

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF TEXAS
3 WACO DIVISION

3 PARKERVISION, INC.) Docket No. WA 20-CA-108 ADA
4 vs.)
5 INTEL CORPORATION) Waco, Texas
6)
7) September 2, 2020

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9 TRANSCRIPT OF VIDEOCONFERENCE MOTION HEARING
10 BEFORE THE HONORABLE ALAN D. ALBRIGHT

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25 Proceedings reported by computerized stenography,
transcript produced by computer-aided transcription.

1 THE COURT: Good afternoon.

2 MR. WREN: Good afternoon, your Honor.

3 THE COURT: Suzanne, would you be so kind --

4 MR. DAIGNAULT: Good afternoon, Judge.

14:02:57 5 THE COURT: Would you call the case, please?

14:02:57 6 THE CLERK: Sure.

14:02:59 7 Motion hearing in Civil Action W-20-CV-108,

14:03:02 8 styled, ParkerVision, Incorporated vs. Intel Corporation.

14:03:07 9 THE COURT: If I could hear from counsel of

14:03:09 10 record, please, starting with the plaintiff, whoever will

14:03:12 11 be speaking during this hearing.

14:03:14 12 MR. DAIGNAULT: Good afternoon, your Honor.

14:03:15 13 This is Ron Daignault from Goldberg Segalla for

14:03:18 14 the Plaintiff ParkerVision. And with me today are also

14:03:22 15 Jeff Parker, the CEO of ParkerVision, along with Chandran

14:03:28 16 Iyer, Jason Charkow, Ray Mort and Stephanie Mandir.

14:03:31 17 THE COURT: Welcome to all of you, especially

14:03:33 18 your client. I appreciate him taking the time to attend.

14:03:38 19 MR. PARKER: Thank you. Good afternoon.

14:03:40 20 MR. WREN: Your Honor, Jim Wren here for Intel.

14:03:43 21 I want to introduce from Wilmer Hale, Michael Summersgill,

14:03:49 22 Jason Choy and Sarah Petty. I also want to introduce from

14:03:54 23 Intel, Kim Schmitt, Brad Waugh and Lien Dang.

14:03:58 24 And, your Honor, conspicuously missing in action

14:04:01 25 today is Steve Ravel, who encountered a hopefully brief

14:04:08 1 health issue this week and for whom I am subbing in. Mr.
14:04:12 2 Ravel is doing well, sends his regards to the Court and
14:04:16 3 opposing counsel.

14:04:17 4 And Mr. Summersgill will be taking the lead for
14:04:21 5 Intel today, and then, I'll join in on some brief points.

14:04:24 6 THE COURT: We missed Mr. Ravel yesterday, as
14:04:26 7 well. So I hope he is -- let him know, I hope he's
14:04:30 8 feeling better.

14:04:32 9 MR. WREN: I will. Thank you, Judge.

14:04:33 10 THE COURT: Okay. Let me tell you part of the
14:04:35 11 reason -- the primary reason I set this. We have done a
14:04:41 12 lot of work already on this motion. I think we feel like
14:04:44 13 we're in pretty good shape, generally speaking, on what
14:04:49 14 you all submitted. The briefs as usual are terrific. But
14:04:54 15 what I don't know is -- other than every other citizen in
14:05:01 16 the United States is what the current status is of the
14:05:05 17 courts in Oregon.

14:05:08 18 And I think it is -- I would like to hear first,
14:05:12 19 I guess, from the defendants since it's their motion to
14:05:15 20 transfer. I'd like to hear first whether or not counsel
14:05:20 21 knows what the current situation is regarding the docket
14:05:24 22 of the federal court where you're seeking this to be
14:05:29 23 transferred to and the impact. I don't know -- I feel
14:05:35 24 kind of ignorant other than seeing the news. But it seems
14:05:39 25 to me as a casual observer that with a hundred nights in a

14:05:43 1 row of protests and violence, that that has to have had
14:05:48 2 some impact on the judiciary and what's happening in
14:05:52 3 Portland. But I could be totally wrong. That might just
14:05:55 4 be surmise on my side.

14:05:56 5 So what I'd like to hear if counsel from either
14:05:58 6 side knows, and I'll start with counsel for defendant who
14:06:01 7 is the movant, if you know whether or not the -- what the
14:06:05 8 status of the federal courts are and how the last 100 days
14:06:10 9 or longer has impacted what they're doing with their civil
14:06:14 10 docket.

14:06:15 11 MR. SUMMERSGILL: Your Honor, this is Michael
14:06:17 12 Summersgill.

14:06:19 13 Thank you for holding the hearing. And the way
14:06:21 14 Mr. Wren and I had divided the issues is that I was going
14:06:24 15 to focus more on the private interest factors, and he was
14:06:28 16 going to focus on the public interest factors. But I have
14:06:31 17 spent a fair amount of time in Portland, so I thought I'd
14:06:34 18 like a crack at this. And then, if Mr. Wren has
14:06:36 19 additional thoughts, he could add them.

14:06:39 20 That the court up in Portland is one that we've
14:06:45 21 been before a number of times. There are currently 14
14:06:50 22 patent cases pending up there. So it's a relatively light
14:06:56 23 load. The judges up there are very experienced with
14:06:58 24 patent cases, though, despite the relatively light load.

14:07:04 25 I'm not aware of the protests having any impact

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