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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

REMBRANDT WIRELESS	*	Civil Docket No.
TECHNOLOGIES, LP,	*	2:13-CV-213
	*	Marshall, Texas
Plaintiff,	*	
VS.	*	
	*	
SAMSUNG ELECTRONICS CO. LTD, ;	*	
SAMSUNG ELECTRONICS	*	
AMERICA, LLC; SAMSUNG	*	
TELECOMMUNICATIONS AMERICA,	*	
LLC; SAMSUNG AUSTIN	*	
SEMICONDUCTOR, LLC,	*	
	*	February 10, 2015
Defendants.	*	8:21 a.m.

TRANSCRIPT OF JURY TRIAL
BEFORE THE HONORABLE RODNEY GILSTRAP
UNITED STATES DISTRICT COURT

APPEARANCES:

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8 P R O C E E D I N G S

9 (Jury out.)

10 COURT SECURITY OFFICER: All rise.

11 THE COURT: Be seated, please.

12 All right. I understand Defendants have an
13 offer -- offer of proof to make; is that correct,
14 Mr. Smith?

15 MR. SMITH: That's correct, Your Honor.

16 THE COURT: You may proceed.

17 MR. SMITH: Your Honor, Defendants have an
18 offer of proof this morning consisting of three
19 documents.

20 The first is the 2007 patent sale agreement
21 between Zhone Technologies and Summit Technology
22 Systems. A redacted version of that is preadmitted as
23 Defendants' Exhibit 1052. That provision has the
24 pro rata allocation provision excluded, and Offer of
25 Proof Exhibit 1 is an unredacted copy of that document.

Document No. 2 is Rembrandt's settlement
agreement with BlackBerry in this case. A preadmitted

1 copy is Plaintiff's Exhibit 879. That copy has the
2 payment terms, both the total and the apportionment
3 amounts excluded from it. We continue to maintain our
4 objection to admission of that exhibit for the reasons
5 set forth in our -- in our Daubert motion and the motion
6 in limine.

7 However, if the Court does admit it, we
8 believe that the entire document should be in. An
9 unredacted copy of that document is Offer of Proof
10 Exhibit No. 2.

11 The third document is the Bandspeed license
12 with BlackBerry, which is -- it is not preadmitted. It
13 is -- it is referred to as Defendants' Exhibit 1710,
14 and -- and a copy of that is attached as Offer of
15 Proof 3.

16 For the reasons set forth in the magistrate
17 judge's evidentiary rulings, which is Docket 263, which
18 has been overruled by the Court previously, we would
19 offer those three documents in, once again, for the
20 reasons set forth previously.

21 THE COURT: Well, your offer of proof on these
22 three documents is received by the Court. The Court's
23 prior rulings stand unchanged.

24 MR. SMITH: Thank you, Your Honor.

25 THE COURT: All right. Are Plaintiffs ready

1 to proceed to the podium and read into the record those
2 items from the preadmitted exhibits that were used
3 before the jury during yesterday's portion of the trial?

4 MR. ALAVI: We are, Your Honor.

5 THE COURT: Please proceed to do so.

6 MR. ALAVI: Your Honor, may it please the
7 Court.

8 We have reached an agreement. The parties
9 agree that these are the preadmitted exhibits that were
10 used at trial yesterday. We've done it by witness, for
11 the record.

12 In connection with Mr. Bremer's direct, the
13 following exhibits were used: PX-1, -2, -5, -6, -7, -9,
14 and -15; and DX-1011, -1012, -1013, and -1014.

15 With respect to Mr. Bremer's cross, the
16 following exhibits were used: PX-7, DX-1001, DX-1103,
17 and DX-1104.

18 With respect to the direct of Dr. Morrow, the
19 following exhibits were used: PX-23, -24, -25, -26,
20 -27, -42, -43, -45, -63, -68, -69, -72, -73, -78, -79,
21 -238, -350 through -664, -665 through -751, -756 through
22 -776, -779 through -806, -809 through -813, -815 through
23 -819, -822 through -825, and Defendants' Exhibit 1043.

24 Thank you, Your Honor.

25 THE COURT: All right. Any objection to that

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