

EXHIBIT A

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IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

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ETHANOL BOOSTING SYSTEMS, : CIVIL ACTION
LLC, and THE MASSACHUSETTS :
INSTITUTE OF TECHNOLOGY, :
 :
Plaintiffs, :
 :
vs. :
 :
FORD MOTOR COMPANY, :
 :
Defendant. : NO. 19-196 (CFC)

- - -

Wilmington, Delaware
Monday, April 22, 2019
2:32 o'clock, p.m.

- - -

BEFORE: HONORABLE COLM F. CONNOLLY, U.S.D.C.J.

- - -

APPEARANCES:

FARNAN LLP
BY: BRIAN E. FARNAN, ESQ.

-and-

Valerie J. Gunning
Official Court Reporter

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APPEARANCES (Continued) :

SUSMAN GODFREY LLP
BY: MATTHEW R. BERRY, ESQ.
(Seattle, Washington)

Counsel for Plaintiffs

MORRIS, NICHOLS, ARSHT & TUNNELL LLP
BY: RODGER D. SMITH II, ESQ.

-and-

ALSTON & BIRD LLP
BY: MICHAEL S. CONNOR, ESQ.
(Charlotte, North Carolina)

-and-

ALSTON & BIRD LLP
BY: NATALIE C. CLAYTON, ESQ.
(New York, New York)

Counsel for Defendant

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P R O C E E D I N G S

(Proceedings commenced in the courtroom,
beginning at 2:32 p.m.)

THE COURT: Good afternoon. Please be seated.
Good afternoon. Mr. Farnan?

MR. FARNAN: Good afternoon, Your Honor.

THE COURT: Good afternoon.

MR. FARNAN: Brian Farnan on behalf of the
plaintiffs, and with me is Matt Berry from Susman Godfrey.

MR. BERRY: Good afternoon.

THE COURT: Good afternoon.

Mr. Smith?

MR. SMITH: Good afternoon, Your Honor. Rodger
Smith from Morris Nichols for the defendant, Ford. I'm
joined at counsel table by Michael Connor and Natalie
Clayton from Alston & Bird.

THE COURT: Okay. Thank you. Good afternoon.

MR. CONNOR: Good afternoon, Your Honor.

MS. CLAYTON: Good afternoon, Your Honor.

THE COURT: All right. Have you all seen I've
posted my revised order?

MR. SMITH: Yes, Your Honor.

MR. BERRY: Yes, Your Honor.

1 THE COURT: Have you had a chance to read it by
2 chance?

3 MR. BERRY: Yes, Your Honor.

4 THE COURT: I'm going to be asking that you
5 resubmit this once we resolve the disputes, and I will take
6 any questions you have about the revised order before we
7 conclude. Why don't we run through the issues.

8 You're way off on some of these trial dates, so
9 why don't I hear from plaintiffs first.

10 MR. BERRY: Your Honor, we proposed a
11 November 2020 trial date. That's approximately 22 months
12 after we filed the complaint in this matter whereas Ford
13 proposed July of 2021, which is about 30 months after the
14 complaint was filed.

15 And, Your Honor, in this case where there are
16 four patents asserted, they all share a common
17 specification, the same three inventors on all patents, and
18 both parties agree on a five-day trial length. We think
19 that 22 months after filing is more than adequate time to
20 get it ready for trial, so we think November of 2020 is the
21 best date.

22 THE COURT: Okay. Let's hear from Ford.

23 MR. CONNOR: Your Honor, Mike Connor for Ford.

24 We had proposed as counsel indicated a July 2020
25 trial date. We think --

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