

1 UNITED STATES DISTRICT COURT
 2 NORTHERN DISTRICT OF ILLINOIS
 3 EASTERN DIVISION

4 TRADING TECHNOLOGIES INTERNATIONAL,)
 INC.,)
 5)
 Plaintiff,)
 6)
 v.) No. 04 C 5312
 7)
 eSPEED, INC., eSPEED INTERNATIONAL,)
 8 LTD., ECCO LLC, and ECCOWARE, LTD.,) Chicago, Illinois
) September 12, 2007
 9 Defendants.) 9:30 o'clock a.m.

10
 11 VOLUME 3-A
 TRIAL TRANSCRIPT OF PROCEEDINGS
 12 BEFORE THE HONORABLE JAMES B. MORAN, and a JURY

13 APPEARANCES:

14 Trading Technologies TRADING TECHNOLOGIES
 15 International, Inc., by: INTERNATIONAL, INC.,
 MR. STEVEN F. BORSAND
 16 222 South Riverside Drive
 Chicago, Illinois 60606
 17 312-476-1000
 steve.borsand@
 18 tradingtechnologies.com

and

19 McDONNELL, BOEHNEN, HULBERT &
 BERGHOFF, LTD.
 20 MR. PAUL H. BERGHOFF
 MR. S. RICHARD CARDEN
 21 MR. CHRISTOPHER M. CAVAN
 MR. MICHAEL D. GANNON
 22 MS. JENNIFER M. KURCZ
 MR. MATTHEW J. SAMPSON
 23 MR. LEIF R. SIGMOND
 300 South Wacker Drive
 24 Chicago, Illinois 60606
 312-913-0001
 25 berghoff@mbhb.com
 kurcz@mbhb.com

1 eSpeed, Inc., eSpeed
2 International, Inc.,
3 Ecco LLC, Eccoware,
4 LTD., by:

WINSTON & STRAWN
MR. GEORGE C. LOMBARDI
MR. RAYMOND C. PERKINS
MR. IMRON T. ALY
MR. KEVIN BANASIK
MS. ELIZABETH HARTFORD ERICKSON
MR. ANDREW M. JOHNSTONE
MS. TRACEY J. ALLEN
MR. JAMES M. HILMERT
35 West Wacker Drive
Chicago, Illinois 60601
312-558-5600
glombardi@winston.com
rperkins@winston.com

8
9 LAW OFFICES OF
10 GARY A. ROSEN, P.C.
11 MR. GARY A. ROSEN
12 1831 Chestnut Street, Suite 802
13 Philadelphia, Pennsylvania 19103
14 215-972-0600

15 Rosenthal Collins Group,
16 LLC, by:

DOWELL BAKER
MR. GEOFFREY A. BAKER
201 Main Street
Lafayette, IN 47901
765-429-4004
gabaker@dowellbaker.com

17
18
19
20
21
22
23 Court Reporter:

MS. CAROLYN COX, CSR, RPR, CRR
Official Court Reporter
219 S. Dearborn Street, Suite 1854-B
Chicago, Illinois 60604
(312) 435-5639

10:28:16 1 to be testifying to is relevant to the claim that TT is
10:28:23 2 advancing.

10:28:25 3 Does that pretty well cover it?

10:28:30 4 MR. CARDEN: I think we are satisfied, your
10:28:32 5 Honor.

10:28:33 6 THE COURT: Okay. Go ahead.

10:28:40 7 MR. SIGMOND: Your Honor, with the Court's
10:28:42 8 permission, Mr. Carden is going to take the next
10:28:45 9 witness.

10:28:45 10 MR. CARDEN: Thank you, your Honor. Good
10:28:48 11 morning, ladies and gentlemen of the jury. TT calls as
10:28:50 12 its next witness Amanda Lewis.

10:29:03 13 MR. LOMBARDI: Your Honor, could we go to
10:29:06 14 sidebar for one moment when the witness is walking in?

10:29:06 15 (Whereupon a discussion was had at the bench, outside
10:29:06 16 the hearing of the jury and the court reporter.)

10:30:05 17 (Witness sworn.)

10:30:05 18 - - -

10:30:05 19 AMANDA KATE LEWIS, DIRECT EXAMINATION

10:30:05 20 BY MR. CARDEN:

10:30:08 21 Q. Good morning, Ms. Lewis.

10:30:09 22 A. Good morning.

10:30:10 23 Q. Could you remind the jury of your full name,
10:30:12 24 please?

10:30:13 25 A. Amanda Kate Lewis.

10:30:14 1 Q. And do you live in the City of Chicago?

10:30:15 2 A. Yes.

10:30:15 3 Q. Who do you currently for?

10:30:19 4 A. Intralinks.

10:30:20 5 Q. How long have you been at Intralinks?

10:30:22 6 A. Almost two years.

10:30:23 7 Q. Where did you work before you were at Intralinks?

10:30:27 8 A. ESPEED.

10:30:28 9 Q. And how long did you work at eSpeed?

10:30:29 10 A. About two years and four months.

10:30:31 11 Q. What was your position at eSpeed?

10:30:33 12 A. I was a sales account executive.

10:30:38 13 Q. Did you have a title at eSpeed?

10:30:40 14 A. Relationship manager was the title.

10:30:43 15 Q. Okay. Can you tell us what your responsibilities

10:30:46 16 were as a relationship manager at eSpeed?

10:30:47 17 A. Sure. I was to visit clients on a regular basis,

10:30:53 18 make sure that they had access to our technology, make

10:30:58 19 sure that they were trading on our technology; just

10:31:00 20 ensure that they were happy with the system and take

10:31:03 21 care of any complaints that they had.

10:31:05 22 Q. And when you say regular basis, what did you

10:31:08 23 mean?

10:31:08 24 A. I mean a frequent basis. I probably saw every

10:31:13 25 client at a minimum once every two weeks, if not every

10:31:16 1 week.

10:31:16 2 Q. Were you responsible for any particular products
10:31:21 3 when you were a relationship manager at eSpeed?

10:31:23 4 A. Yes.

10:31:23 5 Q. What products were those?

10:31:24 6 A. The foreign exchange, the futures, the cash bond;
10:31:31 7 that was it.

10:31:31 8 Q. With respect to the futures that you just
10:31:36 9 mentioned, how long during your time at eSpeed were you
10:31:40 10 responsible for that product?

10:31:40 11 A. Several months.

10:31:46 12 Q. Can you tell the jury when that was?

10:31:47 13 A. It was from the time that we started to think
10:31:52 14 about the futures product and rolling it out through the
10:31:56 15 time that I transitioned into the FX products.

10:32:00 16 Q. Do you know when you transitioned into FX?

10:32:03 17 A. Probably in November of '04.

10:32:05 18 Q. Are you familiar with Trading Technologies?

10:32:08 19 A. Yes.

10:32:08 20 Q. And how are you familiar with Trading

10:32:10 21 Technologies?

10:32:10 22 A. Trading Technologies was the futures platform
10:32:14 23 that most of the eSpeed clients had on their desktop.

10:32:20 24 Q. So your eSpeed customers had TT on their desktop?

10:32:23 25 A. Yes.

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.