

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRADING TECHNOLOGIES INTERNATIONAL, INC.,

Plaintiff,

v.

ESPEED, INC., ESPEED INTERNATIONAL, LTD.,

ECCO LLC, and ECCO WARE LTD.,

Defendants.

Case Number 04-C-5312

VIDEO DEPOSITION OF

Robert S. Dezmelyk

August 17, 2007

Chicago, Illinois

Lead: Michael D. Gannon, Esquire

Firm: McDonnell Boehnen Hulbert & Berghoff

FINAL COPY

JANE ROSE REPORTING

1-800-825-3341

1 APPEARANCES:

2

3 McDONNELL BOEHNEN HULBERT & BERGHOFF LLP

4 BY: MICHAEL D. GANNON, Esq.

5 MICHELLE McMULLEN-TACK, Esq.

6 300 South Wacker Drive

7 Chicago, Illinois 60606-6709

8 (312) 913-0001

9 (312) 913-0002 (Fax)

10 gannon@mbhb.com

11 On behalf of the Plaintiff;

12

13 WINSTON & STRAWN

14 BY: JAMES HILMERT, Esq.

15 RAY PERKINS, Esq.

16 ELIZABETH H. ERICKSON, Esq.

17 35 West Wacker Drive

18 Chicago, Illinois 60601-9703

19 (312) 558-5600

20 (312) 558-5700 (Fax)

21 jhilmert@winston.com

22 On behalf of the Defendants;

23

24

1 APPEARANCES: Continued

2

3 FAEGRE & BENSON

4 BY: NEAL S. COHEN, Esq.

5 3200 Wells Fargo Center

6 1700 Lincoln Street

7 Denver, Colorado 80203-4532

8 (303) 607-3500

9 (303) 607-3000 (Fax)

10 ncohen@faegre.com

11 On behalf of the CQG Defendants.

12

13

14

15 ALSO PRESENT:

16

17 Steve Borsand, In-House Counsel,

18 Trading Technologies

19

20 Marvin Oltman, The Videographer

21

22

23

24

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

INDEX

AUGUST 17, 2007

WITNESS

EXAMINATION

ROBERT S. DEZMELYK

By Mr. Gannon:	6
By Mr. Hilmert:	219
By Mr. Gannon:	229

DEPOSITION EXHIBITS

NUMBER

INTRODUCED

Exhibit 854

Expert Report of

Robert S. Dezmelyk 32

Exhibit 855

Translation of excerpts of

a TSE user manual

TT 0109131 through TT 0109161 163

Exhibit 856

Document entitled "Should We Boycott

amazon.com For Its Internet Patents?" 214

1 THE VIDEOGRAPHER: Here begins videotape
2 number one, Volume I, in the deposition of Robert
3 Dezmelyk in the matter of Trading Technologies,
4 International, Incorporated versus eSpeed,
5 Incorporated, et al.

6 Today's date is August 17th, 2007. The
7 time is 10:09 a.m.

8 This deposition is being taken in the
9 offices of McDonnell Boehnen Hulbert & Berghoff at
10 300 South Wacker Drive, Suite 3100, Chicago,
11 Illinois, and is made at the request of Trading
12 Technologies, International.

13 My name is Marvin Oltman, the
14 videographer, and the court reporter is Cynthia
15 Conforti from Jane Rose Reporting, New York, New
16 York.

17 Will counsel please identify yourselves
18 and state who you represent, and please speak
19 slowly for the court reporter.

20 MR. GANNON: My name is Mike Gannon. I'm
21 with McDonnell Boehnen Hulbert & Berghoff. I'm
22 here today on behalf of plaintiff, Trading
23 Technologies, and with me today is Steve Borsand,
24 in-house counsel at Trading Technologies.

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.