

Exhibit C

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ELAN MICROELECTRONICS)
CORPORATION,)
)
) Plaintiff,)
and Counterclaim Defendant,)
)
) -vs-) CASE NO. C-09-01531 RS
)
APPLE, INC.,)
)
) Defendant,)
and Counterclaim Plaintiff,)
_____)

VIDEOTAPED DEPOSITION OF ROBERT DEZMELYK

DATE: April 9, 2010

TIME: 9:07 a.m.

LOCATION: WEIL, GOTSHAL & MANGES, LLP
201 Redwood Shores Parkway
Redwood Shores, California

REPORTED BY: Anne M. Torreano, CSR, RPR, CCRR
Certified Shorthand Reporter
License Number C-10520

1 A P P E A R A N C E S:
 2 For the Plaintiff, Counterclaim Defendant, ELAN
 MICROELECTRONICS CORPORATION:
 3
 4 ALSTON & BIRD, LLP
 BY: SEAN DeBRUINE
 Two Palo Alto Square
 5 3000 El Camino Real
 Suite 400
 6 Palo Alto, California 94306
 (650) 838-2000
 sean.debrune@alston.com
 7 ALSTON & BIRD, LLP
 BY: GEORGE D. MEDLOCK, JR.
 One Atlantic Center
 8 1201 West Peachtree Street
 Atlanta, Georgia 30309
 9 (404) 881-7765
 george.medlock@alston.com
 10
 11 For the Defendant, Counterclaim Plaintiff, APPLE, INC.:
 12
 13 WEIL, GOTSHAL & MANGES, LLP
 14 BY: JARED BOBROW
 JASON LANG
 15 201 Redwood Shores Parkway
 Redwood Shores, California 94065
 16 (650) 802-3000
 jared.bobrow@weil.com
 17 jason.lang@weil.com
 18
 19 The Videographer:
 20 McMAHON & ASSOCIATES, LLC
 BY: DAVID MANZO
 21 97 East St. James Street
 Suite 101
 22 San Jose, California 95113
 (408) 298-6686
 23
 24 Also Present:
 25 JAYNA WHITT, APPLE, INC.

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1 THE VIDEOGRAPHER: Good morning. We are going
 2 on the record. The time on the screen is 9:07 a.m.
 3 Today's date is April 9th, 2010. We are located at
 4 Weil, Gotshal & Manges, 201 Redwood Shores Parkway,
 5 Redwood Shores, California.
 6 This is tape No. 1 of the videotaped
 7 deposition of Robert Dezmelyk; case name, Elan
 8 Microelectronics, Incorporated versus Apple, venued in
 9 the U.S. District Court, Northern District of
 10 California, San Jose Division, Case No. C-09-01531-RS.
 11 My name is David Manzo, a legal video
 12 specialist representing McMahon & Associates, LLC, 97
 13 East Saint James Street, Suite 101, San Jose,
 14 California.
 15 The court reporting firm is Pulone &
 16 Stromberg. The court reporter is Anne Torrealano.
 17 Counsel, please state your name, your office
 18 and whom you represent in this action.
 19 MR. BOBROW: Good morning. This is Jared
 20 Bobrow of Weil, Gotshal & Manges, and I represent
 21 Apple, and with me is Jason Lang.
 22 MR. DeBRUINE: I'm Sean DeBrune of Alston &
 23 Bird. I'm representing the witness and the plaintiff,
 24 Elan Microelectronics, and with me is George Medlock.
 25 THE VIDEOGRAPHER: Would the court reporter

1 please swear in the witness?
 2 ROBERT DEZMELYK,
 3 called as a witness, after having been duly sworn by
 4 the Certified Shorthand Reporter to tell the truth, the
 5 whole truth, and nothing but the truth, testified as
 6 follows:
 7 EXAMINATION
 8 BY MR. BOBROW:
 9 Q. Good morning, sir.
 10 A. **Good morning.**
 11 Q. Can you please state your name for the record?
 12 A. **Certainly. My name is Robert Dezmelyk.**
 13 Q. Why don't you spell the last for us?
 14 A. **Sure. It's D-e-z-m-e-l-y-k.**
 15 Q. Where do you live?
 16 A. **I live in Newton, New Hampshire.**
 17 Q. Are you employed?
 18 A. **Yes, I am.**
 19 Q. By whom?
 20 A. **I work for Laboratory Computer Systems, Inc.,**
 21 **which does business as LCS Telegraphics.**
 22 Q. How long have you worked for LCS?
 23 A. **I actually started the company in 1980, so**
 24 **I've worked continuously there since 1980.**
 25 Q. How many employees does LCS have?

1 trying to determine, you know, the presence of two
 2 fingers. Two fingers are on the pad. There are
 3 certain capacitance values that are generated. Let's
 4 assume I'm sensing the X conductors along the X axis.
 5 I weed out the noise. I weed out whacky extraneous or
 6 the kind of events that you were describing, that kind
 7 of data. Filtering is done.
 8 When I'm calculating the centroid, do I
 9 include in determining the centroid the values that
 10 correspond to the maximum capacitance? In other words,
 11 the maximum values associated with those fingers.
 12 **A. Well, if you're trying to compute one centroid**
 13 **across both of them, then you would include the maximum**
 14 **of both. If you were trying to compute two centroids,**
 15 **one for each, you would include the maximum value for**
 16 **each in its own calculation, and then you would -- the**
 17 **range of calculation would be limited -- you'd make**
 18 **some tests, of which there are many, to determine**
 19 **which -- you know, what part of the waveform was**
 20 **associated with the first hill and what part was**
 21 **associated with the second.**
 22 MR. BOBROW: All right. That's all I have.
 23 Thank you.
 24 THE VIDEOGRAPHER: This ends today's
 25 deposition of Robert Dezmelyk on April 9th, 2010. The

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1 total number of tapes used was four. The master
 2 videotapes of today's deposition will remain in the
 3 custody of McMahon & Associates McMahon & Associates,
 4 LLC.
 5 We're now off the record. The time is
 6 5:25 p.m.
 7 (The deposition of ROBERT DEZMELYK
 8 was adjourned at 5:25 p.m. this date.)
 9 --- oOo ---
 10
 11 I certify under penalty of perjury that the foregoing
 12 is true and correct.
 13
 14 Date _____
 15 ROBERT DEZMELYK
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1 REPORTER'S CERTIFICATE
 2 The undersigned Certified Shorthand Reporter
 3 licensed in the State of California does hereby
 4 certify:
 5 I am authorized to administer oaths or
 6 affirmations pursuant to Code of Civil Procedure,
 7 Section 2093(b), and prior to being examined, the
 8 witness was duly administered an oath by me.
 9 I am not a relative or employee or attorney or
 10 counsel of any of the parties, nor am I a relative or
 11 employee of such attorney or counsel, nor am I
 12 financially interested in the outcome of this action.
 13 I am the deposition officer who
 14 stenographically recorded the testimony in the
 15 foregoing deposition, and the foregoing transcript is a
 16 true record of the testimony given by the witness.
 17 Before completion of the deposition, review of
 18 the transcript [x] was [] was not requested. If
 19 requested, any changes made by the deponent (and
 20 provided to the reporter) during the period allowed are
 21 appended hereto.
 22 In witness whereof, I have subscribed my name
 23 this ____ day of _____, 2010.
 24
 25 _____
 ANNE M. TORREANO, CSR No. 10520

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