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

ANCORA TECHNOLOGIES, INC. *
*
VS. * September 9, 2020
*
LG ELECTRONICS, INC., ET AL *
* CIVIL ACTION NO. AU-20-CV-34
SAMSUNG ELECTRONICS CO., LTD, *
ET AL *

BEFORE THE HONORABLE ALAN D ALBRIGHT, JUDGE PRESIDING
TELEPHONIC DISCOVERY HEARING

APPEARANCES:

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1 (September 9, 2020, 10:30 a.m.)

2 MS. MILES: Telephonic discovery hearing in Civil Action
3 1:20-CV-34, styled Ancora Technologies, Incorporated versus LG
4 Electronics Incorporated, and others.

5 THE COURT: If I could hear announcements from counsel,
6 please.

7 MR. SEIGEL: Good morning, Your Honor. This is Steve
8 Seigel from Susman Godfrey on behalf of plaintiff Ancora, and I
9 believe that Charley Ainsworth and Chris Bunt are also on the
10 line.

11 THE COURT: Okay. Good to hear that.
12 And for defendants?

13 MR. CARTER: Good morning, Your Honor. Winn Carter for
14 LGE, along with Collin Park, Elizabeth Chiaviello and Tom
15 Davis.

16 THE COURT: Very good. Thank you.

17 Okay. I'm sorry. Was there someone else that wanted to
18 announce?

19 MR. SHARMA: Yes. Good morning, Your Honor. This is
20 Anupam Sharma from Covington Burling on behalf of Samsung.
21 Also with me is Matthew Phelps from Covington.

22 THE COURT: Okay. Anybody else?

23 MS. SMITH: Your Honor, it's Melissa Smith on behalf of
24 Samsung as well.

25 THE COURT: Thanks for being here.

1 MS. SMITH: Good morning.

2 THE COURT: Good morning.

3 Is that everyone?

4 Okay. And I'm happy to jump in and take up the matters.

5 I've got the e-mail. So I think we're all ready to go.

6 MR. CARTER: Yes, Your Honor. So Winn Carter for LGE.

7 As we reported in our e-mail this morning, we have
8 responded -- or had an opportunity, and we thank you for that
9 opportunity to speak with our clients about the three asks that
10 were first raised in the call on Thursday.

11 And regarding those three asks from Ancora, we have agreed
12 to produce a witness to discuss the e-mail practices that they
13 asked for with that witness being produced on or before
14 September the 24th I believe was the date. Obviously it will
15 be by a remote hearing, given the current circumstances both in
16 the United States and in Korea. And we've asked for Ancora's
17 proposal on how the logistics of the deposition will take place
18 and so forth. So we're awaiting those directions from Ancora.

19 Regarding the second ask from Ancora that was requesting
20 that LGE supplement its response to Ancora's contention
21 Interrogatory No. 13 by September the 11th, since this is a
22 contention interrogatory, Your Honor, and obviously fact
23 discovery and expert discovery is not complete -- been
24 completed yet, and that is several weeks away, we're still
25 willing to supplement based upon our current information, the

1 information that was provided in Interrogatory No. 13, and
2 would be willing to do so by I believe the 25th of September.

3 We also have -- and we raised this in our call with Ancora
4 on Friday. We also have outstanding contention
5 interrogatories, specifically one dealing with invalidity
6 contentions, and we raised this because they did not answer
7 that contention interrogatory. They provided a bunch of
8 objections and said that we would discuss with you a mutual
9 time to respond to these contention interrogatories, which we
10 understood to be for both parties. And so if they wish for us
11 to respond to the contention interrogatory by September 25th to
12 provide that, it seems only right, citing the goose-gander
13 rule, that by September 25th Ancora also provide its response
14 to that Interrogatory No. 13 dealing with invalidity
15 contentions. That's the proposal we made, and --

16 THE COURT: Mr. Carter. Mr. Carter.

17 MR. CARTER: Yes.

18 THE COURT: This is Alan Albright.

19 What -- I know generally speaking what the
20 interrogatory you're -- what specifically are you seeking at
21 this time for the plaintiff to add with respect to the
22 invalidity? If you could help me out with a little more
23 specificity.

24 MR. CARTER: Yes, sir. The Interrogatory No. 13 asks for
25 information concerning their position on the invalidity

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