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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

)
EcoFactor, Inc.,)
)
Plaintiff,)
)
vs.) Case No.
) 6:21-cv-00428-ADA
ecobee, Inc.,)
)
Defendants.)
_____)

ZOOM VIDEOTAPED DEPOSITION OF DAVID AUSLANDER
Lafayette, California
Friday, February 2, 2023
Volume I

Reported by:
LORI M. BARKLEY
CSR No. 6426

Job No. 5698028

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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

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EcoFactor, Inc.,)
)
Plaintiff,)
)
vs.) Case No.
) 6:21-cv-00428-ADA
ecobee, Inc.,)
)
Defendants.)
_____)

Zoom Videotaped deposition of DAVID AUSLANDER,
Volume I, taken at Lafayette, California, beginning at
9:00 a.m., and ending at 11:25 a.m., on Friday, February
2, 2023, before LORI M. BARKLEY, Certified Shorthand
Reporter No. 6426.



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I N D E X

WITNESS

DAVID AUSLANDER

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Declaration 66

1 Lafayette, California; Friday, February 2, 2023

2 9:00 a.m.

3
4 DAVID AUSLANDER,

5 having been administered an oath, was examined and
6 testified as follows:

7
8 EXAMINATION

9 BY MR. LINK:

10 Q. Good morning, Dr. Auslander.

11 A. Good morning.

12 Q. How many depositions have you been in?

13 A. I don't know, I haven't counted.

14 Q. Are we talking, you know, single digits or
15 double digits or over a hundred --

16 A. No, modest double digits.

17 Q. And how many of them have been remote
18 depositions like this?

19 A. This started of course with COVID. So I've been
20 in, how many, three at this point, maybe, something like
21 that.

22 Q. Okay. Just a reminder on that since we're
23 making a written record. Both of us want to be mindful
24 of allowing the other to complete their question or
25 answer before talking. If a question's unclear, just

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