

EXHIBIT AF

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

4 DEMARAY LLC

* January 26, 2021

*

5 VS.

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6 INTEL CORPORATION

* CIVIL ACTION NO. W-20-CV-634

7 SAMSUNG ELECTRONICS, ET AL

* CIVIL ACTION NO. W-20-CV-636

8 BEFORE THE HONORABLE ALAN D ALBRIGHT
9 DISCOVERY HEARING (via Zoom)

10 APPEARANCES:

11 For the Plaintiff:

Crawford Maclain Wells, Esq.
Irell & Manella LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067

Richard D. Milvenan, Esq.
McGinnis Lochridge and Kilgore
600 Congress Avenue, Suite 2100
Austin, TX 78701

12 For Defendant Intel:

J. Stephen Ravel, Esq.
Kelly Hart & Hallman LLP
303 Colorado Street, Suite 2000
Austin, TX 78701

Yar R. Chaikovsky, Esq.
Philip Ou, Esq.
Paul Hastings LLP
1117 South California Avenue
Palo Alto, CA 94304

13 For Samsung Defendants:

Brian Christopher Nash, Esq.
Pillsbury Winthrop Shaw Pittman LLP
401 Congress Avenue, Suite 1700
Austin, TX 78701-3797

14 Court Reporter:

Kristie M. Davis, CRR, RMR
PO Box 20994
Waco, Texas 76702-0994
(254) 340-6114

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03:08 1 (January 26, 2021, 3:08 p.m.)

03:08 2 DEPUTY CLERK: Discovery hearing in Civil Action
03:08 3 W-20-CV-634, styled Demaray LLC versus Intel Corporation, and
03:08 4 W-20-CV-636, styled Demaray LLC versus Samsung Electronics
03:09 5 Company and others.

03:09 6 THE COURT: If I could hear announcements from counsel,
03:09 7 starting with the plaintiff, please.

03:09 8 MR. MILVENAN: Your Honor, Rick Milvenan from McGinnis
03:09 9 Lochridge for the plaintiff Demaray LLC. I'm joined by Maclain
03:09 10 Wells from the Irell & Manella firm.

03:09 11 MR. WELLS: Good afternoon, Your Honor.

03:09 12 THE COURT: Good afternoon.

03:09 13 MR. NASH: Good afternoon, Your Honor. This is Brian Nash
03:09 14 of Pillsbury Winthrop Shaw Pittman on behalf of Samsung
03:09 15 defendants.

03:09 16 (Clarification by the reporter.)

03:09 17 MR. NASH: This is Brian Nash, Your Honor, on behalf of
03:09 18 the Samsung defendants.

03:09 19 MR. RAVEL: Your Honor, Steve Ravel on behalf of Intel.
03:09 20 With me today is our client representative John Edwards and a
03:09 21 couple of lawyers from Paul Hastings who can introduce
03:10 22 themselves and let you know how they fit in.

03:10 23 THE COURT: Okay.

03:10 24 MR. CHAIKOVSKY: Good afternoon, Your Honor. Yar
03:10 25 Chaikovksy from Paul Hastings. We also represent Intel and

03:10 1 Samsung in this matter. We also represent third-party Applied
03:10 2 Materials.

03:10 3 With me today is my partner Phil Ou who'll be speaking
03:10 4 also. And also a client representative from Applied Materials,
03:10 5 Nathan Zhang, is on the line also, Your Honor.

03:10 6 THE COURT: Very good. Anyone else?

03:10 7 Okay. And let me take the opportunity to thank those
03:10 8 folks who are in-house or client representatives for taking the
03:10 9 time to attend today. It's one of the very few things about
03:10 10 COVID that has worked out for us, which is that clients are
03:10 11 able to attend these hearings. I think that's vitally
03:11 12 important. So I appreciate you all taking the time to do it.

03:11 13 Give me one second to get my cheat sheet on the motions
03:11 14 that are in front of me.

03:11 15 Okay. My understanding is Issue No. 1 is discovery that's
03:11 16 been sought from Intel with regard to accused reactor
03:11 17 configurations; is that correct?

03:11 18 MR. MILVENAN: That's correct.

03:11 19 THE COURT: Okay. Mr. Milvenan, who's going to be
03:11 20 speaking on behalf of the plaintiff?

03:11 21 MR. MILVENAN: I will be, as well as Mr. Wells.

03:11 22 THE COURT: Mr. Milvenan, I'm having, which is rare, a
03:11 23 little bit of a hard time hearing you. So you might do
03:11 24 whatever you need to do. I'm much nicer about it than Kristie
03:11 25 is, so if you make me happy, you'll avoid a scolding.

03:11 1 (Collective laughter.)

03:11 2 MR. MILVENAN: Well, I am surprised to hear that anyone
03:11 3 would have trouble hearing me in any circumstance, as you know,
03:11 4 Judge.

03:12 5 (Clarification by the reporter.)

03:12 6 MR. MILVENAN: Your Honor, just a very quick bit of
03:12 7 background. Our client, Demaray LLC, was founded by Richard
03:12 8 Demaray. He's a long-time figure in the semiconductor
03:12 9 industry. He set up this company to focus on research,
03:12 10 development and commercialization of new products.

03:12 11 He's suing Intel and Samsung in this case on two patents
03:12 12 on which he is a named inventor. The '276 patent relates
03:12 13 generally to a configuration of a reactor for deposition of
03:12 14 thin films. The '657 patent relates to a method of depositing
03:12 15 thin films by pulse EC reactive sputtering.

03:13 16 Now, where we are in this case is, first off, as was
03:13 17 mentioned earlier by the attorneys for defendants, the Paul
03:13 18 Hastings firm represents Applied Materials in California. They
03:13 19 represent Samsung and Intel here. The first order of business
03:13 20 for them was to file a lawsuit in California and try to enjoin
03:13 21 this Court from proceedings. That failed, but they also filed
03:13 22 this motion to transfer.

03:13 23 At a very high level, we're here trying to get discovery
03:13 24 on the configurations of the reactors that Intel and Samsung
03:13 25 utilize, where their locations are, et cetera.

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