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

MAXELL, LTD. )  
 ) DOCKET NO. 5:16cv179  
-vs- )  
 ) Texarkana, Texas  
 ) 12:48 p.m.  
ZTE USA, INC. ) June 19, 2018

TRANSCRIPT OF TRIAL  
AFTERNOON SESSION  
BEFORE THE HONORABLE ROBERT W. SCHROEDER III,  
UNITED STATES DISTRICT JUDGE,  
AND A JURY

A P P E A R A N C E S

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

2 (Jury out.)

3 COURT SECURITY OFFICER: All rise.

4 THE COURT: Anything we need to address before we  
5 have the jury brought in?

6 MR. CULBERTSON: I do have a quick question, Your  
7 Honor. I thought I clarified it beforehand, but I've come up  
8 with further questions.

9 We have our exhibit list, which indicates those  
10 exhibits to which there are and are not objections. Would  
11 you like us to just tender that list to the Court, or would  
12 you like me to read into the record the exhibits to which  
13 there are not objections?

14 THE COURT: I would -- are there a significant  
15 number of those?

16 MR. CULBERTSON: There's a number of exhibits that  
17 we have agreed upon, is the good news, that we'll be asking  
18 for admission, you know, for -- without objection. I can run  
19 through a list in groups if that's helpful, or we can just  
20 provide the list to the Court.

21 THE COURT: You're welcome to provide the list to  
22 the Court, but I only want the list to include the ones to  
23 which there are no objections.

24 MR. CULBERTSON: Okay.

25 THE COURT: So could we -- perhaps redo the list?

1 MR. CULBERTSON: I think, actually, we do have that  
2 list.

3 THE COURT: Okay.

4 MR. CULBERTSON: So we'll tender that to the Court.

5 THE COURT: That'll be fine.

6 MR. CULBERTSON: Thank you much.

7 THE COURT: Anything from the Defense?

8 All right. Let's have the jury brought in.

9 MR. WISNIA: I would just say to save some time --

10 THE COURT: Hold on, Mr. Wisnia. Just a minute,  
11 Mr. Wisnia.

12 MR. WISNIA: I apologize.

13 THE COURT: Is there anything further we need to  
14 address?

15 MR. WISNIA: I'm just going to offer the --

16 THE COURT: To the podium, please.

17 MR. WISNIA: Costing time instead of saving time.

18 To -- to save time, if they want to use whatever  
19 exhibits that they represent have been unobjected to today, I  
20 don't -- I won't, you know, object to them just using them  
21 without moving them in one by one with the witness.

22 THE COURT: I understand. Thank you.

23 Let's have the jury brought in.

24 COURT SECURITY OFFICER: All rise for the jury.

25 (Jury in.)

1 THE COURT: Please be seated.

2 Okay. Ladies and gentlemen of the jury, you've  
3 heard the opening statements of the parties. Let me ask the  
4 Plaintiff's counsel if they wish to move into evidence any  
5 exhibits at this time.

6 MR. CULBERTSON: Thank you, your Honor. Geoff  
7 Culbertson.

8 At this time we would like to move into evidence  
9 those of Plaintiff's exhibits to which the Defendants have no  
10 objection, and I have a list of those exhibits that I can  
11 tender to the Court with your permission.

12 THE COURT: Very well.

13 MR. CULBERTSON: We'd move for their admission.

14 THE COURT: All right. And those are not objected  
15 to; is that correct, Mr. Wisnia?

16 MR. WISNIA: Yes, your Honor.

17 THE COURT: All right. Very well. Those will be  
18 admitted into evidence.

19 Does either party wish to invoke the Rule?

20 MR. FINDLAY: Yes, Your Honor.

21 THE COURT: Okay.

22 MR. FINDLAY: We would like the Rule invoked.

23 THE COURT: All right. Very well.

24 The -- the -- to the ladies and gentlemen in the  
25 gallery, the Rule has been invoked. So to the extent there

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