

EXHIBIT B

10:24-10:25 Page 38

1 Q. So those, is it your recollection that
2 those reports were of a, a more general nature, not,
3 you know, you know, the sort of low level source code
4 review relating to the product?
5 **A. Well, there's, there's a big gulf between**
6 **"more general" and "source code," so I'm not --**
7 Q. Actually --
8 **A. I'm not quite sure how to answer the**
9 **question.**
10 Q. Let me ask you just what kind of reports
11 were given to you regarding the development?
12 **A. On quite a wide variety of matters, you**
13 **know, ranging all the way from the business**
14 **relationship with Chase, since I was the CEO of the**
15 **company, you know, revenue reports and, and prospects**
16 **for future business and the nature of the**
17 **relationship, down to various aspects of the function**
18 **of the application, details about what it does and,**
19 **and why it was important to Chase, and down to**
20 **certain details about the designs and technical**
21 **function of the application.**
22 **Especially, you know, Brightware did a lot**
23 **of applications, and I, I probably would have had**
24 **more technical information about EZ Reader than many**
25 **because Brightware was contemplating constructing a**

10:27-10:29 Page 40

1 Q. Do you -- excuse me. Do you remember when
2 the -- actually, let me go back to a response I
3 believe you gave before.
4 I believe you said that you weren't certain
5 whether or not the development, the development that
6 eventually led to the EZ Reader application began
7 before Brightware was spun out?
8 **A. I'm not certain exactly when it began,**
9 **that's correct.**
10 Q. Do you, do you know whether or not EZ
11 Reader was ever deployed to send responses to a, to a
12 customer's email that --
13 **A. I believe --**
14 Q. I'm sorry.
15 **A. I believe it was, yes.**
16 Q. And what's the basis for that
17 understanding?
18 **A. The basis for the understanding is, A, my**
19 **recollection; B, there are certain documents that I**
20 **found, producing information for you, that where I,**
21 **for example, published an article that states it.**
22 **And that, that was done much closer -- this**
23 **is now, what, four, 14 years ago, and, and I was**
24 **referring things that, looking at things that I**
25 **wrote, you know, within a year of the time it**

10:26-10:27 Page 39

1 **commercial product that did similar things.**
2 Q. What's the basis for your understanding
3 that EZ Reader was developed using ART, the
4 ART*Enterprise tool?
5 **A. Let's see. One, that was our -- that was**
6 **the business that Brightware was in in the custom**
7 **applications business. We developed applications**
8 **using ART*Enterprise. So it certainly would have**
9 **been my expectation.**
10 **Secondly, I believe there were specific**
11 **reports that explicitly mentioned it, although I**
12 **probably couldn't name a specific report right now.**
13 **And then, third, we sold ART*Enterprise**
14 **licenses to Chase so that they could run the**
15 **application.**
16 **So I would say all of that adds up to a, in**
17 **my mind, a clear picture.**
18 **I should add one more thing to that list.**
19 Q. Sure.
20 **A. The -- oh, again, sorry.**
21 **I, one more thing I should add to that list**
22 **is that in the technical information and reports I**
23 **received about EZ Reader were specifically-mentioned**
24 **ART*Enterprise capabilities like rules and case-based**
25 **reasoning, so.**

10:29-10:30 Page 41

1 **happened, where my knowledge would have been much**
2 **fresher.**
3 **So kind of a combination of my vague**
4 **recollection and then reminding myself by looking at**
5 **specific things I wrote at around that time make me**
6 **believe that it was, in fact, deployed specifically**
7 **to respond to Chase customer emails.**
8 Q. Do you know or do you recall which
9 documents in particular were used to refresh your
10 memory about those events?
11 **A. I think one of them was a, was an article**
12 **that I published, as I recall, in two places, in the**
13 **San Francisco Chronicle newspaper and in a magazine**
14 **that existed at that time called Chief Executive**
15 **magazine, where I was generally speaking about the**
16 **importance of AI applications on the Internet where I**
17 **referred to that application.**
18 Q. Are there any other documents that you
19 recall that help refresh your memory about those
20 events?
21 **A. There were various emails between the**
22 **people directly involved on the project and myself**
23 **that had various references that collectively helped**
24 **me, you know, reconstitute some of these old**
25 **memories.**

10:31-10:32 Page 42

1 Q. Do you have an under-- do you have an
2 understanding of during the development process
3 whether or not there's a point at which EZ Reader was
4 being tested? First of all, just I'll end the
5 question there.
6 Do you have an understanding that there was
7 a point at which it was just being tested and not
8 being utilized for actual responses to customers?
9 **A. Yes, I do recall that.**
10 Q. And is it your understanding that there was
11 a time when it was, during its testing period, that
12 it was utilized to create answers to customer emails
13 but not actually send them back to the customer that
14 sent them?
15 **A. I don't specifically recall that, but it**
16 **was our normal practice. So I certainly expect that**
17 **that is true.**
18 Q. And can you elaborate on that a bit? Is
19 it -- you're saying it was Brightware's normal
20 practice to, to test the system by -- I guess is
21 it -- would you consider it being as close to a
22 real-world case as possible without actually taking
23 the last step of providing the final output to the
24 original --
25 **A. Yes, that is correct. And that, that dates**

10:33-10:34 Page 43

1 **back to Inference in 1985. It was whenever we build**
2 **AI applications, we would generally run them in a way**
3 **where people could just see what they were doing**
4 **before the companies trusted them to act autonomously**
5 **and actually make decisions or communicate with**
6 **customers as, as a part of the testing. That was our**
7 **standard methodology to do that.**
8 Q. And do you have a recollection about when
9 EZ Reader was deployed to act autonomously, excuse
10 me, autonomously and interact with customers of
11 Chase?
12 **A. I have reason to believe it was near the**
13 **end of March of 1996.**
14 Q. And do you recall the basis for that, that
15 recollection?
16 **A. It was various emails that were sent to me**
17 **by people on the project.**
18 **MR. THOMPSON:** Mark this as two,
19 please.
20 (Deposition Exhibit 2 marked.)
21 **BY MR. THOMPSON:**
22 Q. Mr. Williams, I will represent to you that
23 this was a document that was produced from the
24 electronic documents you gathered in response to the
25 subpoena. I want to first ask you whether or not you

10:34-10:36 Page 44

1 recognize this, this document?
2 **MR. SMITH:** Mr. Thompson, is it your
3 representation this is from Mr. Williams' documents?
4 **MR. THOMPSON:** That was my --
5 **MR. SMITH:** -- got --
6 **MR. THOMPSON:** Wait. It's got a Rice,
7 sorry, it's got a Rice Bates number on it. Just a
8 second, please.
9 **MR. SMITH:** Has this document even
10 been produced in the litigation?
11 **MR. THOMPSON:** It's my understanding
12 that it has.
13 **MR. SMITH:** Okay.
14 **BY MR. THOMPSON:**
15 Q. Let me ask you this, Mr. Williams. Are you
16 -- do you have an understanding of who Michael Mazza
17 is?
18 **A. Not specifically, no.**
19 Q. Do you recognize the name Rosanna Piccolo?
20 **A. I do, yes.**
21 Q. What is your understanding of who she is?
22 **A. She was one of the people associated with**
23 **this project at Chase. I think -- I can't remember**
24 **if she was under Anthony Angotti or if she was**
25 **representing a different Chase organization. But I**

10:36-10:38 Page 45

1 **associate her name with Anthony Angotti's name.**
2 Q. Do you recognize Thomas Keely?
3 **A. I do not.**
4 Q. How about the person that it appears that
5 this email is from, rice@brightware.com or Amy Rice?
6 **A. Yes, I do.**
7 Q. I believe you mentioned her name earlier?
8 **A. I did.**
9 Q. I'd like to refer you to the first sentence
10 of this document after the salutation "Rosanna, Tom
11 and Mike."
12 It states, "As your strategic
13 knowledge-based technology partners, Brightware is
14 pleased that EZ Reader is now approved for production
15 installation at Chase."
16 Let me ask you if around this time frame,
17 March 29, 1996, you recall having any communications
18 with anyone at Brightware regarding the, the product
19 production installation of EZ Reader?
20 **A. Yes, I do.**
21 Q. Is it your understanding that the approval
22 for the production installation occurred around that
23 time, excuse me, occurred around March 29, 2000 --
24 1996?
25 **A. That is my understanding, yes.**

10:38-10:39 Page 46

1 Q. What is it -- what is your understanding,
2 if you have one, of what "production installation"
3 means?
4 **A. My understanding is around that time at the**
5 **end of March, as I stated previously, they actually**
6 **turned it on to process live Chase emails.**
7 Q. Do you recall a specific communication from
8 anyone at Brightware that, that informed you that it
9 had gone live; that Bright -- that EZ Reader was
10 being used to respond to outside customers?
11 **A. I do not require (sic) a specific**
12 **communication after it had gone live. I do recall a**
13 **specific communication informing me that it was going**
14 **to go live within a day or two.**
15 Q. And do you recall when that communication
16 was?
17 **A. Right around the same time frame as the**
18 **message you handed me. It was right around the end**
19 **of March. I do not recall the specific date.**
20 Q. Do you believe it was before March 29,
21 1996?
22 **A. Possibly. My recollection is that it was**
23 **going to go live on a weekend. So if you could tell**
24 **me the day of the week that March 29, 1996 was, I**
25 **could probably refresh my recollection.**

10:39-10:40 Page 47

1 Q. I, I haven't looked it up to verify, but
2 the, this Exhibit 1 appears to indicate that
3 March 29, 1996 was a Friday.
4 **A. So my understanding is it probably then**
5 **went to production on March 30th, 1996.**
6 Q. That's based on your recollection of a
7 communication that it was going live around that time
8 frame?
9 **A. Correct.**
10 Q. And also based on your recollection that it
11 was going to go live on a weekend?
12 **A. Correct.**
13 Q. Do you recall any, receiving any
14 confirmation that it had gone live?
15 **A. I do not.**
16 Q. Do you know whether or not it had gone live
17 the following weekend after March 30 instead, as
18 opposed to the first Saturday in April?
19 **A. I'm sorry, I don't think your question**
20 **was -- I don't understand the "opposed to."**
21 Q. Sure. Do you have any -- do you have -- if
22 I understand correctly, you have a belief that it
23 was, that the release of EZ Reader or the activation
24 of it to respond to live customers occurred on a
25 weekend around March 29.

10:41-10:42 Page 48

1 But what I'm trying to understand is
2 whether you have a specific memory of whether it was
3 on March 30 or March 31 of 1996 or whether it was the
4 following weekend or the weekend after that?
5 **MR. KENNEDY: Objection to form.**
6 **A. I have a specific recollection, refreshed**
7 **by reviewing recent emails from the time, that I was**
8 **informed on either the 28th or 29th, maybe the**
9 **27th, 28th or 29th, probably one of those three**
10 **days towards the end of that week, taking your**
11 **representation that the 29th was a Friday.**
12 **I was, I was informed on the, one of those**
13 **days that it would go live on that coming weekend.**
14 **Not a later weekend, but that weekend.**
15 **BY MR. THOMPSON:**
16 Q. But you don't recall receiving any
17 confirmation that that actually happened as was
18 predicted?
19 **A. I don't recall receiving a confirmation**
20 **that it precisely happened on that day. I also do**
21 **not recall receiving anything that it didn't. And I**
22 **know that both I did and others in Brightware did,**
23 **referred to it after that date as a deployed**
24 **application.**
25 **THE REPORTER: As a what application?**

10:42-10:44 Page 49

1 **THE WITNESS: A deployed application.**
2 **BY MR. THOMPSON:**
3 Q. Do you recall the first time after
4 March 29, 1996, that you referred to EZ Reader as a
5 deployed application?
6 **A. Not specifically, no.**
7 Q. Is it your recollection that as of the
8 point you received the communication that you
9 referred to in which it was communicated to you that
10 EZ Reader was about to go live within a couple of
11 days, the next weekend following that communication
12 -- sorry.
13 I think you indicated that you believed
14 that a communication was on March, around March 27 or
15 March 28, 1996?
16 **A. Correct.**
17 Q. So it is also your understanding that the,
18 that EZ Reader did not go live prior to that
19 communication?
20 **A. Based on that communication, that is**
21 **correct. I should, I should qualify that a little**
22 **bit, depending on I, you know, exactly what you mean**
23 **by "go live."**
24 Q. Let's refer -- by "going live" we're
25 referring to deploying the application to interact

11:43-11:45 Page 78

1 that in the dispute with Chase, whatever Chase was
2 attempting to get rights to actually belonged, in
3 fact, to Brightware?
4 **A. That is my understanding, yes. That was**
5 **our assertion. That was a matter of dispute between**
6 **the parties at the time.**
7 Q. Did you consider whether -- did you ever
8 ask, consider the question of whether Chase's rights
9 or what Chase was attempting to obtain a patent on
10 was unlikely to be patented; therefore, it wasn't a
11 threat?
12 **MR. SMITH:** Object to form.
13 **A. The, the nature of the -- how do I answer**
14 **that question?**
15 **The nature of the threat to Brightware, as**
16 **I stated earlier, didn't really pertain directly to**
17 **whether or not the material might be patent, might be**
18 **patentable.**
19 **It pertained specifically to Chase's**
20 **assertion of IP ownership for IP that might be deemed**
21 **to be IP we were using in our new Brightware Answer**
22 **Agent product. So, anyway.**
23 **BY MR. THOMPSON:**
24 Q. So, so the dispute with Chase was, is best
25 characterized as a, a business threat, and that was

11:45-11:47 Page 79

1 the motivation for pursuing, pursuing litigation to
2 get it resolved?
3 **A. That was the primary threat that I was**
4 **worried about at the time, was the threat to**
5 **Brightware's ongoing business and, and what it was**
6 **preparing to do with its new product and, and raising**
7 **capital. That is correct.**
8 Q. Is it a fair characterization that because
9 of the potential for -- actually, I think you
10 referred to it as the, you were worried about the
11 perception that, of Chase's activities as much as any
12 actual threat that it may have posed.
13 Is -- would it be fair to characterize
14 Brightware's response to that that Brightware was
15 attempting to foreclose any cloud, any, any perceived
16 cloud on its rights to market its products without
17 regard to whether or not -- sorry -- without regard
18 to whether Chase could, in fact, ultimately obtain
19 patent rights on those products?
20 **MR. SMITH:** Object to form.
21 **A. I believe, as you stated it, it's not quite**
22 **true. It, it, it's true that we wanted to resolve it**
23 **very quickly to remove all cloud, but that would have**
24 **included preventing Chase, as you stated it,**
25 **preventing Chase from obtaining the patent to those**

11:47-13:06 Page 80

1 **IP rights.**
2 **Because if Chase did obtain a patent to**
3 **those IP rights, they would -- we would not have**
4 **resolved the issue that they don't have the IP**
5 **ownership. If they don't have the IP ownership, they**
6 **can't get the patent, you see. So there's a**
7 **connection.**
8 **MR. THOMPSON:** Can we go off the
9 record for a second?
10 **THE VIDEOGRAPHER:** Off the record.
11 It's 11:48.
12 (Lunch break from 11:48 a.m. to 1:05 p.m.)
13 **THE VIDEOGRAPHER:** We are back on the
14 record. It is 1:05 p.m.
15 **MR. THOMPSON:** Good afternoon, Mr.
16 Williams. Before we took a break, we spent some time
17 talking about EZ Reader, and I actually want to go
18 back to that again.
19 Mark this as four or three?
20 **THE REPORTER:** Four.
21 (Deposition Exhibit 4 marked.)
22 **BY MR. THOMPSON:**
23 Q. Mr. Williams, you've been handed what has
24 been marked as Exhibit 4. Do you recognize Exhibit
25 4?

13:06-13:07 Page 81

1 **A. I don't think I have recently reviewed this**
2 **one, but it looks like an email was sent to me.**
3 Q. Okay.
4 **A. It may or may not, may or may not have been**
5 **one in my possession. I don't know. Was it, was it**
6 **one that I produced?**
7 Q. I will represent to you that it was one
8 that you produced.
9 **A. Okay. Then it was in my possession.**
10 Q. I'd like you to look at the bottom of the
11 first page of Exhibit 4, and there's an email, well,
12 there's a, a line there indicating that this
13 communication relates to Chase PR status, and there's
14 a date there, Thursday, March 28, 1996. Do you see
15 that?
16 **A. I do.**
17 Q. Can you read the message there up to the,
18 up to "Amy"?
19 **A. Yes. I just read it.**
20 Q. Okay. Having just read that, I know we
21 were discussing before about your, your recollection
22 of EZ Reader, the EZ Reader application going live
23 the weekend of either Saturday, March 30, or Sunday,
24 March 31, and, if I recall, you expressed a
25 recollection of having seen an email during this

13:08-13:09 Page 82

1 review you did in connection with this litigation of
2 an email that indicated to you that it was about to
3 go live imminently.
4 Do you have an understanding whether this
5 particular communication is the one that you saw?
6 **MR. SMITH:** Objection to form.
7 **A. It, it is possible. It was a similar**
8 **message. I don't know if it was this message or not.**
9 **BY MR. THOMPSON:**
10 Q. Do you know whether the, the message that
11 you're referring to referred specifically to EZ
12 Reader being, being turned on as opposed to the
13 language used here, is, which is, "They are going to
14 turn on the Chase website for the first time"?
15 **MR. SMITH:** Object to form.
16 **A. It would be nice if I had that email in**
17 **front of me about exactly what is said.**
18 **Whether or not it -- my recollection is it**
19 **probably did explicitly say EZ Reader, but I'm not**
20 **certain. I mean, it might have been the context made**
21 **it clear to me that it was EZ Reader.**
22 **BY MR. THOMPSON:**
23 Q. And I just want to get an understanding of
24 whether or not the reference to the Chase website
25 being turned on meant to you that EZ Reader was going

13:09-13:11 Page 83

1 to be deployed?
2 **MR. SMITH:** Object to form.
3 **A. Let me read this message more carefully in**
4 **context to answer your question. I can't answer it**
5 **out of context.**
6 **I do suspect that -- I do believe that this**
7 **particular message refers to EZ Reader. And to what**
8 **extent that refers to the potentially different other**
9 **message I referred to earlier, I can't comment, but**
10 **in reading this document it seems to me that this**
11 **text on this, on this email does refer to EZ Reader.**
12 **BY MR. THOMPSON:**
13 Q. And is that -- are you referring to near
14 the middle of the page where it says, "I'd say add
15 them to the BW Overview slides, and add EZ Reader to
16 our Website, too"?
17 **MR. KENNEDY:** Objection. Form.
18 **A. There are, there are several aspects about**
19 **this email that collectively make me convinced that**
20 **that language refers to EZ Reader. That is one of**
21 **those aspects, but there are other aspects as well.**
22 **It's, it's, it's the document as a whole**
23 **and my understanding of the Brightware business and**
24 **the way we did business and when, when and why we**
25 **would put things in those overview slides and on our**

13:11-13:12 Page 84

1 website.
2 **I, I understand what the entire email is**
3 **talking about, I understand Amy's role, and in that**
4 **context it's clear to me that her reference here is**
5 **specifically referring to EZ Reader.**
6 **BY MR. THOMPSON:**
7 Q. "Her reference," you mean the reference to
8 the Chase website?
9 **A. Correct.**
10 Q. It was a -- what -- in your understanding,
11 the reference to the Chase website was a reference to
12 EZ Reader going live --
13 **A. Was a reference --**
14 Q. -- or being deployed?
15 **A. -- to, was a reference to EZ Reader, yes,**
16 **that's correct.**
17 Q. Can I get your understanding about what the
18 relationship was between the Chase website referred
19 to here and EZ Reader?
20 **MR. SMITH:** Object to form.
21 **A. Well, EZ Reader was used to respond to**
22 **emails pertaining to interactions that their**
23 **customers would have typically on one or more of**
24 **their websites or areas of their websites, and so**
25 **turning on some function on a website would drive**

13:13-13:14 Page 85

1 **traffic into EZ Reader, and turning on EZ Reader**
2 **itself could be expressed in that kind of way.**
3 **In other words, it's a, it's a, it's a --**
4 **rather than saying turn on EZ Reader for the Chase**
5 **website, in the context of EZ Reader one might just**
6 **say turn on the Chase website.**
7 **BY MR. THOMPSON:**
8 Q. Could the Chase website be turned on
9 without driving traffic to EZ Reader?
10 **MR. SMITH:** Object to form.
11 **A. Well, other things that on, that were on**
12 **the Chase website that might have been outside the**
13 **scope of EZ Reader, potentially.**
14 **BY MR. THOMPSON:**
15 Q. Can you think of any other things?
16 **A. My understanding from the general review**
17 **and from the document that you, I believe, submitted**
18 **as Exhibit 3, if I recall correctly -- it wasn't**
19 **Exhibit 3. It was one of these that you sent, gave**
20 **to me earlier.**
21 Q. Maybe Exhibit 2.
22 **A. Yeah. This Exhibit 2, this Exhibit 2 is**
23 **referring to expansion of EZ Reader into other areas,**
24 **and that it says specifically the first deployment of**
25 **EZ Reader was specifically for Chase Direct, and,**

10:44-10:45 Page 50

1 with, with actual customers of the client, in this
2 case Chase.
3 **A. My understanding is that on that weekend,**
4 **which I think we've established is the 30th/31st**
5 **weekend, the system went to production.**
6 **I also understand it went through extensive**
7 **testing dating back four or five months before that,**
8 **and I don't know whether or not during that testing**
9 **period they might have included actually responding**
10 **to some live messages. That did happen a lot in**
11 **Brightware custom application development projects.**
12 **We covered earlier that we typically would**
13 **test it in a mode where it was not directly acting,**
14 **you know, affecting what, what, what customers saw.**
15 **But we also, towards the end of that testing,**
16 **frequently did allow it to act to verify that**
17 **everything worked correctly before it was officially**
18 **deemed production.**
19 **So it is -- I can't -- it is quite possible**
20 **it would have been responding to real Chase customer**
21 **emails before that date, if not probable, but not**
22 **have, quote, been deemed in production. My**
23 **understanding was that it was deemed in production on**
24 **that weekend, the 30th and 31st.**
25 Q. In any of the documents that you've

10:46 Page 51

1 reviewed in the past two weeks, did you see anything
2 that would lead you to believe that, in fact, it had
3 been, EZ Reader had been utilized to respond to,
4 directly to customers prior to being released for
5 production in the weekend of March 30 or March 31,
6 1996?
7 **A. Not specifically other than that I do know**
8 **that the full functions of the system were tested**
9 **beforehand. I don't know the details of that**
10 **testing. It would not have been unusual for some of**
11 **that testing to include some automated response.**
12 Q. Is it correct that all of the
13 communications that you recall reviewing that
14 refreshed your memory about the, the release for,
15 sorry, the production installation of the EZ Reader
16 application --
17 **MR. THOMPSON:** Sorry. Can you read
18 that back?
19 **THE REPORTER:** Your question or the
20 answer?
21 **MR. THOMPSON:** How about we just skip
22 that question and I'll ask it again, because I forgot
23 where I was going.
24 **BY MR. THOMPSON:**
25 Q. There were two things I want to ask. The

10:47-10:48 Page 52

1 first is referring to the communications that you
2 recently recall reviewing in response to the subpoena
3 for documents that you produced, are those the only
4 communications of which you're aware that relate to
5 the, a discussion of EZ Reader, the EZ Reader
6 application, excuse me, application going live?
7 **A. The question is again broad. I'm not, I'm**
8 **not sure quite what you mean by "referring to."**
9 **There were, as I mentioned earlier, there**
10 **were a number of communications and documents about**
11 **the fact that it was live that -- from, from later**
12 **days.**
13 Q. Is it your understanding that you've
14 produced all the documents that you could find that
15 relate to the, a discussion of EZ Reader going live
16 before it actually was live?
17 **MR. SMITH:** Object to form.
18 **A. It is my understanding that I produced all**
19 **of those documents to my counsel. I don't**
20 **specifically know the result of the legal review and**
21 **what was produced to you.**
22 **BY MR. THOMPSON:**
23 Q. And by "produced" you mean in response to
24 the subpoena you gathered documents, you believe that
25 these communications were among them, and that you

10:48-10:49 Page 53

1 provided them to counsel?
2 **A. Correct. And I, I also, I guess I want to**
3 **qualify my prior response a little bit when, just**
4 **relative to the use of the term "all."**
5 **I mean, I, I conducted what I think is a**
6 **reasonable search, and I, I, I sent to my counsel all**
7 **documents that I found responsive to the subpoena by**
8 **virtue of that search.**
9 **I cannot definitively assert that a more**
10 **thorough, you know, forensic search or some other**
11 **kind of search might not find additional documents,**
12 **but I did produce all documents pertaining to the,**
13 **that were responsive to the subpoena, as I understand**
14 **what that means on advice of my counsel, to my**
15 **counsel.**
16 Q. Do you recall -- I know you've talked about
17 the substance of the communications being that EZ
18 Reader is about to, to go live.
19 Do you remember the terminology that was
20 used? Because we keep saying "going live," but I
21 want to be sure that we're always referring to the
22 same event.
23 **A. You know, I'm trying -- I'm not sure I**
24 **referred, I, I recall at this instant the specific**
25 **terminology, but it was something -- I think it was**

10:50-10:51 Page 54

1 the -- I think the communication was along the lines
2 of Chase will be going into production on a certain
3 website, which I vaguely recall is probably c,
4 cmb.com, but on a certain set of web properties on
5 that specific weekend. I think it used the term
6 "production," is, is my recollection at this point in
7 time, but.

8 Q. It might have been "production
9 installation" as used in Exhibit 2?

10 A. Quite possibly, yes. Although this, this
11 is not the communication I'm referring to. In fact,
12 I didn't even receive this communication.

13 Q. I understand.

14 A. Yes.

15 Q. Do you recall who received -- excuse me --
16 who sent to you the communications?

17 A. I believe it was Amy Rice.

18 Q. Were these emails?

19 A. Yes. There were a number of emails, but
20 the one in particular informing me of this event that
21 you're inquiring about, I think, was sent to me by
22 Amy Rice.

23 Q. And do you recall if there was more than
24 one?

25 A. Well, there were -- I had various

10:51-10:52 Page 55

1 communications with the people we mentioned earlier,
2 Amy and Julie and, and Terry and, and Rich, possibly
3 Dan as well, regarding this project before and after
4 this specific event. So there's a, you know, there's
5 a whole collective set of information.

6 Q. Okay. Referring to the time period before,
7 I guess, what we'll call the production installation
8 event, which, for the sake of argument, was March 30
9 or March 31, 1996, besides an email from Amy Rice, do
10 you recall any other emails besides that one that
11 related to that coming event?

12 A. I recall a number of communications
13 regarding various events in the testing leading to
14 that event for several months prior to that.

15 Q. But none of those other events, besides the
16 one that we've mentioned from Amy Rice, referred to
17 the, an actual production installation event being
18 imminent?

19 A. No. There are others. I'm sorry. I just,
20 I just remembered them. There are others. Yes,
21 there are, there are other communications.

22 MR. THOMPSON: Actually, why don't we
23 end now, because we need to change tapes.

24 THE VIDEOGRAPHER: End of tape one.
25 Off the record. It is 10:52 a.m.

10:52-11:09 Page 56

1 (Break in proceedings from 10:52 a.m. to 11:08 a.m.)
2 THE VIDEOGRAPHER: This is the start
3 of tape number two. We are back on the record. It
4 is now 11:08 a.m.

5 MR. SMITH: Mr. Thompson, I'm sure we
6 have the agreement that whenever Mr. Kennedy and I
7 object, we're objecting for both defendants, just to
8 make, be easier and get the deposition --

9 MR. THOMPSON: Yes, I understand.

10 MR. SMITH: -- done? Thanks.

11 BY MR. THOMPSON:
12 Q. Just a quick question before we proceed. I
13 want to, I'm not sure if I asked it in this manner,
14 but I want to be clear that all of the emails that
15 you, that you gathered in this litigation were,
16 sorry, all the emails that you've been referring to,
17 specifically communications from Amy Rice regarding
18 the production installation of EZ Reader, were
19 gathered to, in response to the subpoena that you
20 received, Exhibit 1, and subsequently produced to, to
21 counsel?

22 A. That is correct.

23 Q. And they were not produced to counsel
24 before you received the subpoena?

25 A. That is correct.

11:09-11:12 Page 57

1 MR. THOMPSON: This is three. Oh, I
2 think this is missing a page.

3 THE REPORTER: Hang on one second.
4 (Short break in proceedings.)
5 (Deposition Exhibit 3 marked.)

6 BY MR. THOMPSON:
7 Q. Mr. Williams, you've been handed what has
8 been marked as Exhibit 3. Do you recognize Exhibit
9 3?

10 A. Yes. It looks like a document that I
11 produced.

12 Q. And do you have a recollection of receiving
13 this email?

14 A. I have a vague recollection of the events
15 described in the email, but not specifically of
16 receiving this email.

17 Q. Relating to your recollection of the
18 events, can you tell me what your understanding is
19 now?

20 A. Sure. We had at both Inference and
21 Brightware, as a matter of normal business we
22 participated in a, in a conference called IAAI,
23 Innovative Applications of Artificial Intelligence
24 conference.
25 That conference highlighted