

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

Date: November 30, 2011
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 03-cv-02579-RPM

NATIONAL OILWELL VARCO, L.P.,

Plaintiff,

v.

PASON SYSTEMS USA CORPORATION,

Defendant.

John W. Raley
Robert M. Bowick, Jr.
Jane Michaels
Bradford T. Laney

Timothy G. Atkinson
Mark Lacis
Kelly A. Duke

COURTROOM MINUTES

Trial To Court Day Three

9:02 a.m. Court in session.

Plaintiff's client representative Wayne Prejean and defendant's client representative Greg Lindsay are present.

9:03 a.m. Continued direct examination of Mr. Bowden by Mr. Atkinson.

Plaintiff's Exhibit 12 identified, offered, objection and received.

Reference to Plaintiff's Exhibits 508, 1, 372, 373 and 371.

Reference to Defendant's Exhibits A-1, A-4, A-2 and C-19.

Reference to the October 28, 2008 Jury Trial Day Two Transcript (pgs. 363).

Defendant's Exhibit H-6 (pg. 12), and H-14 identified and referenced.

Defendant's Exhibit G-1 (H-6 pg. 12) identified, offered and received.

Defendant's Exhibit H-15 identified, offered and objection.

Referenced to the May 13, 2008 transcript of a Canadian deposition Mr. Bowden (pg. 137).

10:30 a.m. Court in recess.

10:45 a.m. Court in session.

Previous Colorado trial testimony of Mr. Bowden is incorporated in this record.

10:46 a.m. Cross examination of Mr. Bowden by Mr. Raley.

Reference to Defendant's Exhibit A-4.

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Plaintiff's Exhibit 501 identified, offered and received.

Reference to Defendant's Exhibits E-11, A-1 and G-1.

Reference to Exhibits 364, 508, 373, 371 and 372.

Plaintiff's Exhibit 2 identified, offered and received.

11:51 a.m. Redirect examination of Mr. Bowden by Mr. Atkinson.

Reference to Defendant's Exhibit A-1.

Reference to Exhibit 364.

Reference to the October 28, 2008 Jury Trial Day Two Transcript (pgs. 439, 440)

11:56 a.m. Recross examination of Mr. Bowden by Mr. Raley.

Reference to Defendant's Exhibit A-1.

Discussion regarding scheduling.

Plaintiff's relevancy objection to the Berryhill testimony.

Argument by Mr. Raley.

Argument by Mr. Atkinson.

No co-inventorship suggestion.

11:59 a.m. Court in recess.

1:30 p.m. Court in recess.

Defendant's move for the entire admission of Defendant's Exhibit F-2.

Argument by Mr. Atkinson.

Plaintiff's objection by Mr. Raley.

Defendant's Exhibit F-2 received under Rule 807.

Discussion regarding closings.

Court states closings will be by submission of post trial briefs.

1:35 p.m. Video deposition of John Berryhill played.

Defendant's Exhibit F-3 received (by Court request).

2:52 p.m. Court in session.

3:12 p.m. Court in session.

Counsel agree to submit the remaining portion of John Berryhill's videotape deposition by written transcript.

Mr. Raley reads specific questions and answers from John Berryhill's deposition transcript.

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Discussion and arguments by counsel regarding plaintiff's objection (hearsay) to Defendant's offering of Exhibit G-2 (Atkinson and Raley).

Defendant's Exhibit G-2 received for limited purpose as stated on record.

Counsel agree to submit the testimony of Mr. Nink and Mr. Doughtie by written transcript.

ORDERED: Motion to Replace Defendant's Exhibit List in Final Supplemental Pretrial Order [323], is moot.

3:23 p.m. Court in recess

Trial Continued Total time: 4 hrs. 50 min.