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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EVERLIGHT ELECTRONICS CO.,
LTD, and EMCORE CORPORATION,

Plaintiffs,

No. 12-cv-11758

v

NICHIA CORPORATION, and
NICHIA AMERICA CORPORATION,

Defendants.

_____ /

JURY TRIAL

EXCERPTS OF PROCEEDINGS BEFORE THE HONORABLE GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE
Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan
Tuesday, April 21, 2015

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	TABLE OF CONTENTS	
		PAGE
1		
2		
3	Objections to Jury Verdict Form	5
4		
5	<u>CLOSING ARGUMENTS</u>	PAGE
6	Plaintiff's Closing Argument By Mr. Nimrod	17
7	Defendant's Closing Argument By Mr. Rizzi	80
8	Plaintiff's Rebuttal Argument by Mr. Nimrod	173
9	Defendant's Rebuttal Argument by Mr. Rizzi	206
10		
11	FINAL JURY INSTRUCTIONS	211
12		
13	<u>EXHIBITS RECEIVED:</u>	
14	Plaintiff's Exhibit Number 428	13
15	Defendant's Exhibit Numbers 137, 203 - 206	13
16	Defendant's Exhibit Number 164	14
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 Detroit, Michigan

2 April 21, 2015

3 8:09 a.m.

4 * * *

5 THE CLERK: All rise. The United States District
6 Court for the Eastern District of Michigan is now in session,
7 Honorable Gershwin A. Drain presiding.

8 Calling civil action Everlight Electronics Company
9 versus Nichia Corporation, Number 12-11758.

10 You may be seated.

11 Please put your appearance on the record.

12 MR. TRAUPMAN: Good morning, your Honor. Matt
13 Traupman from Quinn Emanuel. Mike Palizzi and Mike Simoni
14 of Miller Canfield, as well as Everlight's corporate
15 representative, Bernd Kammerer.

16 THE COURT: Okay.

17 MR. RIZZI: Good morning, your Honor.

18 THE COURT: Good morning.

19 MR. RIZZI: Steven Rizzi Foley & Lardner, on
20 behalf of Nichia. With me is Ramy Hanna, Lisa Mankofsky,
21 Ryan Schmid, Debra Lange, and our corporate representative,
22 Dr. Dan Doxsee.

23 THE COURT: Okay. All right. I have gotten a
24 couple of memorandums from both sides and I have ultimately
25 decided to go ahead and give the modified verdict form of

1 Everlight.

2 And I assume, have you all kind of worked out --
3 I think, Mr. Rizzi, your memorandum said that there were
4 inaccuracies in the verdict form with regard to the chart. Did
5 you all talk about that or try to work that out? Because
6 that's the only thing that I'm really going to change.

7 MR. RIZZI: We did, your Honor, submit a revised
8 chart --

9 MR. TRAUPMAN: And your Honor --

10 MR. RIZZI: -- submission.

11 MR. TRAUPMAN: And your Honor, in the e-mail I
12 sent to Ms. Dehn last evening about 10:00, I adopted
13 Mr. Rizzi's chart which he represented was reviewed by his
14 team, so the one that I sent at 10:00 is Nichia's chart, not
15 ours, so I assume they have no dispute with that listing of
16 products.

17 THE COURT: Okay.

18 MR. RIZZI: Your Honor, a couple other questions
19 on that. So with regard to the chart, we also clarified the
20 question for the jury. If you look at our proposed question
21 four --

22 THE COURT: Okay. Is that in Everlight's
23 proposed --

24 MR. RIZZI: No, your Honor.

25 THE COURT: -- verdict form? Okay.

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