



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

SAMSUNG ELECTRONICS CO., LTD.  
et al.

Plaintiffs,

v.

Civil Action 3:14cv757

NVIDIA CORPORATION,  
et al.

Defendants.

**ORDER**

Having considered the Plaintiffs' MOTION IN LIMINE TO EXCLUDE OPINION TESTIMONY OF BILL GERVASI (Docket No. 328), the supporting and opposing memoranda, and the oral argument before the Court on December 1, 2015, it is hereby ordered that Plaintiffs' MOTION IN LIMINE TO EXCLUDE OPINION TESTIMONY OF BILL GERVASI (Docket No. 328) is granted in part and denied in part. Mr. Gervasi may testify as a fact witness about the terms of relevant JEDEC policies and practices and only as a fact witness, subject to NVIDIA laying a predicate foundation for his testimony. The motion is granted so that Mr. Gervasi may not testify as an expert regarding whether the Plaintiffs complied with JEDEC policies, because that testimony will not be helpful to the jury. The motion is granted as to what action JEDEC would have taken if Plaintiff had disclosed the '938 patent

because such testimony is speculative and not the proper subject of expert testimony.

It is so ORDERED.

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

Richmond, Virginia  
Date: December 7, 2015