

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

SPRINT COMMUNICATIONS COMPANY L.P., )  
Plaintiff, )  
v. ) Case No. 05-2433-JWL  
VONAGE HOLDINGS CORP., )  
VONAGE AMERICA, INC., )  
Defendants. )

**PLAINTIFF SPRINT COMMUNICATIONS COMPANY L.P.'S**  
**FIRST AMENDED WITNESS LIST**

Plaintiff Sprint Communications Company L.P. (“Sprint”) respectfully submits its first amended list of witnesses pursuant to Fed. R. Civ. P. 26(a)(3) and the Court’s Pretrial Order (Doc. No. 207):

## (1) Harley Ball

Mr. Ball will be called at trial as a fact witness. Mr. Ball is expected to testify about matters including, but not limited to: the inventions of Joseph Christie that gave rise to the asserted patents; the preparation, filing and prosecution of the asserted patents; the Sprint JCS2000 project; Sprint's intellectual property policies and operations; Sprint's pre-lawsuit activities with respect to Vonage.

(2) Jeff Citron

Sprint anticipates presenting the testimony of Mr. Citron at trial via deposition or prior trial testimony. Mr. Citron's testimony relates to matters including, but not limited to: the founding and early development of Vonage and Vonage Digital Voice; technology employed by Vonage; Vonage's investment and funding efforts; Vonage's competitors; Vonage's research and development activities; the letters sent by Sprint to Vonage regarding the asserted patents and its voice-over-packet patent portfolio; the actions taken by Vonage in response to receiving Sprint's letters; the actions taken by Vonage since its inception to avoid patent infringement; Vonage's projections; Vonage's sales and marketing activities relating to the accused products; Vonage's wireless initiative.

## (3) Mike Cordes

Mr. Cordes will be called at trial as a fact witness. Mr. Cordes is expected to testify about matters including, but not limited to: the background and financial aspects of the Sprint JCS2000 project.

## (4) Rohan Dwarkha

Sprint anticipates presenting the testimony of Mr. Dwarkha at trial via deposition. Mr. Dwarkha's testimony relates to matters including, but not limited to: the design, testing, and operation of Vonage's system; Vonage's research and development.

## (5) John Garcia

Mr. Garcia will be called at trial as a fact witness. Mr. Garcia is expected to testify about matters including, but not limited to: competition between Sprint and Vonage; Sprint's cable VoIP operations; and Sprint's present and future business operations.

## (6) Joe Gardner

Mr. Gardner will be called at trial as a fact witness. Mr. Gardner is expected to testify about matters including, but not limited to: background of Sprint's telephone network and technology; background of Joseph Christie; background of Sprint network technology and related issues; the inventions of Joseph Christie that gave rise to the asserted patents; the Broadband Intelligent Network project; and the Sprint JCS2000 project.

## (7) Chakrapani Gorrepati

Sprint anticipates presenting the testimony of Mr. Gorrepati at trial via deposition. Mr. Gorrepati's testimony relates to matters including, but not limited to: the design and operation of Vonage's system.

## (8) Louis Holder

Sprint anticipates presenting the testimony of Mr. Holder at trial via deposition. Mr. Holder's testimony relates to matters including, but not limited to: the letters sent by Sprint to Vonage regarding the asserted patents; the actions taken by Vonage in response to receiving Sprint's letters; the actions taken by Vonage since its inception to avoid patent infringement; Vonage's research and development; Vonage's wireless initiatives.

## (9) Louis Mamakos

Sprint anticipates presenting the testimony of Mr. Mamakos at trial via deposition or prior trial testimony. Mr. Mamakos's testimony relates to matters including, but not limited to: the design, testing, and operation of Vonage's system; Vonage's research and development; Vonage's patent program; Vonage's competition with Sprint; the letters sent by Sprint to Vonage regarding the asserted patents and its voice-over-packet patent portfolio; the actions taken by

Vonage in response to receiving Sprint's letters; the actions taken by Vonage since its inception to avoid patent infringement.

(10) Jose Martinez

Sprint anticipates presenting the testimony of Mr. Martinez at trial via deposition or prior trial testimony. Mr. Martinez's testimony relates to matters including, but not limited to: the design, testing, and operation of Vonage's system; Vonage's research and development.

(11) Peter Miron

Sprint anticipates presenting the testimony of Mr. Miron at trial via deposition or prior trial testimony. Mr. Miron's testimony relates to matters including, but not limited to: the design and operation of Vonage's system.

(12) John Rego

Sprint anticipates presenting the testimony of Mr. Rego at trial via deposition or prior trial testimony. Mr. Rego's testimony relates to matters including, but not limited to: Vonage's sales, revenue, and other financial data; Vonage's budgeting and accounting practices; Vonage's investment and funding efforts; Vonage's competitors; Vonage's business plans and strategies; Vonage's projections; the development of Vonage; Vonage's sales and marketing activities relating to the accused products; Vonage's business operations.

(13) Mike Setter

Mr. Setter will be called at trial as a fact witness. Mr. Setter is expected to testify about matters including, but not limited to: background of Joseph Christie; the inventions of Joseph Christie that gave rise to the asserted patents; the technology of Mr. Christie's inventions; Sprint network technology; prior art; the preparation, filing and prosecution of the asserted patents; the Sprint JCS2000 project.

(14) Raymond Sims

Mr. Sims will be called at trial as an expert witness. Mr. Sims is expected to testify about matters including, but not limited to: Vonage's financial records and practices; the type, measure, and amount of reasonable royalty damages to which Sprint is entitled as a result of Vonage's infringement of the asserted patents; the competition between Sprint and Vonage; and the total damages due to Sprint for Vonage's infringement.

(15) Daniel Smires

Sprint anticipates presenting the testimony of Mr. Smires at trial via deposition. Mr. Smires's testimony relates to matters including, but not limited to: the design and operation of Vonage's system.

## (16) Ben Vos

Mr. Vos will be called at trial as a fact witness. Mr. Vos is expected to testify about matters including, but not limited to: Sprint research and development; general matters relating to Sprint's business operations; and matters relating to the Sprint JCS2000 project.

## (17) Stephen Wicker

Dr. Wicker will be called at trial as an expert witness. Dr. Wicker is expected to testify about matters including, but not limited to: the technology involved in this case, including a brief introductory tutorial of the various terms and components associated with telephone and data networks; Joseph Christie's inventions and their benefits; the asserted patents and the asserted claims of the asserted patents; the accused Vonage system and elements of that system; literal infringement of the asserted claims of the asserted patents by Vonage; infringement of the asserted claims of the asserted patents under the doctrine of equivalents; and validity of the asserted claims of the asserted patents.

## (18) Ray Lupo

Mr. Lupo will be called at trial as a fact witness. Mr. Lupo is expected to testify about matters including, but not limited to, the July 13, 2004 letter sent from Mr. Lupo to Vonage; the contents of the CD enclosed with the letter; and Vonage's response, if any, to the letter.

## (19) Al Duree

Mr. Duree will be called at trial as a fact witness. Mr. Duree is expected to testify about matters including, but not limited to: background of Joseph Christie; background of Sprint network technology and related issues; the inventions of Joseph Christie that gave rise to the asserted patents; the Broadband Intelligent Network project; the Sprint JCS2000 project.

## (20) William Wiley

Mr. Wiley will be called at trial as a fact witness. Mr. Wiley is expected to testify about matters including, but not limited to: background of Joseph Christie; the inventions of Joseph Christie that gave rise to the asserted patents; the Sprint JCS2000 project; the Broadband Intelligent Network project.

Sprint may call the following witnesses at trial by way of live testimony,

deposition testimony, or prior trial testimony, as indicated.

## (21) Steven Bellovin

Sprint may present the testimony of Mr. Bellovin via deposition and/or prior trial testimony. Mr. Bellovin is an expert witness retained by Vonage in connection with the *Verizon v. Vonage* litigation. Mr. Bellovin's testimony relates to matters including, but not limited to: voice-over-packet technology.

## (22) Scott Bradner

Sprint may present the testimony of Mr. Bradner via deposition and/or prior trial testimony. Mr. Bradner is an expert witness retained by Vonage in connection with the *Verizon v. Vonage* litigation. Mr. Bradner's testimony relates to matters including, but not limited to: voice-over-packet technology.

## (23) Art Chaykin

Sprint may call Mr. Chaykin at trial. Mr. Chaykin may testify about matters including, but not limited to: the Sprint JCS2000 project; Sprint's relationship and negotiations with third parties relating to the project; the involvement of third parties with Sprint and the JCS2000 project.

## (24) Glen Eisen

Sprint may present the testimony of Mr. Eisen at trial either live or via deposition and/or prior trial testimony. Mr. Eisen's testimony relates to matters including, but not limited to: Vonage's sales and marketing activities relating to the accused products; Vonage's wireless initiatives; Vonage's success in the industry; Vonage's competitors; Vonage customer retention issues.

## (25) Joel Halpern

Sprint may call Mr. Halpern at trial by way of live testimony, deposition, and/or prior trial testimony. Mr. Halpern is an expert witness previously disclosed by Vonage. Mr. Halpern's testimony relates to matters including, but not limited to: Vonage's contentions that it does not infringe the asserted claims of the asserted patents; the operation of Vonage's system; voice-over-packet technology; prior art.

## (26) John Jarosz

Sprint may present the testimony of Mr. Jarosz at trial by deposition and/or prior trial testimony. Mr. Jarosz is an expert witness retained by Vonage in connection with the *Verizon v. Vonage* litigation. Mr. Jarosz's testimony relates to matters including, but not limited to: the methodology for determining a reasonably royalty rate; the reasonably royalty rate for comparable technology in a comparable time frame; the reasonable royalty rate Vonage is capable of paying.

## (27) Marty Kaplan

Sprint may call Mr. Kaplan at trial. Mr. Kaplan may testify about matters including, but not limited to: background of Joseph Christie; the inventions of Joseph Christie that gave rise to the asserted patents; the Broadband Intelligent Network project; the Sprint JCS2000 project; the Sprint BBOSD group.

(28) Terry Kero

Sprint may call Mr. Kero at trial. Mr. Kero may testify about matters including, but not limited to: the involvement of third parties with Sprint and the JCS2000 project.

(29) Frank Koperda

Sprint may call Mr. Koperda at trial by way of live testimony, deposition, and/or prior trial testimony. Mr. Koperda is an expert witness previously disclosed by Vonage. Mr. Koperda's testimony relates to matters including, but not limited to: Vonage's contentions that the asserted claims of the asserted patents are invalid; prior art; voice-over-packet technology.

(30) Don Lewis

Sprint may call Mr. Lewis at trial. Mr. Lewis may testify about matters including, but not limited to: background of Joseph Christie; the inventions of Joseph Christie that gave rise to the asserted patents; the Broadband Intelligent Network project; the Sprint JCS2000 project; the Sprint BBOSD group.

(31) Mark McGrory

Sprint may call Mr. McGrory at trial. Mr. McGrory may testify about matters including, but not limited to: the Sprint JCS2000 project; Sprint's document retention policies.

(32) Edward Mulligan

Sprint may present the testimony of Mr. Mulligan at trial either live or via deposition and/or prior trial testimony. Mr. Mulligan's testimony relates to matters including, but not limited to: Vonage's competitors; local number portability and number porting to Vonage.

(33) Tracy Nelson

Sprint may call Mr. Nelson at trial. Mr. Nelson may testify about matters including, but not limited to: the Sprint JCS2000 project; the Broadband Intelligent Network project; the Sprint BBOSD group.

(34) Benedict Occhiogrosso

Sprint may present the testimony of Mr. Occhiogrosso via deposition and/or prior trial testimony. Mr. Occhiogrosso is an expert witness retained by Vonage in connection with the *Verizon v. Vonage* litigation. Mr. Occhiogrosso's testimony relates to matters including, but not limited to: voice-over-packet technology.

## (35) Jim Patterson

Sprint may call Mr. Patterson at trial. Mr. Patterson may testify about matters including, but not limited to: the Sprint JCS2000 project; financial issues relating to the JCS2000 project; Sprint's industry knowledge.

## (36) Sarah Shepard

Sprint may call Ms. Shepard at trial. Ms. Shepard may testify about matters including, but not limited to: the involvement of third parties with Sprint and the JCS2000 project.

## (37) Ray Spitzer

Sprint may call Mr. Spitzer at trial. Mr. Spitzer may testify about matters including, but not limited to: the technology of Joseph Christie's inventions; the Sprint JCS2000 project; financial issues relating to the Sprint JCS2000 project.

## (38) Allyn Strickland

Sprint may call Mr. Strickland at trial. Mr. Strickland is an expert witness previously disclosed by Vonage in this case. Mr. Strickland's testimony relates to matters including, but not limited to: Vonage's contentions as to the type, measure, and amount of reasonable royalty damages to which Sprint is entitled as a result of Vonage's infringement of the asserted patents.

## (39) Michael Tribolet

Sprint may present the testimony of Mr. Tribolet at trial either live or via deposition. Mr. Tribolet's testimony relates to matters including, but not limited to: Vonage's competitors; Vonage's sales and marketing activities relating to the accused products; Vonage's wireless initiatives; Vonage customer retention issues; local number portability and number porting to Vonage.

## (40) David Wu

Sprint may present the testimony of Mr. Wu at trial either live or via deposition and/or prior trial testimony. Mr. Wu's testimony relates to matters including, but not limited to: Vonage's sales and revenue data; Vonage's sales and marketing activities relating to the accused products.

## (41) Terry Yake

Sprint may call Mr. Yake at trial. Mr. Yake may testify about matters including, but not limited to: the Sprint JCS2000 project; the Broadband Intelligent Network project; the Sprint BBOSD group.

(42) Witnesses necessary to establish authenticity or foundation.

Sprint may call any witness necessary to establish authenticity or foundation for any document or testimony used, or sought to be used, at trial.

Dated: August 24, 2007

Respectfully Submitted,

/s/ Adam P. Seitz

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ATTORNEYS FOR PLAINTIFF SPRINT  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 24th day of August, 2007, a copy of PLAINTIFF SPRINT COMMUNICATIONS COMPANY L.P.'S FIRST AMENDED WITNESS LIST was served via ECF, which sent notice to the following:

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/s/ Adam P. Seitz  
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