

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

REALTEK SEMICONDUCTOR,
CORPORATION,

Plaintiff,

v.

LSI CORPORATION AND AGERE
SYSTEMS LLC,

Defendants.

Case No. C-12-3451-RMW

**ORDER ADMITTING TRIAL
EXHIBITS 32, 68, 75, 194, 195 –
MITSUMI ROYALTY REPORTS**

Trial exhibits 32, 68, 75, 194, and 195 are ADMITTED. The parties stipulated that otherwise unobjectionable documents are admissible without a witness needing to lay a foundation, so long as the witness references the exhibit or a demonstrative references the exhibit (with the witness discussing the exhibit in the course of discussing the demonstrative). The disputed exhibits are all royalty statements from Mitsumi showing the amount of royalties due under the Mitsumi license agreement. In his testimony, Dr. Leonard used a demonstrative showing the total amount of royalties paid by Mitsumi under the Mitsumi license agreement, and he states in his testimony that he referred to “the [royalty] data that [he] saw that was produced, I believe by LSI as part of the case.” Dr. Leonard then mentions the total amount of royalties paid by Mitsumi under the Mitsumi

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license agreement, as shown on the demonstrative. Dr. Leonard thus presented a demonstrative with the total amount of royalties, referred to the disputed exhibits as the basis for his calculation, and discussed the total amount of royalties paid by Mitsumi under the Mitsumi license agreement. The disputed exhibits that provided the underlying basis for Dr. Leonard's calculation and therefore admissible, and are hereby ADMITTED.

Dated: February 23, 2014


RONALD M. WHYTE
United States District Judge