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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WESTERN DIVISION

CROSSROADS SYSTEMS,) Docket No. A 00-CA-217 SS
(TEXAS), INC., A TEXAS)
CORPORATION)
vs.) Austin, Texas
CHAPARRAL NETWORK)
STORAGE, INC., A)
DELAWARE CORPORATION) September 4, 2001

TRANSCRIPT OF TRIAL ON THE MERITS
BEFORE THE HONORABLE SAM SPARKS
Volume 1 of 6

APPEARANCES:

For the Plaintiff: Mr. Alan D. Albright
Mr. John Allcock
Mr. Matthew Bernstein
Mr. John Giust
Gray, Cary, Ware & Freidenrich
401 B Street, Suite 1700
San Diego, California 92101

For the Defendant: Mr. David D. Bahler
Mr. Michael C. Barrett
Mr. Stephen D. Dellett
Mr. Mark T. Garrett
Fulbright & Jaworksi
600 Congress Ave., Ste. 2400
Austin, Texas 78701

Court Reporter: Lily Iva Reznik, RPR, CRR
200 W. 8th Street
Austin, Texas 78701
(512) 916-5564

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LILY I. REZNIK
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS (AUSTIN)

COPY

CROSSROADS EXHIBIT 2301
NetApp Inc. v. Crossroads Systems, Inc.

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LILY I. REZNIK
 UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF TEXAS (AUSTIN)

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 UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF TEXAS (AUSTIN)

Smith - Direct

15:31:59 1 that you will find each one of those true, all three of them.
15:32:02 2 I'd like to thank you in advance for your attention to this
15:32:05 3 case on behalf of Chaparral. I know Tuesday after Labor Day
15:32:09 4 is not the favorite thing to come to the courthouse sitting on
15:32:11 5 a jury.

15:32:14 6 And on behalf of Chaparral, I'd like to thank you for
15:32:16 7 coming here today, and what I ask is that you listen to all
15:32:20 8 the evidence and when all the evidence is in, you make a fair
15:32:24 9 judgment. That's all we can ask. Thank you.

15:32:28 10 THE COURT: You may call your first witness.

15:32:35 11 MR. ALBRIGHT: Your Honor, we're going to move the
15:32:36 12 screen.

15:32:37 13 THE COURT: If you're going to move the screen, I
15:32:39 14 suggest you move it.

15:33:35 15 MR. ALBRIGHT: Your Honor, we would call Brian Smith
15:33:37 16 to the stand, please, sir.

15:33:39 17 THE COURT: Come forward, be sworn, please.

15:33:48 18 (Witness was sworn.)

15:33:52 19 THE COURT: Take your seat, please. If you'll tell us
15:34:03 20 your full name, please, sir, and spell your last.

15:34:13 21 THE WITNESS: Brian Rutledge Smith, S-M-I-T-H.

15:34:13 22 BRIAN R. SMITH, called by the Plaintiff, duly sworn.

15:34:13 23 DIRECT EXAMINATION

24 BY MR. ALBRIGHT:

15:34:13 25 Q. Mr. Smith, would you introduce yourself to the ladies and

LILY I. REZNIK
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS (AUSTIN)

Smith - Direct

15:34:14 1 gentlemen of the jury, please, sir?

15:34:14 2 A. Good afternoon. My name is Brian Smith. I am the

15:34:16 3 Chairman and CEO of Crossroads Systems.

15:34:18 4 Q. And would you briefly tell the jury what your educational

15:34:21 5 background is, starting with college?

15:34:23 6 A. Yes. I have an undergraduate degree in electrical

15:34:25 7 engineering from the University of Cincinnati, and I have a

15:34:28 8 graduate degree in electrical engineering from Purdue

15:34:32 9 University.

15:34:32 10 Q. When you graduated from Purdue, what did you do

15:34:35 11 professionally, sir?

15:34:36 12 A. I went to work for IBM.

15:34:38 13 Q. What time period would that be?

15:34:40 14 A. That was 1990.

15:34:43 15 Q. Okay. Moving ahead to 1992, 1993 time period, tell the

15:34:49 16 jury, if you would, please, sir, how it is that what is now

15:34:51 17 Crossroads began?

15:34:54 18 A. When I moved from New York to Austin to work for IBM and

15:34:58 19 after a while, we met a gentleman named Dale Quisenberry, who

15:35:01 20 we started to talk about -- I started to talk with about a

15:35:05 21 business opportunity, and we founded Crossroads together,

15:35:09 22 precursor to that in 1994.

15:35:11 23 Q. And what was the name of the precursor that you and Mr.

15:35:13 24 Quisenberry formed?

15:35:14 25 A. We called it Infinity Comm Stor.

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS (AUSTIN)

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