

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

MAXELL, LTD.)
) DOCKET NO. 5:16cv179
-vs-)
) Texarkana, Texas
) 1:16 p.m.
ZTE USA, INC.) June 22, 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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P R O C E E D I N G S

(Courtroom remains sealed.)

(This portion of the transcript is sealed and filed under separate cover as Sealed Portion No. 14.)

(Courtroom unsealed.)

THE COURT: Mr. Findlay?

MR. FINDLAY: Just we have a possible witness issue with Mansoorian that I don't know if we have resolved yet.

One of our witnesses, Mr. Mansoorian -- we have discussed it with Maxell, we have told them about it -- has to be in California on Tuesday. And so we were wondering if perhaps we could put him on Monday out of order potentially.

MS. BJURSTROM: No.

MR. FINDLAY: Oh, sorry.

THE COURT: Ms. Bjurstrom, do you want to address this?

MS. BJURSTROM: Yes, Your Honor. I sent an e-mail a couple of days ago to the other side to let them know that things -- the timing has been a little different than we thought for some of the witnesses, and so one of their last witnesses is going to be Dr. Madisetti, and he hasn't gone on yet.

And it looks like if Dr. Phinney hasn't gone, we've got Dr. Madisetti still to go kind of way towards the end of the order.

1 And, obviously, Dr. Mansoorian would like to be
2 able to sit and listen to Dr. Madisetti.

3 He had -- in the two-week period of time that we
4 he -- similar to Dr. Caloyannides -- he had one day, Tuesday
5 of next week, where he needed to be in the Bay Area for a
6 long scheduled meeting.

7 So I had asked whether we could put Dr. -- well, I
8 said, you know, Dr. Mansoorian could testify like Monday
9 morning or Wednesday afternoon. He could be here for
10 Dr. Madisetti if he went on Monday morning, and then he could
11 come back and testify, Mansoorian could, on Wednesday
12 afternoon.

13 We just wanted to try to organize this in a way
14 that he could be gone for that one day back and forth --
15 sorry -- back and forth. So it's just a -- and I let them
16 know a couple of days ago, but I haven't heard anything in
17 response. And I'm a little concerned that we just got
18 through the damages expert, and we haven't even gotten to
19 Dr. Phinney or Dr. Madisetti yet.

20 THE COURT: Okay. Thoughts from the Plaintiffs?

21 MR. LEVY: Thank you, Your Honor.

22 I think we were aware that Dr. Mansoorian had a
23 scheduling issue and might be out of order, but I don't think
24 we had any of the details.

25 But maybe now that we have the details, we can talk

1 about it. I'm not quite sure what relief they're asking for.
2 We still have two witnesses, two experts, and some deposition
3 clips and, you know, we've -- we've been handling roughly two
4 a day. So, hopefully, we can get them both done on Monday.

5 If the issue is that Dr. Mansoorian sooner won't be
6 able to go on Tuesday, I think that's fine. He could
7 probably go on Wednesday.

8 Again, I'm -- I think there's some confusion on our
9 part because we're not sure what relief they're actually
10 asking for. So maybe that's something we can discuss over
11 the weekend.

12 MS. BJURSTROM: Well, if they're just willing to
13 work it out with us, like we worked it out with
14 Dr. Caloyannides, I think that would be appreciated. So we
15 just haven't heard anything.

16 THE COURT: Well, I don't -- I'm going to expect
17 the same from either of you, to try -- try your very best to
18 work it out.

19 MR. LEVY: Absolutely. We -- we don't have any
20 issue. We're just not quite sure what the issue is, and
21 we're happy to work with them to kind of figure it out.

22 THE COURT: I mean, you know, I've had this come up
23 a time or two in other cases where there was, you know, a
24 longer trial and we asked the witness to sit for a deposition
25 over the weekend and, you know, when we got to that part of

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