

0001

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

TRADING TECHNOLOGIES )  
INTERNATIONAL, INC., )  
 )  
Plaintiff, )  
 )  
vs. ) Case No. 04 C 5312  
 )  
eSPEED, INC., )  
 )  
Defendant. )

Deposition of ATSUSHI KAWASHIMA, taken before  
JAIME T. TRAMONTANA, C.S.R., and Notary Public,  
pursuant to the Federal Rules of Civil Procedure for  
the United States District Courts pertaining to the  
taking of depositions, at ABC Building, 11F,  
2-6-3 Skibakoen, Minato-ku, Tokyo, at 9:31 a.m. on  
the 21st day of November, 2005.

LEGALINK - CHICAGO

0002

1           There were present at the taking of this  
deposition the following counsel:

2

McDONNELL BOEHNEN HULBERT & BERGHOFF, LLP by  
MR. MATTHEW J. SAMPSON  
MR. LEIF R. SIGMOND, JR.  
300 South Wacker Drive  
Chicago, Illinois 60606  
(312)913-0001

6           on behalf of the Plaintiff;

VP TRADING TECHNOLOGIES  
MR. STEVEN F. BORSAND  
222 South Riverside Plaza  
Suite 1100  
Chicago, Illinois 60606  
(312)476-1018

10

on behalf of the Plaintiff;

11

WINSTON & STRAWN, LLP by  
MR. RAYMOND C. PERKINS  
MR. ANDREW JOHNSTONE  
35 West Wacker Drive  
Chicago, Illinois 60601  
(312)558-5860

15           on behalf of the Defendant;

MORRISON FOERSTER  
MR. PETER J. STERN  
AIG Building  
11th Floor  
1-3 Marunouchi 1-Chome  
Chiyoda-Ku, Tokyo 100-0005, Japan  
(81)3214-6522

20           on behalf of the Tokyo Stock Exchange;

DOWELL BAKER  
MR. GEOFFREY A. BAKER  
29 Randolph Street  
Oak Park, Illinois 60302  
(708)660-1413

24           on behalf of

LEGALINK - CHICAGO

0003

1 AOYAMA & PARTNERS  
MR. NOBUO IIDA  
2 IMP Building  
1-3-7, Shiromi, Chuo-ku  
3 Osaka 540-0001 Japan  
(81)6-6949

4

5

Also present:

6

Mr. Bruce Holcombe,  
Japanese Interpreter;

7

8

Ms. Yoshiko Iga,  
Japanese Interpreter;

9

10

Ms. Akiko Tomita,  
Japanese Interpreter;

11

Malcoto Minoguchi;

12

Yuhei Oba.

13

14

15

16

17

18

19

20

21

22

23

24

LEGALINK - CHICAGO

0004

1

I N D E X

2

3

WITNESS

4

ATSUSHI KAWASHIMA

5

6

EXAMINED BY

PAGE

7

Mr. Perkins

5

8

Mr. Sampson

74

9

10

EXHIBITS

11

Defendant's Exhibit No. 178

5

12

Defendant's Exhibit No. 179

9

13

Defendant's Exhibit No. 180

28

14

Defendant's Exhibit No. 181

37

15

Defendant's Exhibit No. 182

50

16

Defendant's Exhibit No. 183

60

17

Defendant's Exhibit No. 184

69

18

Defendant's Exhibit No. 185

70

19

TSE Exhibit No. 1

77

20

TSE Exhibit No. 2

108

21

TSE Exhibit No. 3

114

22

23

24

LEGALINK - CHICAGO

0005

1                                   ATSUSHI KAWASHIMA,  
2 called as a witness herein, having been first duly  
3 sworn, was examined upon oral interrogatories and  
4 testified as follows:

5                                   EXAMINATION

6                                   by Mr. Perkins:

7           Q    Good Morning.  Could you please state your  
8 name?

9           A    (Through interpreter) Atsushi Kawashima,  
10 A-t-s-u-s-h-i K-a-w-a-s-h-i-m-a.

11          Q    If at any time you do not understand my  
12 question, please let know and I will repeat or  
13 rephrase the question.  Do you agree to do that?

14          A    Yes, I do.

15          Q    Are you currently employed?

16          A    Yes, I am.

17          Q    Where are you employed?

18          A    Tokyo Stock Exchange.

19          Q    How long have you been employed by the  
20 Tokyo Stock Exchange?

21          A    About 15 years I think.

22          Q    I have marked in front of you the  
23 Amended Commission to take the deposition here in  
24 Japan which I've marked as Exhibit 178.  There are

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.