

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEARMAP US, INC.,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case IPR2022-00734
	)	Patent 9,135,737
EAGLEVIEW TECHNOLOGIES, INC.,	)	
	)	
Patent Owner.	)	
	)	

Deposition of CHRIS V. JOHNSON, taken remotely in
the above-captioned cause, before Rachel F. Gard,
CSR, RPR, CRR, commencing at the hour of 12:30
p.m. Eastern on Tuesday, April 25, 2023.

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16

17 ALSO PRESENT:

18 BECKY UNRUH, ESQ., EagleView

19

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21

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Page 3

1 I N D E X

2 WITNESS PAGE

3 CHRIS V. JOHNSON

4 Cross-Examination by Mr. Smith 4

5

6

7 E X H I B I T S

8 NUMBER PAGE

9 Exhibit 2011 Declaration 9

10

11 Exhibit 2012 Financial information, 9

12 2009 through 2012

13

14 Exhibit 2013 Financial information, 10

15 2013

16 Exhibit 2014 Financial information, 11

17 2014

18 Exhibit 2015 Financial information, 11

19 2015

20

21

22

1 (Witness sworn.)

2 WHEREUPON:

3 CHRIS V. JOHNSON,

4 called as a witness herein, having been first duly
5 sworn, was examined and testified as follows:

6 CROSS-EXAMINATION

7 BY MR. SMITH:

8 Q All right. Good morning, Mr. Johnson.

9 A Morning.

10 Q How are you doing today?

11 A I'm just fine, thanks.

12 Q Could you please state your full name for
13 the record.

14 A Chris Vernon Johnson.

15 Q And you're aware that you're being deposed
16 in an inter partes review of the '737 patent
17 today; is that correct?

18 A Yes, that's correct.

19 Q And the '737 patent is U.S. Patent No.
20 9,135,737; is that correct?

21 A I mean, yeah. I'm trusting you guys
22 that -- I don't know this off the top of my head,

1 yes.

2 Q Understand.

3 Have you ever been deposed before?

4 A Yes. I was deposed previously with --
5 related to the Xactware matter.

6 Q And that was the Xactware matter?

7 A I don't know. I was deposed related to a
8 matter similar to this, yes, once before.

9 Q Okay. Is that the only time you've been
10 deposed before?

11 A Yes.

12 Q Okay. And during this deposition, you
13 understand that I'm going to be asking you
14 questions and you're going to be answering them
15 under oath, correct?

16 A That's correct.

17 Q And you understand that willful false
18 statements made during this deposition are
19 punishable by fine or imprisonment or both,
20 correct?

21 A Yes, I understand.

22 Q The court reporter will be attempting to

1 transcribe everything we say, so it's important
2 that we wait for each other asking or answering
3 the question before the other begins talking. Do
4 you understand that?

5 A Yes.

6 Q You understand that every answer needs to
7 be verbal, correct?

8 A Yes.

9 Q Is there any reason, such as being under
10 unusual stress, physical or mental condition, or
11 being under the influence of any substance that
12 would prevent or limit you today from giving
13 truthful answers to my questions?

14 A No.

15 Q And you're using a computer to access the
16 video deposition today, obviously, correct?

17 A Yes.

18 Q Do you have any messaging programs running
19 that would enable you to communicate with others
20 during the course of the deposition, such as email
21 or any instant messaging client?

22 A I have my email open. I can close it.

1 Q Okay.

2 A Let's just pause for a second.

3 Q No problem.

4 A Okay. I have exited my email.

5 Q Okay. I just have to ask, do you have any
6 other messaging programs running that would enable
7 you to communicate with others during the course
8 of the deposition?

9 A No.

10 Q Okay. And do you agree to keep all
11 programs closed, all such programs that would
12 allow you to communicate with anyone during the
13 deposition closed for the duration?

14 A Yes.

15 Q Okay. During today's deposition, we'll be
16 discussing various exhibits from the case record.
17 I understand that counsel has provided you with
18 electronic copies of the exhibits; is that
19 correct?

20 A That's correct.

21 Q Are there any notes or other markings on
22 those electronic copies of the exhibits?

1 A None that I observed. I didn't look at
2 them in great detail. But yes, I didn't observe
3 any markings.

4 Q What did you do to prepare for this
5 deposition?

6 A What was that? Can you repeat the
7 question?

8 Q Excuse me. What did you do to prepare for
9 this deposition?

10 A I reviewed the documents this morning for
11 about 20 minutes.

12 Q Okay. Which documents were those?

13 A It would be the declaration, DX2011. And
14 then DX2012, DX2013, DX2014, and DX2015 are the
15 numbers I have related to these documents.

16 Q And other than counsel, did you speak to
17 anyone else to prepare for this deposition?

18 A No, I did not.

19 Q And are you being compensated for your
20 time here today?

21 A No, I'm not.

22 Q I'm going to do just a little

1 housecleaning on the exhibits just to get you to
2 identify each one.

3 A Sure.

4 (Exhibit Number 2011 referred to for
5 identification.)

6 Q Could you look at Exhibit 2011, please?

7 A Okay.

8 Q And do you recognize this exhibit?

9 A Yes, I do.

10 Q What is it?

11 A It's a previous declaration I gave back in
12 2014. Actually 2016.

13 Q And when were you aware this declaration
14 would be submitted in the current proceeding?

15 A Was I aware it was going to be part of the
16 current proceeding, no, I was not aware.

17 Q When did you become aware it had been
18 submitted in the current proceeding?

19 A Approximately a month ago.

20 (Exhibit Number 2012 referred to for
21 identification.)

22 Q Let's look at Exhibit 2012.

1 A Okay.

2 Q Do you recognize this exhibit?

3 A It's still opening. Just a second.

4 Yes, I do.

5 Q And what is it?

6 A It's basically some financial information
7 from our accounting system related to report
8 counts and report revenue.

9 Q Is there a year that this -- that these
10 figures relate to?

11 A Yeah, they cover the years from 2009
12 through 2012.

13 (Exhibit Number 2013 referred to for
14 identification.)

15 Q Okay. Let's take a look at Exhibit 2013.

16 A Okay. Okay.

17 Q Do you recognize this exhibit?

18 A Yes, I do.

19 Q What is it?

20 A It's, again, financial information for the
21 year 2013 related to, again, report count and
22 report revenues for different periods.

1 (Exhibit Number 2014 referred to for
2 identification.)

3 Q Let's go to Exhibit 2014.

4 A I have it open.

5 Q And do you recognize this exhibit?

6 A Yes. It's, again, financial information
7 related to report count and revenue for the year
8 2014.

9 (Exhibit Number 2015 referred to for
10 identification.)

11 Q And last but not least, let's open Exhibit
12 2015.

13 A Okay.

14 Q Do you recognize this exhibit?

15 A Yeah, I recognize this. This is, again,
16 financial information related to report count and
17 revenue for the year 2015.

18 Q Okay. And you were the -- you were the
19 vice president of finance in EagleView; is that
20 correct?

21 A Yes, that's correct.

22 Q And what years did you serve in that role?

1 A I don't know for sure because I had
2 different titles. Since I started, I had multiple
3 titles. They were all in the finance and
4 accounting. I started with EagleView in August
5 2008 and departed in late July or early
6 August 2017. At that time I served the role of
7 CFO and controller and VP of finance. At the
8 point of time of the declaration, I was the VP of
9 finance.

10 Q Okay. Let's focus on the VP of finance
11 role. What did that role entail?

12 A Basically it was running the day-to-day
13 operations of the accounting and finance team,
14 along with supporting the CFO.

15 Q So let's take a look at your declaration,
16 Exhibit 2011.

17 A Okay.

18 Q Now, at paragraph 2, you indicate that you
19 were responsible for gathering the attached sales
20 data from EagleView Technologies financial
21 business records. Do you see that?

22 A Yes.

1 Q What did that entail?

2 A Basically, like any business, we have
3 different processes we go through. And of course
4 we were managing sales, reviewing sales on a
5 monthly, quarterly, annual basis.

6 We basically were pulling information from
7 our accounting database, our systems, different --
8 and again the sales reports were something that we
9 had -- you know, analyzing by customer, by product
10 type, so that was pretty standard process we had
11 on a monthly basis.

12 Q What accounting system or accounting
13 database were you working with?

14 A During this time, we used two. From about
15 2008 to I believe probably somewhere in 2012, we
16 were using QuickBooks Desktop. And then in 2012,
17 we switched to a program, Microsoft Great Plains
18 Dynamics. I believe sometime in '12. And so
19 those were the two systems we used during this
20 period.

21 Q Was there a migration process to go
22 between QuickBooks and the other system? What was

1 the -- I apologize. The other system was
2 Microsoft Great Plains, is that what you said?

3 A Yes, Microsoft Great Plains Dynamics, and
4 there was an integration process between the
5 systems.

6 Q Was that migration process difficult?

7 A No. Not particularly, no.

8 Q Were you responsible for generating the
9 summary revenue analysis in each of the
10 Exhibits 2012 through 2015?

11 A I did not generate them per se. My
12 billing manager would generate them. I would
13 review and analyze them.

14 Q Do you know how the summary revenue
15 analysis in Exhibits 2012 through 2015 was
16 generated?

17 A In those years, we were using Microsoft
18 Dynamics, '12, '13, '14, '15. Again, we got it
19 sometime in '12. Again, those would have been
20 reports generated from our accounting database.
21 Typically with Microsoft Dynamics, it's SQL-based
22 system, accounting system, so we would have been

1 doing queries on that accounting database. All
2 the information used to generate some of the
3 reports, some of them could have been from the
4 actual reports within Great Plains Dynamics itself
5 too.

6 Q How did the data in that accounting
7 database get populated?

8 A [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED] [REDACTED]
14 [REDACTED] [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED].

19 Q So you said there were multiple ways that
20 orders were received. You mentioned through the
21 web and did you say over the phone, I believe?

22 A Yes, sometimes they would come over the

1 phone. Most of the orders came through the web,
2 but there was also phone-in orders.

3 Q Were there other ways that orders could be
4 received?

5 A Not that I can recall. Those are the
6 primary two.

7 Q What's your familiarity with the Twister
8 and Render House products?

9 A I understand the terminology, but that
10 would be more -- I mean, the details of that would
11 be more from a development standpoint, IP
12 standpoint, so ...

13 Q Have you ever used Twister or Render House
14 to create a report?

15 A Personally, no.

16 MR. BOWSER: Objection. Scope.

17 Q Was the answer no? I'm sorry. I didn't
18 catch it.

19 A No. I've not personally used those
20 products, no, because I was on the finance team.

21 Q Got you.

22 Okay. Let's go back to your declaration.

1 I'm looking at paragraph 3.

2 A Okay.

3 Q And I believe the last sentence in that
4 paragraph, it states that: The total report count
5 and the total revenue reported in Exhibit 2012
6 reflect sales of reports created using the Twister
7 and Render House product.

8 Do you see that?

9 A Yes.

10 Q And what revenue and report numbers are
11 you referring to in Exhibit 2012?

12 A I guess could you be -- I mean,
13 Exhibit 2012, I'm looking at that exhibit, most of
14 the data on there is related to report count and
15 revenues for our reports, which would -- so that's
16 the information being referenced.

17 Q Let's look at Exhibit 2012.

18 A Okay.

19 Q Do you see -- let's go to page 3.

20 A Page 3, okay.

21 Q And about maybe a third of the way down
22 the page, there's a table with multiple columns.

1 The last column on the far right says FY 2009A.

2 Do you see that?

3 A Yeah.

4 Q So the total report -- you have these rows
5 that are colored blue with white text.

6 A Okay.

7 Q The -- so the first row says [REDACTED]
8 [REDACTED]. Second row says [REDACTED] Do you see
9 that?

10 A Yes, I do.

11 Q And the last column in that row, that
12 number, which is [REDACTED], that represents
13 the [REDACTED], correct?

14 A Yes, it does.

15 Q And the next cell below, which includes
16 the value [REDACTED], that represents the [REDACTED]
17 [REDACTED], correct?

18 A That's correct.

19 Q And that [REDACTED] is associated with
20 [REDACTED]?

21 A Yes, it is.

22 Q And that would be for the fiscal year 2009

1 in aggregate; is that right?

2 A Yes, that is correct.

3 Q Let's scroll down to page 5.

4 A Okay.

5 Q And do you see a similar -- similar set of
6 two rows with [REDACTED]

7 [REDACTED]?

8 A Yes, I do.

9 Q If you go all the way to the right, the
10 [REDACTED] listed there is [REDACTED]; is
11 that correct?

12 A That's correct.

13 Q And then the [REDACTED] is [REDACTED];
14 is that correct?

15 A That's correct.

16 Q And that would be for the fiscal year
17 2010?

18 A Yes, that's correct.

19 Q And would you agree that the revenue
20 increased from 2009 to 2010?

21 A Yes.

22 Q Let's go to page 7.

1 A Okay.

2 Q About a quarter of the way down, got two
3 similar rows again?

4 A Yes.

5 Q Do you see the [REDACTED] is
6 listed as [REDACTED]?

7 A Correct.

8 Q And the [REDACTED] is [REDACTED]?

9 A Correct.

10 Q And those numbers are for the fiscal year
11 2011?

12 A That's correct.

13 Q And would you agree that those numbers
14 have increased from fiscal year 2010?

15 A Yes.

16 Q Go to page 9.

17 A Okay.

18 Q Do you see two similar rows with [REDACTED]
19 [REDACTED]?

20 A Yes, I do.

21 Q Do you see the [REDACTED] -- and
22 are these numbers for fiscal year 2012?

1 A The ones on page 9?

2 Q Yes.

3 A Yes. The [REDACTED], [REDACTED]?

4 Q Yes.

5 A And [REDACTED] of [REDACTED], those are for
6 2012.

7 Q Excellent. Saves me from having to read
8 them. Thank you.

9 And would you agree that those numbers
10 have increased from the previous numbers from
11 fiscal year 2011?

12 A Yes.

13 Q Let's take a look at -- let's take a look
14 at Exhibit 2013.

15 A Okay.

16 Q And where in this document would I find
17 the [REDACTED] count?

18 A Let me scroll through it real quick. It
19 looks like it would be on page 7.

20 Q Okay.

21 A Near the bottom.

22 Q Ah. So we have -- in this report, we have

1 two -- it looks like there are -- there's a Fiscal
2 Year 2013, parentheses P, and Fiscal Year 2013
3 parentheses A column. Do you see those?

4 A Yes.

5 Q What do those columns report?

6 A P would represent plan or, as you call it,
7 budget or forecast; and A would represent actual.

8 Q Okay. So the last column fiscal year
9 2013, parentheses A, that would be similar to the
10 [REDACTED] from the prior
11 exhibits that we just discussed; is that correct?

12 A That's correct, yes.

13 Q Okay. And on page 7, we're looking at
14 numbers for fiscal year 2013; is that correct?

15 A Yes.

16 Q And [REDACTED] is [REDACTED]; is that
17 correct?

18 A Yes. If you look at the very bottom, yes.

19 Q And [REDACTED] is [REDACTED];
20 is that correct?

21 A That's correct.

22 Q And does that represent an increase in

1 revenue over fiscal year 2012?

2 A Yes.

3 Q Okay. Let's go take a look at

4 Exhibit 2014.

5 A Okay.

6 Q I'm looking at page 6.

7 A Okay.

8 Q There's a column in that table, Fiscal

9 Year 2014, parentheses A.

10 A Yep. Yes, I see it.

11 Q Does that -- does that column correspond

12 to the column that we looked at in Exhibit 2013

13 showing the [REDACTED]?

14 A That's correct, yeah. A is for actual,

15 yes. But 2014.

16 Q Okay. And for [REDACTED], that column

17 has the number [REDACTED]?

18 A Correct.

19 Q And for [REDACTED], it has

20 [REDACTED]; is that correct?

21 A That's correct.

22 Q And does that -- does that number

1 represent an increase in revenue from the prior
2 year, fiscal year 2013?

3 A Yes, it does.

4 Q Okay. Let's go to Exhibit 2015. So on
5 page 12 --

6 A Okay.

7 Q -- we have the -- another table, and we
8 have another column that's fiscal year 2015,
9 parentheses A.

10 A That's correct.

11 Q Does that column correspond to the column
12 in -- that we just discussed in Exhibit 2014 that
13 showed the report count and revenue?

14 A Yes, it does.

15 Q Okay. And if we go on page 13, at the
16 bottom of that -- I guess I could have started on
17 this page. But if we go to -- if we go to
18 page 13, the total report count is listed as

19 [REDACTED]; is that correct?

20 A Correct.

21 Q And the [REDACTED] is

22 [REDACTED]; is that correct?

1 A That's correct.

2 Q And does that represent an increase in
3 revenue from fiscal year 2014?

4 A Yes, it does.

5 Q Okay.

6 MR. SMITH: I'm sorry. What was that?

7 MR. BOWSER: I put something in the chat.
8 My feed was frozen. I had to log out. I'm back
9 in.

10 MR. SMITH: Oh, I'm sorry. Apologize for
11 that.

12 Q So in the [REDACTED] that we
13 just discussed in Exhibits 2012 through 2015, what
14 fees are captured in those report revenue numbers?

15 A When you mean "fees," can you clarify that
16 for me, please?

17 Q Let's back up.

18 So how were clients charged for reports
19 during the time frame covered by Exhibits 2012
20 through 2015?

21 MR. BOWSER: Objection. Scope.

22 Q Did you hear the question, Mr. Johnson?

1 A I heard the question, but Mr. Bowser said
2 "Objection. Scope." So I need clarification.

3 Q What about my question didn't you
4 understand?

5 A I guess I'm trying to understand if
6 there's an objection to the scope of the question,
7 then should I continue?

8 THE WITNESS: So, Mr. Bowser, will you
9 please provide guidance on to whether I should
10 respond?

11 MR. SMITH: Do you want to go off the
12 record for a second, Jonathan?

13 MR. BOWSER: Sure.

14 MR. SMITH: Yeah, let's do that.

15 (A short break was taken.)

16 Q And I'll repeat my question just we've got
17 it.

18 A Okay. Thank you.

19 Q I believe my question was: How were
20 clients -- how did EagleView charge clients for
21 these reports?

22 MR. BOWSER: Objection. Scope.

1 A Okay. Typically we had a pricing
2 schedule. And typically as reports are delivered,
3 we would invoice the client. The -- we had

4 [REDACTED]
5 [REDACTED] [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED] [REDACTED]
10 [REDACTED]
11 [REDACTED] [REDACTED]
12 [REDACTED] [REDACTED]
13 [REDACTED]
14 [REDACTED]

15 Q And how were those [REDACTED]
16 developed?

17 A They would have been developed in
18 coordination between finance, accounting, ops, and
19 sales.

20 Q And did those [REDACTED] change
21 over time?

22 MR. BOWSER: Objection. Scope.

1 A [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 Q Was pricing adjusted during the time frame
6 that's covered by Exhibits 2012 through 2015?

7 A I wouldn't know for sure. Again, you're
8 asking me for something that's, you know, 7 to
9 15 years old, [REDACTED] [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 Q Did those pricing adjustments affect the
13 revenue numbers shown in --

14 MR. BOWSER: Objection. Scope.

15 MR. SMITH: Wait. Let me finish my
16 question, please.

17 MR. BOWSER: Sorry.

18 Q Did those [REDACTED] affect the
19 revenue numbers shown in Exhibits 2012 through
20 2015?

21 A [REDACTED]

22 MR. BOWSER: Objection. Scope.

1 Q Did the pricing for the reports vary
2 between customers?

3 MR. BOWSER: Objection. Scope.

4 A [REDACTED]

5 Q So you mentioned earlier, I believe, and
6 I'm not trying to paraphrase, you know, to
7 paraphrase your previous answer, but I believe you
8 mentioned that the -- that customers could order
9 reports over the phone or over the web; is that
10 correct?

11 A Yes, that's correct.

12 Q Are you familiar with AccuLynx?

13 A No. I mean, the name sounds familiar, but
14 I'm not -- I don't have any recollection of any
15 more than just the name.

16 Q Do you recall if EagleView roof reports
17 could be ordered from an AccuLynx-based roof
18 management software?

19 MR. BOWSER: Objection. Scope.

20 A I don't recall.

21 Q Could roof reports be ordered from mobile
22 devices?

1 A Yes. At some point we developed that
2 technology.

3 Q Was that technology developed between 2009
4 and 2015?

5 MR. BOWSER: Objection. Scope.

6 A I believe so.

7 Q Do you recall when that technology was
8 developed?

9 MR. BOWSER: Objection. Scope.

10 A Not a specific date, no.

11 Q But you know it was between 2009 and 2015?

12 MR. BOWSER: Objection. Scope.

13 A I believe so, yes.

14 Q Do you recall what the geographic scope of
15 EagleView reports was in 2009?

16 MR. BOWSER: Objection. Scope.

17 A I mean, again, we got our source imagery
18 from Pictometry, so it would depend whether they
19 had source imagery for the areas. So, I mean, it
20 varied depending on imagery available.

21 Q Would you say that the geographic scope of
22 EagleView reports increased from 2009 to 2015?

1 MR. BOWSER: Objection. Scope.

2 A I couldn't answer that. I could not
3 answer that correctly. I mean, it all depends on
4 the imagery available from our provider of imagery
5 at that time, which was Pictometry primarily.

6 Q Now, what would happen if there was not
7 imagery available for a property a customer wanted
8 to order a report for?

9 MR. BOWSER: Objection. Scope.

10 A If there's no imagery, we would not be
11 able to produce the work.

12 Q EagleView merged with Pictometry; is that
13 correct?

14 A Yes, that's correct.

15 Q Do you recall what year that occurred?

16 MR. BOWSER: Objection. Scope.

17 A I don't have -- I don't have an exact
18 remembrance of what year. I would imagine, I
19 think it was somewhere around 2012/2013. But
20 again, I don't know the exact date.

21 Q And you stated earlier that Pictometry was
22 an imagery provider to EagleView; is that correct?

1 MR. BOWSER: Objection. Scope.

2 A Yes, that's correct.

3 Q About what percentage of EagleView's
4 imagery did Pictometry provide?

5 MR. BOWSER: Objection. Scope.

6 A I don't know the exact, exact percentage,
7 but it was [REDACTED].

8 Q Was one of the reasons for the EagleView
9 Pictometry merger to allow EagleView greater
10 access to aerial imagery?

11 MR. BOWSER: Objection. Form. Objection.
12 Scope.

13 A You're asking me for an opinion. Again,
14 that would be an executive-level decision.

15 Q Were you an executive at EagleView during
16 the time period?

17 A Vice president of finance. Non-executive.
18 I was not CFO or CEO.

19 Q Did the Pictometry merger affect the
20 revenue growth shown in Exhibits 2012 through
21 2015?

22 MR. BOWSER: Objection. Scope.

1 A That would be an opinion, so I won't be
2 able to respond to that.

3 Q So are you testifying as a fact witness
4 today?

5 A Well, I mean, I'm testifying on the
6 documents provided to me on my declaration.
7 Nowhere in my declaration does it mention
8 Pictometry's merger having an affect on business.

9 Q But you were the VP of finance at that
10 time, correct?

11 A That's correct.

12 Q Did you have an opinion at that time as to
13 whether the Pictometry merger would have an impact
14 on revenue growth?

15 MR. BOWSER: Objection to scope.

16 A My opinion is, again, I'm focused on the
17 declaration in front of me. I'm not here to give
18 opinions on past business practices or decisions.
19 It's hard to determine the impact of a business
20 transaction.

21 Q So going back to your declaration, in
22 paragraph 3, you state that the total report count

1 and total revenue reported in Exhibit 2012
2 reflects sales of reports created using the
3 Twister and Render House products. Do you see
4 that?

5 A That's correct, yeah.

6 Q Do you agree there are other factors
7 besides the features of the Twister and Render
8 House product that affected those revenue numbers?

9 MR. BOWSER: Objection. Form.

10 A Again, I don't have the technical
11 knowledge to reply to that question. I was,
12 again, accounting and finance department, not
13 development and operations.

14 Q Did EagleView engage in marketing
15 activities between 2009 and 2015?

16 MR. BOWSER: Objection. Scope.

17 A Yes, they would like any business, yes, we
18 had a marketing team.

19 Q And what's -- generally what's the purpose
20 of marketing activities?

21 MR. BOWSER: Objection. Scope.

22 A Generally it's to enhance the business

1 through sales.

2 Q To enhance the business. What do you mean
3 by to enhance the business?

4 A Well, I mean, to -- basically name
5 recognition. Marketing assists any business, I
6 guess, in the development of future sales
7 opportunities.

8 Q And those future sales opportunities would
9 increase revenue; is that correct?

10 A Yes, that would be the idea.

11 Q Did -- after the Pictometry merger, did
12 EagleView sell access to the imagery in the
13 Pictometry image library?

14 MR. BOWSER: Objection. Scope.

15 A Again, I would not be -- Pictometry, we
16 merged with them, but it was run as a separate
17 business. They had their own accounting and
18 finance team for Pictometry.

19 MR. SMITH: We've been going a little
20 under an hour, and I'm almost done. Let's take a
21 10-minute break and come back. I may have a
22 couple other questions.

1 THE WITNESS: Okay.

2 MR. SMITH: Does that work?

3 THE WITNESS: Sure.

4 MR. BOWSER: That works.

5 MR. SMITH: Okay. Let's go off the
6 record.

7 (A short break was taken.)

8 Q I've got just a couple more questions.
9 Then we should be done.

10 And, Mr. Johnson, did you speak to anybody
11 during the break?

12 A No, I did not.

13 Q Let's take a quick look at Exhibit 2015.

14 A Okay.

15 Q Actually, I apologize. Let's take a look
16 at your -- leave 2015 up, but let's take a look at
17 your declaration first.

18 A Okay.

19 Q 2011. Paragraph 6 of your declaration,
20 and that paragraph is discussing Exhibit 2015,
21 correct?

22 A Yes, it is.

1 Q And the last sentence says: The roof and
2 QuickSquares report count and revenue reported in
3 Exhibit 2015 reflect sales of reports created
4 using the Twister and Render House products; is
5 that correct?

6 A Yes, it is.

7 Q What is QuickSquares?

8 A QuickSquares is another product offering.
9 It was more geared towards roofing contractors to
10 do simplify reports. Squares is a roofing
11 contractor terminology which represents a certain
12 measurement or size of a report -- or roof, I
13 should say.

14 Q And were those QuickSquares reports
15 provided by the Twister and Render House products?

16 A As my understanding, yes.

17 Q And I think when walking through the
18 exhibits earlier, I think I -- well, I'll just ask
19 you, when we were walking through the exhibits
20 earlier, specifically with respect to
21 Exhibit 2015, I think we identified the numbers on
22 page 13, which is the [REDACTED] and

1 the [REDACTED].

2 A Yes.

3 Q I think we identified that as the revenue
4 numbers you were pointing to. Is that your
5 recollection?

6 A That's correct.

7 Q Those numbers would include the
8 [REDACTED]; is
9 that correct?

10 A I'm looking at exhibit now, and yes, that
11 would be correct.

12 Q Okay. Is that what you were referring to
13 in paragraph 6 of your declaration?

14 A The declaration will include reports and
15 QuickSquares, does not reference siding/walls and
16 other.

17 Q Okay. So would that mean that the report
18 count and revenue numbers would be -- would be
19 effectively the totals from the [REDACTED] of
20 [REDACTED]
21 [REDACTED] rather than these, the [REDACTED]
22 [REDACTED]?

1 A I guess I would need clarification.

2 Q Yeah. Basically -- yeah.

3 A The [REDACTED] and [REDACTED]

4 [REDACTED] numbers include

5 [REDACTED]

6 [REDACTED]. And those numbers

7 include those four sections.

8 Q Okay. But in your declaration, you're
9 referring only to the roof and QuickSquares report
10 count and revenue?

11 A That is correct.

12 Q Correct?

13 A That is correct.

14 Q So the revenue numbers for -- so those are
15 the roof and QuickSquares report count and revenue
16 are the -- are the values that you're testifying
17 reflect sales and reports created using the
18 Twister and Render House products, correct?

19 A Correct.

20 Q Do the [REDACTED] of
21 the report, do those represent sales of reports
22 created using the Twister and Render House

1 products?

2 A Again, that's a technical question, but I
3 do not believe so. I would not know that
4 without -- that would be an ops and development
5 team question. I do not believe [REDACTED] or
6 other would use those two technologies, but I do
7 not know that for sure.

8 Q And looking at Exhibit 2014 --

9 A Okay.

10 Q Similar -- similar question. The [REDACTED]
11 [REDACTED] on page 6, about
12 halfway -- halfway up the page. Do you see that?

13 A Yes.

14 Q Those, are those the numbers that you're
15 referring to in paragraph 5 of your declaration?

16 A If we meant [REDACTED]
17 of [REDACTED] and [REDACTED]
18 [REDACTED] of [REDACTED], those would be yes, what I
19 would be referencing.

20 Q And again, the sections below those
21 numbers, the [REDACTED],
22 [REDACTED], those

1 numbers would not be -- would not reflect revenue
2 associated with reports generated by Twister and
3 Render House?

4 A Again, I don't know for sure whether those
5 would have used those technologies or not.

6 Q Okay. Let's see if the same thing applies
7 in 2013. Let's go to 2013, page 7.

8 A Okay.

9 Q Do you see the [REDACTED]
10 [REDACTED]
11 in about the middle of the page?

12 A Yeah, it's [REDACTED],
13 [REDACTED], and [REDACTED]
14 [REDACTED], [REDACTED], yes.

15 Q And those are the numbers you're referring
16 to in paragraph 4 of your declaration,
17 specifically the last sentence?

18 A Yes, that would be correct.

19 MR. SMITH: Okay. And with that, we have
20 no further questions and we'll pass the witness.

21 MR. BOWSER: Mr. Johnson. I do not have
22 any questions. Thank you very much for your time.

1 THE WITNESS: Thank you.

2 MR. SMITH: Thank you, Mr. Johnson.

3 (Witness excused, 1:44 p.m. Eastern.)

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1 C E R T I F I C A T E

2 I, RACHEL F. GARD, RPR, CLR, CRR, CSR No.
3 084-3324 and No. 9315, a Certified Shorthand
4 Reporter in and for the States of Illinois and
5 Michigan, at large, do hereby certify that
6 CHRIS V. JOHNSON, the deponent herein, was
7 previously duly sworn to tell the truth, the whole
8 truth, and nothing but the truth in the
9 aforementioned matter;

10 That the foregoing deposition was taken on
behalf of Petitioner on the 25th day of April,
11 2023, at 12:30 p.m. Eastern, pursuant to the
applicable rules;

12 That said deposition was taken down in
stenograph notes and afterwards reduced to
13 typewriting under my direction, and that the
typewritten transcript is a true record of the
14 testimony given by the said deponent; and that
signature was requested by the deponent and all
15 parties present;

16 That the parties were represented by their
counsel as aforementioned.

17 I do further certify that I am a disinterested
person in this cause of action, that I am not a
relative or attorney of either party or otherwise
18 interested in the event of this action, and that I
am not in the employ of the attorneys for any
19 party.

20 IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my seal on this 2nd
day of May, 2023.

21

22

COURT REPORTER

Page 44

1 Chris V. Johnson, c/o
HAYNES AND BOONE, LLP

2 800 17th Street NW, Suite 500
Washington, D.C. 20006

3
Case: Nearmap US, Inc., v. Eagle View Technologies, Inc.

4 Date of deposition: April 25, 2023

Deponent: Chris V. Johnson

5

6 Please be advised that the transcript in the above
referenced matter is now complete and ready for signature.

7 The deponent may come to this office to sign the transcript,
8 a copy may be purchased for the witness to review and sign,
9 or the deponent and/or counsel may waive the option of
10 signing. Please advise us of the option selected.

11 Please forward the errata sheet and the original signed
12 signature page to counsel noticing the deposition, noting the
13 applicable time period allowed for such by the governing
14 Rules of Procedure. If you have any questions, please do
15 not hesitate to call our office at (202)-232-0646.

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4 SIGNATURE PAGE

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5 Witness Name: Chris V. Johnson
Deposition Date: April 25, 2023

6

I do hereby acknowledge that I have read
7 and examined the foregoing pages
of the transcript of my deposition and that:

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9 (Check appropriate box):

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10 complete transcription of the answers given by
me to the questions therein recorded.

11 () Except for the changes noted in the
attached Errata Sheet, the same is a true,
12 correct and complete transcription of the
13 answers given by me to the questions therein
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ERRATA SHEET

7

8 Case: Nearmap US, Inc., v. Eagle View Technologies, Inc.

9 Witness Name: Chris V. Johnson

10 Deposition Date: April 25, 2023

11 Page No. Line No. Change

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Signature_____
Date