. Enns
Michael M. Murray
Anup K. Misra
Andrew R. Sommer
Thomas M. Dunham
Michael Woods
Paul N. Harold
Joseph C. Masullo
WINSTON & STRAWN LLP

Trent Webb
Aaron Hankel
Jordan T. Bergsten
SHOOK, HARDY & BACON LLP

Do any of you know any of the attorneys or law firms I have just named?

4. Have you or any member of your immediate family (such as a spouse, child, parent or sibling) had any business dealings with, or been employed by, any of these attorneys or law firms?

5. Have any of you or any member of your immediate families ever been employed by Acceleration Bay or Activision Blizzard?

6. Have any of you or any member of your immediate families ever owned stock in either of these companies?

7. Have any of you or any member of your immediate families ever had a business relationship with either of these companies?

8. Have any of you or any member of your immediate families ever had any experience, good or bad, with either of these companies that might keep you from being a fair and impartial juror in this case?

9. Have you ever purchased or used any Activision video games, such as Call of Duty, World of Warcraft, or Destiny?

10. Do you have any opinions about Acceleration Bay or Activision that might keep you from being a fair and impartial juror in this case?

11. Have you or any member of your immediate family been employed by, had any business relationship with, or owned stock of The Boeing Company?

12. Do you have any strong opinions about The Boeing Company?

13. The potential witnesses in this case are:

Plaintiff's Witnesses

Dr. Harry Bims
Dr. Eric Cole
Patrick Conlin
John Garland
Dr. Michael Goodrich
Dr. Nenad Medvidovic
Dr. Christine Meyer
Dr. Michael Mitzenmacher
Dr. Ricardo Valerdi
Joe Ward
Virgil Bourassa
Fred Holt
Byron Beede
Patrick Dawson
Mark Gordon
Pat Griffith
John Kirk
Robert Kostich
Kurtis McCathern
Joseph Rumsey
Saralyn Smith
Glen Van Datta
Roger Wolfson
John Yaney

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