

# **EXHIBIT C**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

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PA ADVISORS, LLC, :

Plaintiff, :

vs. :

GOOGLE, INC., et al., :

Defendants. :

: C.A. No.  
: 2:07-cv-480-DF

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Washington, D.C.

Friday, January 29, 2010

PRETRIAL CONFERENCE BEFORE:

HONORABLE RANDALL R. RADER

at U.S. Court of Appeals Federal Circuit, 717 Madison  
Place, N.W., Washington, D.C., before Erick M.  
Thacker, RPR, of Capital Reporting Company, a Notary  
Public in and for the District of Columbia, beginning  
at 5:00 p.m., when were present on behalf of the  
respective parties:

1 can get Your Honor that transcript. There were no  
2 instructions not to answer with respect to questions  
3 on that document, none. There were only questions  
4 about communications between an attorney and his  
5 client.

6 HONORABLE RADER: Well, needless to say,  
7 I'm a little troubled by this.

8 MR. CANNON: Your Honor, you can see the  
9 questioning at page 152 and 153.

10 HONORABLE RADER: Yes, I do.

11 MR. CANNON: Mr. Pridham was trying to  
12 point you to where -- you asked where that occurs,  
13 and it occurs at 152 and 153.

14 HONORABLE RADER: Okay. Well, I -- I'm not  
15 inclined to issue sanctions at this point. I am  
16 inclined to make all of this available to impeachment  
17 of witnesses and credibility at trial, if necessary.  
18 And I am going to keep this issue somewhat open. I  
19 may -- if more information comes out, I may order  
20 some kind of an inquiry, and we can look further, but  
21 at this point, I'm making everything here available  
22 to both parties to use to discuss the relationship

1 between Mr. Spangenberg and Mr. Geller, and if at  
2 trial, we learn something more, then I could always  
3 order a -- some kind of a further inquiry, if  
4 necessary.

5 I don't think there's a need for an adverse  
6 inference instruction at this point. I'm aware of  
7 the situation, and we'll entertain a motion to that  
8 effect if during the trial it becomes important, and  
9 I'll rule on it at that time.

10 Any questions, Mr. Fenster?

11 MR. FENSTER: No, Your Honor.

12 HONORABLE RADER: Mr. Cannon?

13 MR. CANNON: No, Your Honor.

14 HONORABLE RADER: Mr. Rooklidge?

15 MR. ROOKLIDGE: No, Your Honor.

16 HONORABLE RADER: All right. Have we  
17 finished our business, gentlemen?

18 MR. FENSTER: Your Honor, we -- I wanted to  
19 raise one issue with the Court that I've raised with  
20 counsel regarding the scheduling of expert  
21 depositions.

22 HONORABLE RADER: Okay.