

EXHIBIT B - EXCERPT OF JAY TAYLOR DEPOSITION OF NOVEMBER 30, 2009

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- 6 Q. Hmm. And the opinions you have expressed in this
7 report, they were especially formed for this lawsuit,
8 weren't they?
- 9 A. They are specifically directed to this lawsuit, yes.
- 10 Q. And the methodology you used isn't something that you
11 have published for peer review, is it?
- 12 A. I -- it's not something that has been published for
13 -- I have not published it for peer review. It's
14 been used by numerous others expert in the field for
15 many, many years.
- 16 Q. Well, you know of two people who have done it that
17 you contacted, right?
- 18 A. Uh-huh.
- 19 Q. So you say numerous other experts for many years.
20 How do you know that numerous other people only used
21 this methodology and not something else?
- 22 A. I know of no other methodology that's ever been used.
- 23 Q. Has this methodology itself ever been published by
24 anybody for peer review?
- 25 A. I don't know that there are any publications where

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- 1 you can publish it for peer review.
- 2 Q. There are law journals, right?
- 3 A. I've never seen any article anywhere on the issue of
4 what are the methodology to be used in determining
5 inequitable conduct.
- 6 Q. So you didn't look for such a methodology in
7 preparing this report, did you?
- 8 A. I don't know -- think there is such a methodology
9 that's ever been published.
- 10 Q. But you didn't look for one either, did you?
- 11 A. Well, I've been reading law journal articles and --
12 and publications for 40 years, and I've never seen
13 one.
- 14 Q. Okay.
- 15 A. So I have no reason to believe there is one out there
16 to go searching for, so no, I didn't -- I didn't
17 spend my time looking for it.