EXHIBIT B

Q. So those, is it your recollection that those reports were of a, a more general nature, not, you know, you know, the sort of low level source code review relating to the product? A. Well, there's, there's a big gulf between "more general" and "source code," so I'm not Q. Actually A. I'm not quite sure how to answer the question. Q. Let me ask you just what kind of reports were given to you regarding the development? A. On quite a wide variety of matters, you know, ranging all the way from the business relationship with Chase, since I was the CEO of the company, you know, revenue reports and, and prospects for future business and the nature of the relationship, down to various aspects of the function of the application, details about what it does and, and why it was important to Chase, and down to certain details about the designs and technical function of the applications, and I, I probably would have had more technical information about EZ Reader than many because Brightware was contemplating constructing a 1	Hy 15, 2010			G000	GLE INC
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10:	31-10:32	Page 42 1	10:34-1	10:36	Page 44
1	Q. Do you have an under do you have an		1	recognize this, this document?	
2	understanding of during the development process	шчилалан	2	MR. SMITH: Mr. Thompson, is it your	
3	whether or not there's a point at which EZ Reader was			representation this is from Mr. Williams' documents?	
4	being tested? First of all, just I'll end the		4	MR. THOMPSON: That was my	
5	question there.		5	MR. SMITH: got	
6	Do you have an understanding that there was		6	MR. THOMPSON: Wait. It's got a Rice,	
7	a point at which it was just being tested and not			sorry, it's got a Rice Bates number on it. Just a	
8	being utilized for actual responses to customers?			second, please.	
و	A. Yes, I do recall that.		9	MR. SMITH: Has this document even	
10	Q. And is it your understanding that there was	1		been produced in the litigation?	
11	a time when it was, during its testing period, that		11	MR. THOMPSON: It's my understanding	
12	it was utilized to create answers to customer emails	1		that it has.	
13	but not actually send them back to the customer that		13	MR. SMITH: Okay.	
14	•			BY MR. THOMPSON:	
15			15	Q. Let me ask you this, Mr. Williams. Are you	
16	was our normal practice. So I certainly expect that	i		do you have an understanding of who Michael Mazz	9
17	that is true.	1		is?	-
18	Q. And can you elaborate on that a bit? Is		18	A. Not specifically, no.	
19	it you're saying it was Brightware's normal		19	Q. Do you recognize the name Rosanna Piccolo?	
20	practice to, to test the system by I guess is		20	A. I do, yes.	
21	it would you consider it being as close to a		21	Q. What is your understanding of who she is?	
22	real-world case as possible without actually taking		22	A. She was one of the people associated with	
23	the last step of providing the final output to the			this project at Chase. I think – I can't remember	
24	original			if she was under Anthony Angotti or if she was	
25	A. Yes, that is correct. And that, that dates			representing a different Chase organization. But I	
	, , , , , , , , , , , , , , , , , , ,				
10:	33-10:34	Page 43 1	10:36-1	0:38	Page 45
1	back to Inference in 1985. It was whenever we build	1	1 :	associate her name with Anthony Angotti's name.	
2	AI applications, we would generally run them in a w	/ay	2	Q. Do you recognize Thomas Keely?	
3	where people could just see what they were doing		3	A. I do not.	
4	before the companies trusted them to act autonomo	usly	4	Q. How about the person that it appears that	
5	and actually make decisions or communicate with		5 t	this email is from, rice@brightware.com or Amy Rice?	
6	customers as, as a part of the testing. That was our		6	A. Yes, I do.	
7	standard methodology to do that.		7	Q. I believe you mentioned her name earlier?	
8	Q. And do you have a recollection about when		8	A. I did.	
9	EZ Reader was deployed to act autonomously, excuse		9	Q. I'd like to refer you to the first sentence	
10	me, autonomously and interact with customers of			of this document after the salutation "Rosanna, Tom	
11	Chase?			and Mike."	
12	A. I have reason to believe it was near the	i	12	It states, "As your stragegic	
13	end of March of 1996.	1		knowledge-based technology partners, Brightware is	
14	Q. And do you recall the basis for that, that			pleased that EZ Reader is now approved for production	
15	recollection?			installation at Chase."	
16	A. It was various emails that were sent to me		L6 .	Let me ask you if around this time frame,	
17	by people on the project.			March 29, 1996, you recall having any communications	,
18	MR. THOMPSON: Mark this as two,	1			,
1		1		with anyone at Brightware regarding the, the product	
19	please. (Deposition lively (bit 2 marked)		_	production installation of EZ Reader?	
20	(Deposition Exhibit 2 marked.)		20	A. Yes, I do.	
	BY MR. THOMPSON:		21	Q. Is it your understanding that the approval	
21		2	22 f	for the production installation occurred around that	
22	Q. Mr. Williams, I will represent to you that	Ī		,	
22 23	this was a document that was produced from the	+	23 t	ime, excuse me, occurred around March 29, 2000	
22		2	23 t	ime, excuse me, occurred around March 29, 2000 1996? A. That is my understanding, yes.	

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10:38	3-10:39	Page 46	10:41	-10:42	Page 48
1	Q. What is it what is your understanding,		1	But what I'm trying to understand is	
2	if you have one, of what "production installation"		2	whether you have a specific memory of whether it was	
3	means?		3	on March 30 or March 31 of 1996 or whether it was the	
4	A. My understanding is around that time at the		4	following weekend or the weekend after that?	
5	end of March, as I stated previously, they actually		5	MR. KENNEDY: Objection to form.	
6	turned it on to process live Chase emails.		6	A. I have a specific recollection, refreshed	
7	Q. Do you recall a specific communication from		7	by reviewing recent emails from the time, that I was	
8	anyone at Brightware that, that informed you that it		8	informed on either the 28th or 29th, maybe the	
9	had gone live; that Bright that EZ Reader was		9	27th, 28th or 29th, probably one of those three	
10	being used to respond to outside customers?		10	days towards the end of that week, taking your	
11	A. I do not require (sic) a specific		11	representation that the 29th was a Friday.	
	-			-	
12	communication after it had gone live. I do recall a		12	I was, I was informed on the, one of those	
13	specific communication informing me that it was go	ng	13	days that it would go live on that coming weekend.	
14	to go live within a day or two.		14	Not a later weekend, but that weekend.	
15 16	Q. And do you recall when that communication		15 16	BY MR. THOMPSON:	
16 17	Was?			Q. But you don't recall receiving any	
17 10	A. Right around the same time frame as the	.1	17	confirmation that that actually happened as was	
18	message you handed me. It was right around the en	a	18	predicted?	
19	of March. I do not recall the specific date.		19	A. I don't recall receiving a confirmation	
20	Q. Do you believe it was before March 29,		20	that it precisely happened on that day. I also do	
21	1996?		21	not recall receiving anything that it didn't. And I	
22	A. Possibly. My recollection is that it was		22	know that both I did and others in Brightware did,	
23	going to go live on a weekend. So if you could tell		23	referred to it after that date as a deployed	
24	me the day of the week that March 29, 1996 was, I		24	application.	
25	could probably refresh my recollection.		25	THE REPORTER: As a what application?	
10:39	9-10:40	Page 47	10:42	10:44	Page 49
1	Q. I, I haven't looked it up to verify, but		1	THE WITNESS: A deployed application.	
2	the, this Exhibit 1 appears to indicate that		2	BY MR. THOMPSON:	
3	March 29, 1996 was a Friday.		3	Q. Do you recall the first time after	
4	A. So my understanding is it probably then		4	March 29, 1996, that you referred to EZ Reader as a	
5	went to production on March 30th, 1996.		5	deployed application?	
6	Q. That's based on your recollection of a		6	A. Not specifically, no.	
7	communication that it was going live around that time		7	Q. Is it your recollection that as of the	
8	frame?		8	point you received the communication that you	
9	A. Correct.		9	referred to in which it was communicated to you that	
10	Q. And also based on your recollection that it		10	EZ Reader was about to go live within a couple of	
ii	was going to go live on a weekend?		11	days, the next weekend following that communication	<u>,</u>
L 2	A. Correct.		12		
			1	SOITY. I think you indicated that you believed	
L3	Q. Do you recall any, receiving any		13	I think you indicated that you believed	_
L4	confirmation that it had gone live?		14	that a communication was on March, around March 27 of	r
L5	A. I do not.		15	March 28, 1996?	
.6	Q. Do you know whether or not it had gone live		16	A. Correct.	
.7	the following weekend after March 30 instead, as		17	Q. So it is also your understanding that the,	
L8	opposed to the first Saturday in April?		18	that EZ Reader did not go live prior to that	
	A. I'm sorry, I don't think your question		19	communication?	
	was I don't understand the "opposed to."		20	A. Based on that communication, that is	AVVI
20					
20 21	Q. Sure. Do you have any do you have if		21	correct. I should, I should qualify that a little	
20 21 22	Q. Sure. Do you have any do you have if I understand correctly, you have a belief that it		22	bit, depending on I, you know, exactly what you mean	A A A A A A A A A A A A A A A A A A A
20 21 22 23	Q. Sure. Do you have any do you have if I understand correctly, you have a belief that it was, that the release of EZ Reader or the activation		22 23	bit, depending on I, you know, exactly what you mean by "go live."	
19 20 21 22 23 24	Q. Sure. Do you have any do you have if I understand correctly, you have a belief that it		22	bit, depending on I, you know, exactly what you mean	Announce of the second

	3-11:45 Page 78	11:47	7-13:06 Page 80
1	that in the dispute with Chase, whatever Chase was	1	IP rights.
2	attempting to get rights to actually belonged, in	2	Because if Chase did obtain a patent to
3	fact, to Brightware?	3	those IP rights, they would we would not have
4	A. That is my understanding, yes. That was	4	resolved the issue that they don't have the IP
5	our assertion. That was a matter of dispute between	5	ownership. If they don't have the IP ownership, they
6	the parties at the time.	6	can't get the patent, you see. So there's a
7	Q. Did you consider whether did you ever	7	connection.
8	ask, consider the question of whether Chase's rights	8	MR. THOMPSON: Can we go off the
9	or what Chase was attempting to obtain a patent on	9	record for a second?
10	was unlikely to be patented; therefore, it wasn't a	10	THE VIDEOGRAPHER: Off the record.
11	threat?	11	It's 11:48.
12	MR. SMITH: Object to form.	12	(Lunch break from 11:48 a.m. to 1:05 p m.)
13	A. The, the nature of the how do I answer	13	THE VIDEOGRAPHER: We are back on the
14	that question?	14	record. It is 1:05 p.m.
15	The nature of the threat to Brightware, as	15	MR. THOMPSON: Good afternoon, Mr.
16	I stated earlier, didn't really pertain directly to	16	Williams. Before we took a break, we spent some time
17	whether or not the material might be patent, might be	17	talking about EZ Reader, and I actually want to go
18	•	18	
	patentable.	19	back to that again. Mark this as four or three?
19	It pertained specifically to Chase's	1	THE REPORTER: Four.
20	assertion of IP ownership for IP that might be deemed	20	
21	to be IP we were using in our new Brightware Answer	21	(Deposition Exhibit 4 marked.)
22	Agent product. So, anyway.	22	BY MR. THOMPSON:
23	BY MR. THOMPSON:	23	Q. Mr. Williams, you've been handed what has
24 25	Q. So, so the dispute with Chase was, is best characterized as a, a business threat, and that was	24	been marked as <u>Exhibit 4</u> . Do you recognize Exhibit 4?
11:45	5-11:47 Page 79	13:06	F-13:07 Page 81
1	the motivation for pursuing, pursuing litigation to	1	
_		1	A. I don't think I have recently reviewed this
2	get it resolved?	2	A. I don't think I have recently reviewed this one, but it looks like an email was sent to me.
			·
2	get it resolved?	2	one, but it looks like an email was sent to me.
2	get it resolved? A. That was the primary threat that I was	2	one, but it looks like an email was sent to me. Q. Okay.
2 3 4	get it resolved? A. That was the primary threat that I was worried about at the time, was the threat to	2 3 4	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been
2 3 4 5	get it resolved? A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was	2 3 4 5	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it
2 3 4 5 6	get it resolved? A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising	2 3 4 5 6	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced?
2 3 4 5 6 7	get it resolved? A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct.	2 3 4 5 6 7	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one
2 3 4 5 6 7 8	get it resolved? A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because	2 3 4 5 6 7 8	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced.
2 3 4 5 6 7 8 9	get it resolved? A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you	2 3 4 5 6 7 8	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession.
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2 3 4 5 6 7 8 9 10	get it resolved? A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any	2 3 4 5 6 7 8 9 10	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well,
2 3 4 5 6 7 8 9 10	get it resolved? A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any actual threat that it may have posed.	2 3 4 5 6 7 8 9 10	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well, there's a, a line there indicating that this
2 3 4 5 6 7 8 9 10 11 12	get it resolved? A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any actual threat that it may have posed. Is would it be fair to characterize	2 3 4 5 6 7 8 9 10 11 12 13	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well, there's a, a line there indicating that this communication relates to Chase PR status, and there's
2 3 4 5 6 7 8 9 10 11 12 13 14	A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any actual threat that it may have posed. Is would it be fair to characterize Brightware's response to that that Brightware was	2 3 4 5 6 7 8 9 10 11 12 13	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well, there's a, a line there indicating that this communication relates to Chase PR status, and there's a date there, Thursday, March 28, 1996. Do you see
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any actual threat that it may have posed. Is would it be fair to characterize Brightware's response to that that Brightware was attempting to foreclose any cloud, any, any perceived	2 3 4 5 6 7 8 9 10 11 12 13 14	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well, there's a, a line there indicating that this communication relates to Chase PR status, and there's a date there, Thursday, March 28, 1996. Do you see that?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any actual threat that it may have posed. Is would it be fair to characterize Brightware's response to that that Brightware was attempting to foreclose any cloud, any, any perceived cloud on its rights to market its products without	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well, there's a, a line there indicating that this communication relates to Chase PR status, and there's a date there, Thursday, March 28, 1996. Do you see that? A. I do.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any actual threat that it may have posed. Is would it be fair to characterize Brightware's response to that that Brightware was attempting to foreclose any cloud, any, any perceived cloud on its rights to market its products without regard to whether or not sorry without regard to whether Chase could, in fact, ultimately obtain	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well, there's a, a line there indicating that this communication relates to Chase PR status, and there's a date there, Thursday, March 28, 1996. Do you see that? A. I do. Q. Can you read the message there up to the, up to "Amy"?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any actual threat that it may have posed. Is would it be fair to characterize Brightware's response to that that Brightware was attempting to foreclose any cloud, any, any perceived cloud on its rights to market its products without regard to whether or not sorry without regard to whether Chase could, in fact, ultimately obtain patent rights on those products?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well, there's a, a line there indicating that this communication relates to Chase PR status, and there's a date there, Thursday, March 28, 1996. Do you see that? A. I do. Q. Can you read the message there up to the, up to "Amy"? A. Yes. I just read it.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any actual threat that it may have posed. Is would it be fair to characterize Brightware's response to that that Brightware was attempting to foreclose any cloud, any, any perceived cloud on its rights to market its products without regard to whether or not sorry without regard to whether Chase could, in fact, ultimately obtain patent rights on those products? MR. SMITH: Object to form.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well, there's a, a line there indicating that this communication relates to Chase PR status, and there's a date there, Thursday, March 28, 1996. Do you see that? A. I do. Q. Can you read the message there up to the, up to "Amy"? A. Yes. I just read it. Q. Okay. Having just read that, I know we
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. That was the primary threat that I was worried about at the time, was the threat to Brightware's ongoing business and, and what it was preparing to do with its new product and, and raising capital. That is correct. Q. Is it a fair characterization that because of the potential for actually, I think you referred to it as the, you were worried about the perception that, of Chase's activities as much as any actual threat that it may have posed. Is would it be fair to characterize Brightware's response to that that Brightware was attempting to foreclose any cloud, any, any perceived cloud on its rights to market its products without regard to whether or not sorry without regard to whether Chase could, in fact, ultimately obtain patent rights on those products? MR. SMITH: Object to form. A. I believe, as you stated it, it's not quite	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	one, but it looks like an email was sent to me. Q. Okay. A. It may or may not, may or may not have been one in my possession. I don't know. Was it, was it one that I produced? Q. I will represent to you that it was one that you produced. A. Okay. Then it was in my possession. Q. I'd like you to look at the bottom of the first page of Exhibit 4, and there's an email, well, there's a, a line there indicating that this communication relates to Chase PR status, and there's a date there, Thursday, March 28, 1996. Do you see that? A. I do. Q. Can you read the message there up to the, up to "Amy"? A. Yes. I just read it. Q. Okay. Having just read that, I know we were discussing before about your, your recollection
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GOOGLE INC.			Jul	ly 15, 2010	Ì
13:08-13:09	Page 82	13:11	-13:12	Page 84	1
1 review you did in connection with the	his litigation of	1	website.		
an email that indicated to you that it	_	2	I, I understand what the entire email is		
3 go live imminently.		3	talking about, I understand Amy's role, and in that		
4 Do you have an understanding	whether this	4	context it's clear to me that her reference here is		
5 particular communication is the one		5	specifically referring to EZ Reader.		
6 MR. SMITH: Objection to	•	6	BY MR. THOMPSON:		l
7 A. It, it is possible. It was a sim		7	Q. "Her reference," you mean the reference to		
8 message. I don't know if it was th		8	the Chase website?		
9 BY MR. THOMPSON:	5	9	A. Correct.		
Q. Do you know whether the, the	e message that	10	Q. It was a what in your understanding,		
11 you're referring to referred specifica		11	the reference to the Chase website was a reference to		
12 Reader being, being turned on as op		12	EZ Reader going live		
language used here, is, which is, "Th	-	13	A. Was a reference		
turn on the Chase website for the first	·	14	Q or being deployed?		
15 MR. SMITH: Object to for		15	A to, was a reference to EZ Reader, yes,		
16 A. It would be nice if I had that		16	that's correct.		-
17 front of me about exactly what is s		17	Q. Can I get your understanding about what the		ĺ
18 Whether or not it my reco		18	relationship was between the Chase website referred		
19 probably did explicitly say EZ Rea		19	to here and EZ Reader?		
20 certain. I mean, it might have bee	· ·	20	MR. SMITH: Object to form.		
21 it clear to me that it was EZ Reade		21	A. Well, EZ Reader was used to respond to		
22 BY MR. THOMPSON:		22	emails pertaining to interactions that their		i
23 Q. And I just want to get an unde		23	customers would have typically on one or more of		l
whether or not the reference to the C	-	23 24	their websites or areas of their websites, and so		
being turned on meant to you that EZ		25	turning on some function on a website would drive		
	s reduct was going		tailing on some function on a website would unive		
13:09-13:11	Page 83	13:13-	-13:14	Page 85	
1 to be deployed?		1	traffic into EZ Reader, and turning on EZ Reader		
2 MR. SMITH: Object to fo	orm.	2	itself could be expressed in that kind of way.		
3 A. Let me read this message mo		3	In other words, it's a, it's a		
4 context to answer your question. I	-	4	rather than saying turn on EZ Reader for the Chase		
5 out of context.		5	website, in the context of EZ Reader one might just	,	
6 I do suspect that I do belie	ve that this	6	say turn on the Chase website.		
7 particular message refers to EZ Re		7	BY MR. THOMPSON:		
8 extent that refers to the potentially		8	Q. Could the Chase website be turned on		
9 message I referred to earlier, I can	!	9	without driving traffic to EZ Reader?		
in reading this document it seems t	The state of the s	10	MR. SMITH: Object to form.		
11 text on this, on this email does refer	rear <u>la re</u> respera en en el la la la la la la c	11	A. Well, other things that on, that were on	<u> 2020 - 200-200 - 100 000</u>	-
12 BY MR. THOMPSON:			the Chase website that might have been outside the		
Q. And is that are you referring			scope of EZ Reader, potentially.		
the middle of the page where it says,		14	BY MR. THOMPSON:		
them to the BW Overview slides, and		15	Q. Can you think of any other things?		
our Website, too"?		16	· · · · · · · · · · · · · · · · · · ·		
MR. KENNEDY: Objection			A. My understanding from the general review		
	_		and from the document that you, I believe, submitted	u	
,	-	L8	as Exhibit 3, if I recall correctly it wasn't		
•		L9	Exhibit 3. It was one of these that you sent, gave		
that language refers to EZ Reader.		20	to me earlier.		
those aspects, but there are other as	(21	Q. Maybe Exhibit 2.		
It's, it's, it's the document as:		22	A. Yeah. This Exhibit 2, this Exhibit 2 is		
and my understanding of the Brigh	i		referring to expansion of EZ Reader into other areas	,	
the way we did business and when,	*		and that it says specifically the first deployment of		
would put things in those overview	sides and on our 2	25	EZ Reader was specifically for Chase Direct, and,		

10:4				
	4-10:45	Page 50	10:47	7-10:48 Page 5
1	with, with actual customers of the client, in this		1	first is referring to the communications that you
2	case Chase.		2	recently recall reviewing in response to the subpoena
3	A. My understanding is that on that weekend,		3	for documents that you produced, are those the only
4	which I think we've established is the 30th/31st		4	communications of which you're aware that relate to
5	weekend, the system went to production.		5	the, a discussion of EZ Reader, the EZ Reader
6	I also understand it went through extensive		6	application, excuse me, application going live?
7	testing dating back four or five months before that,		7	
8	and I don't know whether or not during that testing		8	A. The question is again broad. I'm not, I'm
9			9	not sure quite what you mean by "referring to."
10	period they might have included actually responding to some live messages. That did happen a lot in			There were, as I mentioned earlier, there
	-		10	were a number of communications and documents about
11	Brightware custom application development projects		11	the fact that it was live that from, from later
12	We covered earlier that we typically would		12	days.
13	test it in a mode where it was not directly acting,		13	Q. Is it your understanding that you've
14	you know, affecting what, what, what customers saw		14	produced all the documents that you could find that
15	But we also, towards the end of that testing,		15	relate to the, a discussion of EZ Reader going live
16	frequently did allow it to act to verify that		16	before it actually was live?
17	everything worked correctly before it was officially		17	MR. SMITH: Object to form.
18	deemed production.		18	A. It is my understanding that I produced all
19	So it is — I can't — it is quite possible		19	of those documents to my counsel. I don't
20	it would have been responding to real Chase custome	r	20	specifically know the result of the legal review and
21	emails before that date, if not probable, but not		21	what was produced to you.
22	have, quote, been deemed in production. My		22	BY MR. THOMPSON:
23	understanding was that it was deemed in production	on .	23	Q. And by "produced" you mean in response to
24	that weekend, the 30th and 31st.		24	the subpoena you gathered documents, you believe that
25	Q. In any of the documents that you've		25	these communications were among them, and that you
10:4	6	Page 51	10.48	40.40
		· ·	10.40	-10:49 Page 5
1	reviewed in the past two weeks, did you see anything			
1 2	reviewed in the past two weeks, did you see anything that would lead you to believe that, in fact, it had	J	1	provided them to counsel?
2	that would lead you to believe that, in fact, it had		1 2	provided them to counsel? A. Correct. And I, I also, I guess I want to
2	that would lead you to believe that, in fact, it had been, EZ Reader had been utilized to respond to,		1 2 3	provided them to counsel? A. Correct. And I, I also, I guess I want to qualify my prior response a little bit when, just
2 3 4	that would lead you to believe that, in fact, it had been, EZ Reader had been utilized to respond to, directly to customers prior to being released for		1 2 3 4	provided them to counsel? A. Correct. And I, I also, I guess I want to qualify my prior response a little bit when, just relative to the use of the term "all."
2 3 4 5	that would lead you to believe that, in fact, it had been, EZ Reader had been utilized to respond to, directly to customers prior to being released for production in the weekend of March 30 or March 31,		1 2 3 4 5	provided them to counsel? A. Correct. And I, I also, I guess I want to qualify my prior response a little bit when, just relative to the use of the term "all." I mean, I, I conducted what I think is a
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10:5	50-10:51 Page 54	10:	52-11:09	Page 56
1	the I think the communication was along the lines	1	(Break in proceedings from 10:52 a m. to 11:08 a m.)	
2	of Chase will be going into production on a certain	2	THE VIDEOGRAPHER: This is the start	
3	website, which I vaguely recall is probably c,	3	of tape number two. We are back on the record. It	
4	cmb.com, but on a certain set of web properties on	4	is now 11:08 a m.	
5	that specific weekend. I think it used the term	5	MR. SMITH: Mr. Thompson, I'm sure we	
6	"production," is, is my recollection at this point in	6	have the agreement that whenever Mr. Kennedy and I	
7	time, but,	7	object, we're objecting for both defendants, just to	
8	Q. It might have been "production	8	make, be easier and get the deposition	
وا	installation" as used in Exhibit 2?	9	MR. THOMPSON: Yes, I understand.	
10	A. Quite possibly, yes. Although this, this	10	MR. SMITH: done? Thanks.	
11	is not the communication I'm referring to. In fact,	11	BY MR. THOMPSON:	
12	I didn't even receive this communication.	12	Q. Just a quick question before we proceed. 1	
13	Q. I understand.	13	want to, I'm not sure if I asked it in this manner,	
14	A. Yes.	14	but I want to be clear that all of the emails that	
15	Q. Do you recall who received excuse me	15		
16	who sent to you the communications?	16	you, that you gathered in this litigation were,	
17	A. I believe it was Amy Rice.	17	sorry, all the emails that you've been referring to,	
18	Q. Were these emails?	18	specifically communications from Amy Rice regarding	1
19	A. Yes. There were a number of emails, but	19	the production installation of EZ Reader, were	
20	the one in particular informing me of this event that	l	gathered to, in response to the subpoena that you	
21	you're inquiring about, I think, was sent to me by	20	received, Exhibit 1, and subsequently produced to, to	
22	Amy Rice.	21	counsel?	
23	Q. And do you recall if there was more than	22	A. That is correct.	
24	one?	23	Q. And they were not produced to counsel	
25	A. Well, there were I had various	24 25	before you received the subpoena?	
	went more were - I had various	25	A. That is correct.	
10:5	1-10:52 Page 55	11:0	9-11:12	Page 57
1	communications with the people we mentioned earlier,	1	MR. THOMPSON: This is three. Oh, I	
2	Amy and Julie and, and Terry and, and Rich, possibly	2	think this is missing a page.	
3	Dan as well, regarding this project before and after	3	THE REPORTER: Hang on one second.	
4	this specific event. So there's a, you know, there's	4	(Short break in proceedings.)	
5	a whole collective set of information.	5	(Deposition Exhibit 3 marked.)	
6	Q. Okay. Referring to the time period before,	6	BY MR. THOMPSON:	
7	I guess, what we'll call the production installation	7	Q. Mr. Williams, you've been handed what has	
8	event, which, for the sake of argument, was March 30	8	been marked as Exhibit 3. Do you recognize Exhibit	
9	or March 31, 1996, besides an email from Amy Rice, do	9	3?	
10	you recall any other emails besides that one that	10	A. Yes. It looks like a document that I	
11	related to that coming event?	11	produced.	
12	A. I recall a number of communications	12	Q. And do you have a recollection of receiving	
13	regarding various events in the testing leading to	13	this email?	
14	that event for several months prior to that,	14		
15	Q. But none of those other events, besides the	15	A. I have a vague recollection of the events	
16	one that we've mentioned from Amy Rice, referred to	16	described in the email, but not specifically of	
17	the, an actual production installation event being	17	receiving this email.	
18	imminent?		Q. Relating to your recollection of the	
19	A. No. There are others. I'm sorry. I just,	18	events, can you tell me what your understanding is	
20	I just remembered them. There are others. Yes,	19	now?	
21	· · · · · · · · · · · · · · · · · · ·	20	A. Sure. We had at both Inference and	
22	there are, there are other communications.	21	Brightware, as a matter of normal business we	
2:3	MR. THOMPSON: Actually, why don't we	22	participated in a, in a conference called IAAI,	
2·3 2·4	end now, because we need to change tapes.	23	Innovative Applications of Artificial Intelligence	
25	THE VIDEOGRAPHER: End of tape one. Off the record. It is 10:52 a.m.	24	conference.	
ر بند	on the record. It is 10.32 a.iii.	25	That conference highlighted	

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