

EXHIBIT D

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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
) 1:00 p.m.
ZTE USA, INC.) June 20, 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

FOR THE PLAINTIFF:

MR. JAMIE B. BEABER
MAYER BROWN LLP
1999 K Street, NW
Washington, DC 20006

MR. GEOFFREY P. CULBERTSON
PATTON TIDWELL & CULBERTSON, LLP
2800 Texas Blvd.
Texarkana, TX 75503

COURT REPORTER: MS. CHRISTINA L. BICKHAM, RMR, CRR
FEDERAL OFFICIAL COURT REPORTER
300 Willow, Ste. 221
Beaumont, TX 77701

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1 FOR THE PLAINTIFF:

2

MR. ALAN GRIMALDI
MR. KFIR B. LEVY
MR. JAMES A. FUSSELL III
MR. BRYAN C. NESE
MR. WILLIAM J. BARROW
MS. TIFFANY MILLER
MR. BALDINE B. PAUL
MR. SAQIB J. SIDDIQUI
MR. CLARK S. BAKEWELL
MAYER BROWN LLP
1999 K. Street, NW
Washington, DC 20006

9

10

11 FOR THE DEFENDANT:

12

MR. ERIC H. FINDLAY
FINDLAY CRAFT PC
102 N. College Ave., Ste. 900
Tyler, Texas 75702

15

MS. CALLIE A. BJURSTROM
MR. HOWARD N. WISNIA
MS. NICOLE S. CUNNINGHAM
MR. SARA J. O'CONNELL
PILLSBURY WINTHROP SHAW PITTMAN LLP
501 W. Broadway, Ste. 1100
San Diego, CA 92101-3575

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1 Q. Okay. Can you take a look at Page 111 again? This time
2 Lines 19 through 22.

3 A. Yes.

4 Q. And there it says: Does Maxell consider ZTE to be a
5 competitor?

6 And your answer, sir, was: I think we are able to
7 regard ZTE as not -- ZTE as noncompetitor since our business
8 fields are different.

9 That was your testimony?

10 A. Yes.

11 Q. Mr. Nakamura, when did Maxell file this lawsuit?

12 A. In 2016.

13 Q. Okay. I'll represent to you it was November 18, 2016.

14 Does that sound about right?

15 A. Yes.

16 Q. All right.

17 MS. BJURSTROM: If we could pull up the slide from
18 the Plaintiff's opening statement, Slide 25, please.

19 Q. (By Ms. Bjurstrom) All right. Now, you were here
20 yesterday for the opening statements, right, Mr. Nakamura?

21 A. Yes.

22 Q. All right. And so you heard Mr. Beaver say to the jury:
23 And while you may think of Maxell as a Japanese company, it
24 has a major presence right here in the United States.

25 Remember that?

1 A. Yes.

2 Q. Okay. So Maxell Corporation of America in New Jersey,
3 No. 1 that's listed right here, that's not the Plaintiff in
4 this case, right, sir?

5 A. No.

6 Q. Okay. And Maxell Corporation of America is not the
7 owner of the patents asserted in this case, right?

8 A. That's right.

9 Q. Okay. And then if we take a look, Maxell America, Inc.,
10 Georgia, okay, No. 2 there, that, again, is not a Plaintiff
11 in this case, right?

12 A. Right.

13 Q. Okay. And they also don't have any interest in the
14 patents that are being asserted in this case, right?

15 A. Right.

16 Q. Okay. Now let's take a look at the third one, Maxell
17 Research & Development America, LLC, Texas.

18 Do you see that?

19 A. Yes.

20 Q. Okay. And Mr. Beaver called out this company as being
21 right here in East Texas, and I think Mr. Culbertson talked
22 about that this morning, right?

23 A. Yes.

24 Q. Okay. And I think you've testified that they're in
25 Marshall; is that right?

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