

EXHIBIT 7

03:52 1

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

2		
3	DEMARAY LLC	* October 20 & 21, 2020
4		*
5	VS.	* CIVIL ACTION NOS.
6		*
7	INTEL CORPORATION	* W-20-CV-634
8	SAMSUNG ELECTRONICS, ET AL	* W-20-CV-636

BEFORE THE HONORABLE ALAN D ALBRIGHT
TELEPHONIC DISCOVERY HEARING

APPEARANCES:

9		
10	For the Plaintiff:	Crawford Maclain Wells, Esq.
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04:01 25

04:01 1 (October 20, 2020, 4:01 p.m.)

04:01 2 MS. MILES: Telephonic discovery hearing in Civil Action
04:01 3 W-20-CV-634 and W-20-CV-636, styled Demaray LLC versus Intel
04:01 4 Corporation and Demaray LLC versus Samsung Electronics Company,
04:01 5 Limited and others.

04:01 6 THE COURT: If I could have announcements from counsel,
04:01 7 please.

04:01 8 MR. MILVENAN: Judge, Rick Milvenan from McGinnis for
04:01 9 plaintiff Demaray, joined by Ben Hattenbach and Maclain Wells
04:01 10 from Irell & Manella.

04:01 11 MR. RAVEL: Your Honor, Steve Ravel for defendant Intel,
04:02 12 along with my client representative John Edwards.

04:02 13 THE COURT: Very good. And what do we have to talk about?

04:02 14 MR. NASH: Good afternoon, Your Honor.

04:02 15 MR. WELLS: So, Your Honor, this is --

04:02 16 MR. NASH: Excuse me, Maclain. I'd like to say hello.

04:02 17 Judge, this is Brian Nash on behalf of Samsung or the
04:02 18 Samsung defendants.

04:02 19 THE COURT: Okay. Thank you.

04:02 20 MR. NASH: I'm happy to -- we were the ones that requested
04:02 21 the conference, Your Honor. So I'm happy to kind of jump in
04:02 22 and let you know the issue that we're dealing with if that
04:02 23 would be helpful.

04:02 24 THE COURT: Please.

04:02 25 MR. WELLS: Your Honor, it's our confidential information.

04:02 1 So we certainly think that it's appropriate for us to go first.

04:02 2 THE COURT: Who just said that? Was it Mr. Milvenan?

04:02 3 MR. WELLS: That was Mclain Wells of Irell & Manella.

04:02 4 THE COURT: Okay. I don't care who goes first. So...

04:02 5 MR. WELLS: Well, Your Honor, this is Maclain Wells of
04:02 6 Irell & Manella and I wanted to just give you a breakdown of
04:03 7 where we are.

04:03 8 THE COURT: Okay.

04:03 9 MR. WELLS: So the dispute revolves around the party's
04:03 10 Demaray's preliminary infringement contentions. We prepared
04:03 11 preliminary infringement contentions based upon internal
04:03 12 Demaray documents that are marked attorneys' eyes only under
04:03 13 the interim protective order as well as third party reverse
04:03 14 engineering reports of Intel and Samsung products and the other
04:03 15 contractual obligation to maintain the confidentiality of those
04:03 16 materials. So we designated our preliminary infringement
04:03 17 contentions attorneys' eyes only, as we thought proper.

04:03 18 Now, the Court received the parties' positions regarding
04:03 19 this in the CMC update last week and ruled on this matter on
04:03 20 Friday, and the Court determined that the attorneys' eyes only
04:03 21 confidentiality restriction was too narrow and that the
04:03 22 materials should be treated as confidential, which the Court
04:03 23 said would be sufficient to protect the information while
04:03 24 allowing defendants to confer with their clients.

04:04 25 Now, the Court's interim protective order is clear that

04:04 1 confidential information can be disclosed to in-house counsel
04:04 2 on an as needed basis, other persons in house at defendants
04:04 3 once they're identified and it can be used only for the
04:04 4 purposes of litigating this case. Now, we understand the
04:04 5 Court's order. We're ready to treat the materials exactly as
04:04 6 the Court has suggested.

04:04 7 Now, the other side has come and said they want clarity
04:04 8 regarding the Court's ruling, regarding what restrictions apply
04:04 9 to confidential information. So the dispute is what proper use
04:04 10 defendants can make of Demaray's confidential information.

04:04 11 At the meet and confer on Friday between counsel after the
04:04 12 Court's ruling, defendants took the position that they could
04:04 13 still show this information to third parties such as their
04:04 14 suppliers -- one example of a supplier is Applied Materials --
04:04 15 and use it for any related disputes. It's our position that
04:05 16 that really doesn't provide any protection at all. Applied
04:05 17 Materials has filed a second or a third filed litigation in
04:05 18 California and requested the California court enjoin this Court
04:05 19 from proceeding with this case. And Applied Materials has
04:05 20 indicated that it intends to seek IPRs on the patents and more
04:05 21 than likely will seek to stay the California action. So we
04:05 22 think that it's clear that defendants are trying to leverage
04:05 23 this information to delay the -- to delay the case.

04:05 24 Now, the defendants claim that they are suffering
04:05 25 prejudice because they are unable to prepare a transfer motion,

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