

1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF MICHIGAN

3 SOUTHERN DIVISION

4 EVERLIGHT ELECTRONICS CO.,
5 LTD, and EMCORE CORPORATION,

6 Plaintiffs,

No. 12-cv-11758

7 v

8 NICHIA CORPORATION, and
9 NICHIA AMERICA CORPORATION,

10 Defendants.
11 _____/

12 JURY TRIAL

13 EXCERPTS OF PROCEEDINGS BEFORE THE HONORABLE GERSHWIN A. DRAIN
14 UNITED STATES DISTRICT JUDGE
15 Theodore Levin United States Courthouse
16 231 West Lafayette Boulevard
17 Detroit, Michigan
18 Tuesday, April 21, 2015

19 APPEARANCES:

20 For the Plaintiffs: MR. A. MICHAEL PALIZZI
21 MR. MICHAEL C. SIMONI
22 Miller, Canfield, Paddock and Stone
23 150 W. Jefferson Avenue, Suite 2500
24 Detroit, Michigan 48226
25 (313) 486-7645

MR. RAYMOND N. NIMROD
MR. MATTHEW A. TRAUPMAN
MS. ANASTASIA M. FERNANDS
Quinn Emanuel Urquhart & Sullivan
51 Madison Avenue, 29th Floor
New York, New York 10010
(212) 849-7412

1
2 APPEARANCES:

3 For the Defendants: MR. STEVEN J. RIZZI
4 MR. RAMY E. HANNA
5 MR. RYAN SCHMID
6 Foley and Lardner, LLP
7 90 Park Avenue, 37th Floor
8 New York, New York 10016
9 (212) 682-7474
10
11 MS. LISA S. MANKOFSKY
12 MR. MICHAEL KAMINSKI
13 Foley & Lardner, LLP
14 3000 K Street N. W, Suite 600
15 Washington, DC 20007
16 (202) 672-5300
17
18 MR. JOHN R. TRENTACOSTA
19 Foley & Lardner
20 500 Woodward Avenue
21 Detroit, Michigan 48226
22 (313) 234-2800
23
24
25

16 Reported by: Rene L. Twedt, CRR, RMR, RDR
17 Official Federal Court Reporter
18 rene_twedt@mied.uscourts.gov
19
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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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