

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS
3 MARSHALL DIVISION
4 SOLAS OLED LTD.) (
5) (CIVIL ACTION NO.
6) (2:19-CV-152-JRG
7 VS.) (MARSHALL, TEXAS
8) (
9 SAMSUNG DISPLAY CO.,) (SEPTEMBER 8, 2020
10 LTD., ET AL.) (9:01 A.M.

11 PRETRIAL HEARING
12 BEFORE THE HONORABLE JUDGE RODNEY GILSTRAP
13 UNITED STATES CHIEF DISTRICT JUDGE

14
15 FOR THE PLAINTIFF: (See Attorney Attendance Sheet docketed
16 in minutes of this hearing.)

17 FOR THE DEFENDANTS: (See Attorney Attendance Sheet docketed
18 in minutes of this hearing.)

19
20 COURT REPORTER: Shelly Holmes, CSR, TCRR
21 Official Reporter
22 United States District Court
23 Eastern District of Texas
24 Marshall Division
 100 E. Houston Street
 Marshall, Texas 75670
 (903) 923-7464

25 (Proceedings recorded by mechanical stenography, transcript
produced on a CAT system.)

I N D E X

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09:01:59 1 COURT SECURITY OFFICER: All rise.

09:02:01 2 THE COURT: Be seated, please.

09:02:57 3 All right. This is the time set for pre-trial

09:03:24 4 matters to be heard before the Court in Solas OLED Limited

09:03:31 5 versus Samsung Display Limited, et al. This is Civil Case

09:03:36 6 No. 2:19-CV-152.

09:03:38 7 Let me call for announcements at this time.

09:03:41 8 What says the Plaintiff, Solas?

09:03:44 9 MS. HENRY: Good morning, Your Honor. Claire

09:03:54 10 Henry on behalf of Plaintiff, Solas. I'm joined today by

09:03:56 11 my law partner, Andrea Fair, and my co-counsel, Marc

09:04:01 12 Fenster, Reza Mirzaie, Adam Hoffman, Neil Rubin, and Jacob

09:04:06 13 Buczko. We're ready to proceed, Your Honor.

09:04:07 14 THE COURT: All right. Thank you.

09:04:08 15 What says the Defendants?

09:04:10 16 MR. GILLAM: Good morning, Your Honor. Gil Gillam

09:04:19 17 for Samsung. Also with me here today, Bob Haslam, Jeffrey

09:04:24 18 Lerner, and Daniel Cho. Ready to proceed, Your Honor.

09:04:27 19 THE COURT: All right. Thank you.

09:04:27 20 Counsel, let me begin with some housekeeping

09:04:35 21 matters to go over with you.

09:04:37 22 This case is set for jury selection on Thursday,

09:04:42 23 October the 1st. That will be the third jury trial I will

09:04:53 24 have tried since the advent of COVID-19. There are various

09:04:59 25 public health-related protocols that the Court is

09:05:06 1 implementing. Let me cover some of those with you, as well
09:05:09 2 as the basic housekeeping matters that we need to cover
09:05:16 3 also.

09:05:17 4 First of all, I'll note that the pre-trial order
09:05:21 5 indicates that Mr. Fenster and Mr. Mirzaie are designated
09:05:30 6 as co-lead counsels for the Plaintiffs. The Court's local
09:05:34 7 rules and the Court's practice do not allow for co-lead
09:05:40 8 counsel. If I ever start allowing that, I'll have 17
09:05:40 9 people who are all co-lead counsel. We need one lead
09:05:42 10 counsel.

09:05:42 11 So you two gentlemen flip a coin or do whatever
09:05:46 12 you need to do and file a new notice with the Court that
09:05:49 13 indicates which one of you is lead counsel for purposes of
09:05:51 14 this case.

09:05:52 15 As I say, the case is set for jury selection on
09:05:56 16 October the 1st, which is a Thursday. My recent experience
09:06:03 17 indicates to me that it will take most, if not all, of the
09:06:08 18 entire first day to select, seat, and swear the jury in in
09:06:12 19 this case.

09:06:12 20 At a high level, let me tell you what you can
09:06:15 21 expect. The venire panel has been advised and summonsed to
09:06:26 22 be here at 7:45. They'll be brought into the courthouse
09:06:30 23 one at a time. They'll be processed individually through
09:06:33 24 security, and then they'll be escorted by a Court Security
09:06:38 25 Officer to the courtroom. They'll be placed in the gallery

09:06:42 1 in designated seats.

09:06:44 2 My intention is to put 40 members of the venire
09:06:50 3 panel in the gallery. The entire gallery will be consumed
09:06:54 4 with socially distanced members of the venire panel.
09:06:59 5 Therefore, if you have additional staff, paralegals, jury
09:07:02 6 consultants, corporate representatives, in-house counsel,
09:07:07 7 or others, they will not be permitted in the courtroom
09:07:10 8 during jury selection.

09:07:13 9 The Magistrate's courtroom downstairs will be
09:07:16 10 available for those folks. There will be monitors there
09:07:19 11 where what goes on in here will be streamed so that they
09:07:23 12 can observe and see what goes on.

09:07:26 13 But the facilities that we have just will not
09:07:30 14 accommodate those other than the trial teams and the venire
09:07:36 15 panel in this courtroom and allow for social distancing.

09:07:40 16 The members of the venire panel will be required
09:07:43 17 to wear a mask. They will have gloves available if they
09:07:47 18 want them. There will be two Court Security Officers in
09:07:52 19 the gallery amongst the members of the panel during jury
09:07:55 20 selection. Both sides will examine the panel from the
09:08:00 21 podium.

09:08:02 22 If you specifically call on a member of the venire
09:08:05 23 panel to answer a question or during the time when they're
09:08:09 24 called upon by the Court to answer those nine background
09:08:11 25 questions that are standard procedure, each member, as it

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