

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TYLER DIVISION

DATE: April 13, 2011

JUDGE
LEONARD DAVIS

REPORTER: Shea Sloan

LAW CLERKS: Nicole Mitchell & Anna Phillips

BEDROCK TECHNOLOGIES, LLC V GOOGLE, INC.	CIVIL ACTION NO: 6:09-CV-269 JURY TRIAL - DAY 3
ATTORNEYS FOR PLAINTIFFS	ATTORNEY FOR DEFENDANT
SEE SIGN-IN SHEETS	

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 8:50 am

ADJOURN: 5:00 PM

TIME:	MINUTES:
8:50 am	Trial resumed. Hearing outside presence of the Jury.
	Mr. Stern addressed the Court on clarification as to the re-exam and obtained an expert in the field. Court addressed the parties on the re-exam and if it is final it comes in, but if pending it does not come in.
8:53 am	Court in recess until 9:00 a.m. Court came back on the bench. Court addressed the parties on the expert and inquired if there is any disagreement as to opinions that he will testify to. Mr. Stern responded as to certain art being considered. Mr. Stevenson responded and the expert is Nicolas Godici and the speculative testimony. Court advised parties that when they reach that point to approach the bench.
8:55 am	Court in recess.
9:05 am	Trial resumed. Jury entered and seated in the courtroom.
	Mr. Jones called TRISHA WEIR to the witness stand. Witness sworn by the Clerk.
	Direct examination of Ms. Weir by Mr. Jones
	Mr. Jones advised that he was about to go into sensitive matters and asked the courtroom be sealed.

DAVID J. MALAND, CLERK

FILED: 4.13.2011

BY: *Rosa L. Ferguson*, Courtroom Deputy

TIME:	MINUTES:
9:15 am	RECORD SEALED. Direct examination of Ms. Weir continued.
	Mr. Jones passed the witness. Cross examination of Ms. Weir by Mr. Cassidy.
	Mr. Cassidy passed the witness. Redirect examination of Ms. Weir by Mr. Jones.
	Mr. Jones passed the witness.
9:50 am	Court in recess until 10:00 am
10:00 am	Trial resumed. Jury seated in the courtroom. RECORD REMAINS SEALED.
	Mr. Stern called MIKE WAYCHISON to the witness stand. Witness sworn by the Clerk.
	Direct examination of Mr. Waychison by Mr. Stern.
	Mr. Stern passed the witness.
	Court inquired if the Courtroom needed to remain sealed. Mr. Cawley responded that it did not.
11:10 am	RECORD UNSEALED.
	Cross examination of Mr. Waychison by Mr. Cawley.
	Mr. Cawley passed the witness. Redirect examination of Mr. Waychison by Mr. Stern.
	Mr. Stern passed the witness. Recross examination of Mr. Waychison by Mr. Cawley.
	Mr. Cawley passed the witness.
	Ms. Pennypacker called Dr. EUGENE SCHULTZ. Witness previously sworn.
	Direct examination of Dr. Schultz by Ms. Pennypacker.
12:00 pm	Court in recess until 12:30 pm.
12:30 pm	Trial resumed. Jury entered and seated in the courtroom.
	Dr. Schultz on the witness stand. Direct examination continued.
	Ms. Pennypacker requested that courtroom be sealed.
12:40 pm	RECORD SEALED. Direct examination continued.
	Ms. Pennypacker passed the witness. Cross examination of Dr. Schultz by Mr. Stevenson.
	Mr. Stevenson passed the witness. Redirect examination of Dr. Schultz by Ms. Pennypacker.
	Ms. Pennypacker passed the witness.
	Ms. Pennypacker called DANIEL MCDONALD. Witness sworn by the Clerk.
1:22 pm	RECORD UNSEALED.
	Direct examination of Mr. McDonald by Ms. Pennypacker.

TIME:	MINUTES:
	Ms. Pennypacker passed the witness.
	Mr. Hejny asked to approach the bench. (Bench Conference Held).
	Cross examination of Mr. McDonald by Mr. Hejny.
	Mr. Hejny passed the witness. Redirect examination of Mr. McDonald by Ms. Pennypacker.
	Ms. Pennypacker passed the witness. No further questions of this witness.
	Ms. Pennypacker called JEFFREY SCHILLER by video deposition and gave the Court the time for the video. Video played for the jury.
	Ms. Pennypacker called ALEXEY KUZNETSOV by Video Deposition and gave the Court the times. Video played for the jury.
2:35 pm	Court in recess until 2:50 pm.
2:48 pm	Trial resumed. Jury seated in the courtroom.
	Mr. Stevenson asked to approach the bench. (Bench Conference Held).
	Mr. Stern called NICOLAS GODICI to the witness stand. Witness sworn by the Clerk.
	Direct examination of Mr. Godici by Mr. Stern.
	Mr. Stern asked to approach bench. (Bench conference held).
	Mr. Stern passed the witness. Cross examination of Mr. Godici by Mr. Stevenson.
	Mr. Stevenson passed the witness. Redirect examination of Mr. Godici by Mr. Stern.
	Mr. Stern passed the witness. Recross examination by Mr. Stevenson.
	Mr. Stevenson passed the witness. No further questions of this witness.
	Mr. Stern asked to approach the bench. (Bench conference held).
	Mr. Stern called KEVIN JEFFAY to the witness stand. Witness previously sworn.
	Direct examination of Mr. Jeffay by Mr. Stern.
4:55 pm	Court addressed the Jury and will be recessing them for the evening. Court inquired whether anyone on the jury could come in at 8:30 or stay until . Court excused the Jury until 8:30 am.
	Court gave the parties their time. Plaintiff has used 8 hours and 41minutes and Defendant has used 9 hours and 03 minutes.
5:00 pm	Court in recess until 8:30 am.