

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

Trading Technologies )  
International, Inc., )  
Plaintiff, )  
)  
vs. ) No. 04 CV 5312  
)

eSpeed, Inc., eSpeed International )  
Ltd., Ecco LLC and EccoWare Ltd., )  
Defendants. )

- - - - - )  
Trading Technologies )  
International, Inc., )  
Plaintiff, )  
)  
vs. ) No. 05 CV 1079  
)

Refco Group, Ltd., LLC, et al., )  
Defendants. )

- - - - - )  
Rosenthal Collins Group, LLC, )  
Plaintiff- )  
Counterclaim Defendant, )  
)  
vs. ) No. 05 CV 4088  
)

Trading Technologies )  
International, Inc., )  
Defendant- )  
Counterclaimant. )

- - - - - )  
Trading Technologies )  
International, Inc., )  
Plaintiff, )  
)  
vs. ) No. 05 CV 4120  
)

GL Consultants, Inc., )  
and GL Trade SA, )  
Defendants. )

- - - - - )

MERRILL LEGAL SOLUTIONS  
(800) 868-0061 (312) 263-3524

1 Trading Technologies )  
 International, Inc., )  
 2 Plaintiff, )  
 )  
 3 vs. ) No. 05 CV 4137  
 )  
 4 Peregrine Financial Group, Inc., )  
 and TradeMaven, LLC, )  
 5 Defendants. )  
 - - - - - )  
 6 Trading Technologies )  
 International, Inc., )  
 7 Plaintiff, )  
 vs. ) No. 05 CV 4811  
 8 )  
 CQGT, LLC and CQG, Inc., )  
 9 Defendants. )  
 - - - - - )  
 10 Trading Technologies )  
 International, Inc., )  
 11 Plaintiff, )  
 )  
 12 vs. ) No. 05 CV 5164  
 )  
 13 FuturePath Trading, LLC, )  
 Defendant. )  
 14  
 15

16 Videotaped deposition of MICHAEL BURNS, taken  
 17 before NADINE J. WATTS, CSR, RPR, and Notary Public,  
 18 pursuant to the Federal Rules of Civil Procedure for the  
 19 United States District Courts pertaining to the taking  
 20 of depositions, at Suite 3500, 35 West Wacker Drive, in  
 21 the City of Chicago, Cook County, Illinois, at 11:36  
 22 o'clock a.m. on the 29th day of May, A.D., 2007.

23  
 24

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

3

4           McDONNELL, BOEHNEN, HULBERT & BERGHOFF, LLP by  
5 MR. MATTHEW J. SAMPSON  
6 300 South Wacker Drive  
7 Chicago, Illinois 60606  
8 (312) 913-2119

9           on behalf of the Plaintiff;

10

11           WINSTON & STRAWN, LLP BY  
12 MR. RAYMOND C. PERKINS  
13 35 West Wacker Drive  
14 Chicago, Illinois 60601  
15 (312) 558-6214

16           on behalf of the Defendants;

17

18           FAEGRE & BENSON, LLP by  
19 MS. NINA Y. WANG  
20 3200 Wells Fargo Center  
21 1700 Lincoln Street  
22 Denver, Colorado 80203  
23 (303) 607-3802

24

and

25

26           FAEGRE & BENSON, LLP by  
27 MR. NEAL COHEN  
28 1900 Fifteenth Street  
29 Boulder, Colorado 80302  
30 (303) 447-7700

31

32           on behalf of CQGT, LLC and CQG, Inc.;

33

34

35

36

1 SALANS by  
2 MS. LORA A. MOFFATT  
3 Rockefeller Center  
4 620 Fifth Avenue  
5 New York, New York 10020  
6 (212) 632-8436

7 on behalf of GL Trade Americas, Inc. and  
8 FuturePath Trading, LLC.

9  
10 ALSO PRESENT: Mr. Steve F. Borsand, Trading  
11 Technologies International, Inc.  
12 Mr. Bruce Witty, videographer  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

VIDEOTAPED DEPOSITION OF MICHAEL BURNS

TAKEN MAY 29, 2007

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

| EXAMINATION BY         | PAGE   |
|------------------------|--------|
| Mr. Raymond C. Perkins | 7, 296 |
| Mr. Matthew J. Sampson | 286    |

EXHIBITS

|                             | PAGE |
|-----------------------------|------|
| Defendant's Exhibit No. 640 | 256  |
| Defendant's Exhibit No. 641 | 267  |
| Defendant's Exhibit No. 642 | 277  |
| Defendant's Exhibit No. 643 | 279  |

PREVIOUSLY MARKED EXHIBITS

|                             | PAGE |
|-----------------------------|------|
| Defendant's Exhibit No. 390 | 22   |
| Defendant's Exhibit No. 407 | 88   |
| Defendant's Exhibit No. 458 | 220  |
| Defendant's Exhibit No. 592 | 193  |
| Defendant's Exhibit No. 626 | 215  |

# 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.