

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.

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JURY TRIAL - VOLUME VI of XII

PROCEEDINGS BEFORE THE HONORABLE GERSHWIN A. DRAIN  
UNITED STATES DISTRICT JUDGE  
Theodore Levin United States Courthouse  
231 West Lafayette Boulevard  
Detroit, Michigan  
Tuesday, April 14, 2015

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1 Detroit, Michigan

2 Tuesday, April 14, 2015 - 8:05 a.m.

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

6 Calling Civil Action Everlight Electronics Company  
7 versus Nichia Corporation, Number 12-cv-11758.

8 You may be seated.

9 Counsel, please place your appearance on the  
10 record.

11 MR. NIMROD: Good morning.

12 THE COURT: Good morning.

13 MR. NIMROD: Ray Nimrod from Quinn Emanuel for  
14 Everlight. With me is Matt Traupman from Quinn Emanuel, and  
15 Anastasia Fernands, Mike Palizzi from Miller Canfield, and Mike  
16 Simoni. And we have our corporate representative Bernd  
17 Kammerer here today, also.

18 THE COURT: All right. Thank you.

19 MR. RIZZI: Good morning, your Honor.

20 THE COURT: Good morning.

21 MR. RIZZI: Steven Rizzi, Foley & Lardner, for  
22 Nichia. With me is Ramy Hanna, Lisa Mankofsky, Deb Lange, and  
23 John Trentacosta, all from Foley & Lardner, and our corporate  
24 representative, Dr. Dan Doxsee.

25 THE COURT: All right. When we concluded

1 yesterday I think we had the Craford issue to deal with, is  
2 that right?

3 MR. TRAUPMAN: Yes, your Honor.

4 THE COURT: Let's talk about that a little bit  
5 more.

6 MR. TRAUPMAN: So just by way of background,  
7 Dr. Craford is a retired chief technology officer of a third  
8 party, Philips Lumileds, that Nichia subpoenaed. He's  
9 apparently agreed to come voluntarily and testify here beyond  
10 what he testified to in his deposition.

11 Now, in their witness synopsis Nichia said that he  
12 would -- there would be direct and redirect examination  
13 concerning the secondary considerations rebutting invalidity of  
14 the Nichia patents in suit. That's what they said in their  
15 witness synopsis. Then when we get the demonstrative slides --  
16 I have attached a copy to the brief, your Honor, but I have  
17 another copy here, if you'd like.

18 THE COURT: Okay.

19 MS. MANKOFSKY: Your Honor, this goes beyond the  
20 scope of their objections.

21 MR. TRAUPMAN: It absolutely does not. The  
22 witness synopsis is in our brief.

23 MS. MANKOFSKY: If you're talking about slides,  
24 you have gone beyond the scope of your objections, which was  
25 first expert testimony, which you withdrew yesterday, and as we

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