

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch**

Date: February 18, 2011  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 03-cv-02579-RPM

NATIONAL OILWELL VARCO, L.P.,  
  
Plaintiff,

John W. Raley, III  
Jane Michaels  
Robert M. Bowick, Jr.

v.

PASON SYSTEMS USA CORPORATION,  
  
Defendant.

Timothy G. Atkinson  
Mark E. Lacin

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**COURTROOM MINUTES**

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**Scheduling Conference**

**3:00 p.m. Court in session.**

Discussion regarding the Marcus Bates issue.

**ORDERED: Plaintiff National Oilwell Varco, L.P.'s Motion to Stay Inequitable Conduct Proceedings Pending a Ruling in the *En Banc Therasense* Case, filed 2/14/2011 [292], is denied and defendant's inequitable conduct claim will be clarified in the pretrial order.**

Discussion regarding necessary additional discovery to prepare case for trial.

Mr. Atkinson states defendant will turn over requested algorithm code to plaintiff and materials identifying the change in the operation of the system.

**Rule 30(b)(6) deposition of Lee Mason permitted.**

Court instructs counsel to identify any differences in the Auto-Drillers (land base / off-shore).

**Depositions of Mr. Bowden, Mr. McKay, Mr. Berryhill and Mr. Prejean permitted.**

**ORDERED: Expert disclosure and reports (burden of proof) June 15, 2011.  
Rebuttal expert and report August 15, 2011.  
5 day trial to court November 28, 2011.  
Pretrial conference October 14, 2011 at 10:00 a.m.  
Briefs regarding post verdict losses (supplemental damages) June 1, 2011.  
Defendant's response brief June 15, 2011.  
Reply brief June 27, 2011.  
Counsel to submit a proposed scheduling order.**

**3:32 p.m. Court in recess. Hearing concluded. Total time: 32 min.**