



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

SAMSUNG ELECTRONICS CO.,  
LTD., et al.,

Plaintiffs,

v.

Civil Action No. 3:14cv757

NVIDIA CORPORATION,  
et al.,

Defendants.

**ORDER**

Having considered SAMSUNG'S MOTION *IN LIMINE* TO EXCLUDE THE OPINION TESTIMONY OF DR. JONATHAN PUTNAM (Docket No. 326), the supporting and opposing memoranda, and the oral argument on December 1, 2015, and having reviewed Dr. Putnam's report, and finding that Dr. Putnam's opinions are thoroughly laced with legal commentary and that his opinions about what constitutes a reasonable royalty are based on a hypothetical negotiation that includes an entity other than the plaintiff and the defendant as a party to the negotiation, and that his opinion on the topic of a reasonable royalty is largely predicated on the financial status and interest of that third-party entity, and that the controlling law is predicated on a hypothetical negotiation between the plaintiff and the defendant, it is hereby ORDERED that SAMSUNG'S MOTION *IN LIMINE* TO EXCLUDE THE OPINION TESTIMONY OF DR. JONATHAN PUTNAM (Docket No. 326) is granted so that Dr. Putnam is precluded from testifying on legal matters and

from rendering opinions about a reasonable royalty that are based on a hypothetical negotiation that is not structured as involving only the plaintiff and defendant or that relies on the financial data or status of a third-party to the hypothetical negotiation.

It is so ORDERED.

*/s/ REP*  
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Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: December 7, 2015