

EXHIBIT C

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- 8 this project for some time?
- 9 A. Yes, I did.
- 10 Q. And you worked specifically with the AVM?
- 11 A. Yes, I did.
- 12 Q. what again did the AVM do?
- 13 A. The AVM was the interworking unit.
- 14 Q. And what precisely -- what was the function of the
- 15 interworking unit?
- 16 A. To take the TDM call traffic that was coming in on --
- 17 Q. One second the jury doesn't know what TDM means you
- 18 mean the regular phone calls?
- 19 A. The regular phone calls that were coming in on one
- 20 side and put them out on packet phone calls on the
- 21 other.
- 22 Q. And the AVM you put it into what type of packet?
- 23 A. We put it into ATM packets.
- 24 Q. Based on your work on that component and your
- 25 understanding of this larger system was if limited
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- 1 only for use on ATM?
- 2 THE COURT: Let me ask you to clarify what
- 3 you mean by it.
- 4 Q. (By Mr. Webb) The device the device you worked on?
- 5 A. The device that I worked on was specifically on that
- 6 was on ATM it wasn't limited to that but it was --
- 7 that's the box that we were building.
- 8 Q. Sure. And let's move forward the Prototype is now
- 9 done what happened next?
- 10 A. After the Prototype was several, then Sprint gave our
- 11 development group more money because we needed to go
- 12 out and build a production model the Prototype was a
- 13 small unit when you put something into a network as

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14 large as Sprint it's got to be a much larger device
15 than what we were working with at the time so we got
16 money and we went into doing the production.

17 Q. Okay. Let's talk about the Prototype again do you
18 have an understanding as to how much money it cost to
19 build that thing?

20 A. Somewhere around between four and 5 million I think
21 was in the -- you know,.

22 Q. In the ballpark?

23 A. In the ballpark.

24 Q. Fair enough let's talk about the larger platform did
25 that ultimately have a name?

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1 A. It pended up being call the the JCS2000.

2 Q. I want to talk your work on the interworking unit on
3 the JCS2000 platform, okay?

4 A. Okay.

5 Q. what type of cell what type of packets did that
6 device work on?

7 A. That one was working on ATM.

8 Q. Could that device be used on other types of packets?

9 A. It could have been reprogrammed to do that.

10 Q. what's your basis for that statement?

11 A. well, I was the one that was writing the
12 specifications and we didn't want any forklift
13 upgrades let me explain that maybe. In the network
14 you put in a component, and if you have to go back
15 and take that whole thing out of the network that's a
16 forklift you gotta take the box out and replace it
17 with a completely different box well our goal was to
18 have a box that could be reprogrammed to do other
19 protocols so we wouldn't have to do that it's very

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20 expensive if you end up doing that so the goal of
21 this project one of the goals of this project was
22 that interworking unit was capable of being
23 upobligated to some other protocol because in the
24 real world nothing ever stays the same it's a
25 constant evolution of things.

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1 Q. Now, what protocols could that have been converted
2 to?

3 A. Obviously it could have gone to IP and it could have
4 gone to frame relay if we wanted to or to X25 if we
5 wanted to, and there could have been another protocol
6 come along the way the device was built was so that
7 we could easily adapt it to it mainly by being able
8 to reprogram the packetization card the one that
9 actually took the calls that were coming in from the
10 plain old telephone side and went out on the packet
11 side and we also knew that we were going to have to
12 change an interface card but that was minor you
13 change an interface card on the broadband side,
14 change whatever broadband, you know, protocol that
15 we're using.

16 Q. If I wanted to change that card physically how would
17 I go about to do it?

18 A. Well it would be -- it's an awful lot of detail
19 basically you have a maintenance window and you
20 wanted to change that what happens is we had to come
21 up with a system to be able to take parts of the
22 system out of use while it's actually running calls
23 for you and doing calls across it you take that out
24 you change that piece when you bring it back up now
25 it's doing the new load the new protocol that you

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1 would have put in it so we would have done it little
2 pieces TA time across that until we had a complete
3 unit that was back up and running again.

4 Q. And that's something you envisioned at the time?

5 A. Yes.

6 A. He was the goal of the project to make sure that that
7 indeed was going to happen when we rolled it out we
8 couldn't have put it out on the network if we
9 couldn't do that.

10 Q. Mr. Duree when did you leave Sprint?

11 A. I left in June of 99 I retired in June of '99.

12 Q. By the time you left was JCS2000 up and running?

13 A. Yes, we had a production model of it in the labs at
14 the time I left and it was doing what the specks said
15 it should do and that was, you know, doing the Legacy
16 I keep using that word maybe, the plain telephone
17 service to a packet telephone service voice calls we
18 had a very robust testing between here and Kansas
19 City and Burlingame that we were, you know, we were
20 confident that we were getting to the point where it
21 was -- what you would call production grade machine
22 had the quality of service that you needed to be able
23 to use it so that -- the goal was you're not
24 supposed -- you as users you're not supposed to know
25 that we have done all this we had to be able to do

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1 that or Sprint wouldn't let us put it into the
2 network and when I left --

3 THE COURT: Pardon me Mr. Duree I think you
4 have fully answered the question.

5 THE WITNESS: Okay I'm sorry. Engineer.

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6 THE COURT: No problem.

7 Q. (By Mr. Webb) One last question Mr. Duree when you
8 left had JCS2000 been terminated?

9 A. No.

10 Q. Okay. That's my final question?

11 THE COURT: Very well. We will take our
12 often recess before we commence cross examination.
13 Members of the jury, I'll remind you of the
14 admonitions we will take a 15-minute break Ms.
15 Scheurer, please take charge of the jury Mr. Duree
16 you may step down counsel, remain here for just a
17 minute and we will talk about scheduling.

18 (The following proceedings were had outside
19 the presence of the jury:)

20 THE COURT: As I understand what you
21 indicated Mr. Webb is that when we're completed with
22 the examination of Mr. Duree you're going to do
23 videotaped depositions.

24 MR. WEBB: Yes, your Honor.

25 THE COURT: Which deposition are you going
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1 to to?

2 MR. WEBB: This is the same old problem we
3 had last time we were in front of you. We have not
4 been able to reach a stipulation on what their system
5 looks like despite the fact they have represented at
6 least eight times there's no dispute how it works so
7 we are left to play engineers video depositions
8 cumulative total of about four hours we can get hour
9 and a half to two hours done today it's not going to
10 be any fun I frankly think it's pointless but we have
11 no choice we have to do it that's what our plan is.