1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF DELAWARE
3
MANUFACTURING RESOURCES
4 INTERNATIONAL, INC.,
5 Plaintiff,
CIVIL ACTION FILE
6 vs. NO. 17-269-RGA
7 CIVIQ SMARTSCAPES, LLC,
CIVIQ HOLDINGS, LLC, COMARK,
8 LLC, and COMARK HOLDINGS,
LLC,
9
Defendants.
10 _____/
11
12
13 HIGHLY CONFIDENTIAL
14 VOLUME II
15 VIDEOTAPED DEPOSITION OF
WILLIAM ROGER DUNN
16
October 24, 2018
17 8:02 A.M.
18 20 Mansell Court, Suite 300
Roswell, Georgia
19
20 Lee Ann Barnes, CCR-1852B, RPR, CRR, CRC
21
22
23
24
25

1 Deposition of WILLIAM ROGER DUNN
October 24, 2018
2
3 (Reporter disclosure made pursuant to
4 Article 8.B of the Rules and Regulations of the
5 Board of Court Reporting of the Judicial
6 Council of Georgia.)
7 VIDEOGRAPHER: Good morning.
8 We are now on the record.
9 And the time is approximately 8:02 a.m. on
10 October 24, 2018.
11 This is the beginning of Media 1, Day 2,
12 in the video deposition of William Dunn, taken
13 by counsel for the defendants in the matter of
14 Manufacturing Resources International, Inc.,
15 versus Civiq Smartscapes, LLC, et al., filed in
16 the United States District Court for the
17 District of Delaware.
18 This deposition is being held at Veritext
19 in Roswell, Georgia.
20 My name is Deidre Thomas, and I'm the
21 videographer.
22 The court reporter is Lee Ann Barnes.
23 And we are with Veritext.
24 Will counsel please introduce themselves
25 and whom they represent, after which the court

1 reporter will swear in the witness.
2 MR. KLINE: Doug Kline for the defendants.
3 MS. SCRIPA: Andrea Scripa also for the
4 defendants.
5 MR. MARCUS: Yuval Marcus for the
6 defendants.
7 MR. STANDLEY: Jeff Standley for the
8 plaintiff.
9 VIDEOGRAPHER: You may now swear in the
10 witness.
11 WILLIAM ROGER DUNN, having been first duly
12 sworn, was examined and testified as follows:
13 EXAMINATION
14 BY-MR. KLINE:
15 Q. Good morning, Mr. Dunn.
16 So you understand you're still under oath;
17 correct?
18 A. Yes.
19 Q. And you understand this is a continuation
20 of your deposition yesterday, both as having been
21 designated by MRI to testify on certain subjects
22 that we went through yesterday, as well as in your
23 personal capacity?
24 A. Yes.
25 Q. I understand you recalled the name of the

1 CFO of LG-MRI; is that correct?
2 A. That's correct.
3 Q. What's his name?
4 A. The incoming CFO is Young Su Jun.
5 Q. You say "incoming." Has he started the
6 position yet?
7 A. Yes, he has.
8 MR. KLINE: If you could mark this,
9 please.
10 (Defendants' Exhibit 22 was marked for
11 identification.)
12 Q. (By Mr. Kline) Mr. Dunn, we've marked as
13 Dunn Exhibit 22 a document produced by MRI
14 designated Bates page -9793 through -9844.
15 Do you recognize the document?
16 A. I recognize the images.
17 Q. Are you familiar with this form of
18 presentation?
19 A. Yes.
20 Q. It's entitled "LG-MRI a Great Partnership
21 for Digital LCD Technologies."
22 Do you see that?
23 A. Yes.
24 Q. Do you -- do you know who prepared this
25 presentation?

1 A. Most likely Chris Miller.
2 Q. Why do you say most likely Chris Miller?
3 A. He's our -- I think his title is now
4 director of business development or corporate
5 communications.
6 Q. Can you tell from memory, or from
7 reviewing any part of it, what year the presentation
8 likely was created?
9 A. Certainly after 2011. I don't see any of
10 the more recent projects.
11 But the reason I say it's after 2011,
12 because the photograph on page -- I guess it's not
13 stamped. It's on the back of page -9803. That's
14 our Plant 2, which we moved into in the fall of
15 2011.
16 Q. Helpful. Thank you.
17 On Bates page -9800 --
18 A. -9800.
19 Q. Yeah. On half the pages the numbers are a
20 little hard to read because they're in the stapling.
21 So it's --
22 A. Oh, okay. That's where it is. I got it.
23 Q. -- page -- yeah.
24 A. Okay.
25 Q. Do you have that before you?

1 A. Yes.
2 Q. So "The Lowest Overall Cost in the
3 Industry."
4 Did I read that correctly?
5 A. Yes.
6 Q. Is it your belief that MRI's products
7 offer its customers the lowest overall cost in the
8 industry?
9 A. When you look at total cost of ownership,
10 yes.
11 Q. What do you mean by a "total cost of
12 ownership"?
13 A. Well, that's your up-front capital
14 equipment acquisition costs, your installation
15 costs, your power consumption over the life of the
16 product, as well as your ongoing maintenance and
17 repair of the product.
18 Q. Is total cost of ownership important to
19 MRI's customers?
20 A. Absolutely.
21 Q. So do you consider that MRI, according to
22 you, has the lowest total cost of ownership in the
23 industry an important factor in helping MRI to drive
24 sales?
25 A. Yes.

1 Q. On the next page, -9802, so maybe two
2 pages, -9802.
3 Do you see that?
4 A. Yes.
5 Q. The heading says: "LG-MRI's BoldVu and
6 BasicVu product lines are designed with the end user
7 in mind."
8 Do you see that?
9 A. Yes.
10 Q. What's the difference between BoldVu and
11 BasicVu product lines?
12 A. BoldVu is a direct -- outdoor direct
13 sunlight product.
14 And at this time it was designed at 250
15 [sic] nits. That's another clue that that's 2011.
16 Today it's 300 -- or 3500 product.
17 Did I say 2,500 or 250?
18 Q. I think you said 2500.
19 A. 2500. So at this time the BoldVu is a
20 2500-nit product that could take direct sun.
21 The BasicVu was an environmentally sealed
22 IP 54 or more stringent, but could only handle
23 850 -- or provided 850 nits of luminance, could not
24 handle direct sun.
25 Q. So there's a list of features on this page

1 -9802.
2 Do you see that?
3 A. Yes.
4 Q. What is the BrightVu feature?
5 A. BrightVu is where we maintain that
6 luminance for the life of the product, regardless of
7 the ambient temperature or the aging of the
8 backlight.
9 Q. Is that an important feature to MRI's
10 customers?
11 A. Absolutely.
12 Q. DynamicVu, what is that?
13 A. That's dynamic control of the backlights.
14 So we don't have a fixed backlight luminance.
15 Your -- typically, your laptop, your cell phone, the
16 entire area of the display is illuminated at maximum
17 power all the time.
18 With DynamicVu [redacted]
19 [redacted]
20 [redacted]
21 [redacted]
22 [redacted]
23 [redacted]
24 Q. Sounds pretty complicated. Was that hard
25 to design?

1 A. Yes.
2 Q. Is it important to -- is the -- is the
3 functionality provided by the DynamicVu feature
4 important to MRI's customers?
5 A. Yes.
6 Q. Do you consider that an important benefit
7 to MRI's products in helping to drive sales?
8 A. Yes.
9 Q. How about LifeVu? What does that
10 describe?
11 A. Again, it says here: "Provides
12 ten-years-plus usable life."
13 Again, it's an overall design philosophy
14 that we have designed, modeled, simulated, tested,
15 and verified that the components, the performance,
16 are going to provide the full luminance for ten-plus
17 years of operation in the field.
18 Q. Would you agree that it's a combination of
19 many MRI innovations that enables the products to
20 provide ten years of usable life?
21 A. Yes.
22 Q. Is that an important feature in helping
23 MRI to drive sales to its customers?
24 A. Yes.
25 Q. The next feature described is ToughVu.

1 Do you see that?
2 A. Yes.
3 Q. What does that describe?
4 A. That -- that is the cover glass, or as we
5 call it the vandal glass, [redacted]
6 [redacted]
7 [redacted] It's also
8 [redacted]
9 Depending on where we are in time, it also
10 provides some self-cleaning or hydrophobic
11 capabilities.
12 Q. Is that just an off-the-shelf item that
13 MRI purchases?
14 A. It is not. We -- we fabricate that. So
15 we specify it. [redacted] We
16 [redacted].
17 Q. Is that an important feature of MRI's
18 products?
19 A. Yes.
20 Q. Is it important in helping MRI to drive
21 sales to its customers?
22 A. Yes.
23 Q. How about the SureVu feature? What is
24 that?
25 A. The SureVu feature -- again, this has

1 evolved over time.
2 Back at this time it was what we called
3 image verification. [redacted]
4 [redacted]
5 [redacted]
6 [redacted]
7 [redacted]
8 Q. Was that a simple feature to add to the
9 product or was it difficult?
10 A. It was -- when you say "difficult,"
11 various degrees of difficulty. I believe it's
12 something we have a patent on.
13 Q. Does the SureVu -- the patented SureVu
14 feature provide a benefit to MRI's products?
15 A. We -- we have advanced the technology
16 where we no longer use SureVu. But at that point in
17 time it was a very key feature and actually desired
18 by quite a few customers.
19 Q. And when did MRI phase out the SureVu
20 feature?
21 A. It probably began with what we call
22 Generation 9. And we've actually moved that
23 function, so the feature didn't leave the product.
24 Its implementation shifted from a [redacted]
25 [redacted]

1 [redacted]

2 Q. Oh. So the products today still have that

3 functionality; is that --

4 A. It's a different implementation. But

5 basically, the functionality is still there.

6 Q. Does that functionality provide a benefit

7 to MRI's products?

8 A. Absolutely.

9 Q. Does MRI -- and it looks like, to me, like

10 MRI touts that to its customers --

11 A. Yes.

12 Q. -- is that correct?

13 And is it your opinion that that helps MRI

14 drive sales to its customers?

15 A. Yes.

16 Q. What's StatusVu? What is that?

17 A. StatusVu is a very comprehensive and

18 extensive monitoring. [redacted]

19 [redacted]

20 [redacted]

21 [redacted]

22 [redacted]

23 It will send alerts back to a network

24 operational center anywhere in the world if an

25 excedence occurs.

1 It allows maintenance facilities to reach
2 out and get realtime status as to what that
3 particular product is doing.
4 Q. And it appears to me that MRI touts that
5 functionality --
6 A. Absolutely.
7 Q. -- to its customers?
8 A. Yes.
9 Q. And is it your opinion that MRI's
10 customers consider that feature important in
11 connection with making their purchasing decisions?
12 A. Yes.
13 Q. So would you agree that MR- -- that
14 functionality, the StatusVu functionality, helps MRI
15 drive sales of its products?
16 A. Yes.
17 Q. What about CoolVu? What is that?
18 A. The CoolVu is what we spent the last day
19 pretty much focused on. And that is the air-to-air
20 cooling technology that is employed in all MRI
21 products.
22 Q. How about RemoteVu? What is that?
23 A. This is more of an [redacted]
24 [redacted]monitoring and control function.
25 Like your laptop, the media players and

1 the assigns are notorious for getting -- we call it
2 going off in the weeds. It will stop running, and
3 the best way to fix it is to power cycle or reboot.
4 So I'm sure all of you turn your phones on
5 and off every now and then, you turn your laptops on
6 and off every now and then.
7 So rather than sending a service tech out,
8 we can do it remotely.
9 Q. How long has that functionality been in
10 the products?
11 A. Quite some time. Like I say, this appears
12 to be, at least the photographs, like 2011. I'm not
13 sure -- and looking at the 2- -- 2500 nit.
14 So it was there at least, I would think,
15 in that time frame.
16 Q. And that functionality is still in the
17 products today?
18 A. Oh, yes.
19 Q. Is that an important functionality --
20 A. Yes, it is.
21 Q. -- to help you drive sales?
22 A. Yes.
23 Q. You think the customers consider it
24 important?
25 A. Yes.

1 Q. How about SAM? What is that?
2 A. Service Access Module. The product's been
3 designed from the get -- get-go to be serviceable in
4 the field, so you don't have to physically remove
5 the product from its mount, crate it, ship it to
6 some facility for repair. It can be actually
7 efficiently and quickly repaired on the street in
8 the install position.
9 Q. How long has that functionality been in
10 the product?
11 A. From the very beginning.
12 Q. It's still there today?
13 A. Oh, yes.
14 Q. Do you consider that important in helping
15 MRI drive sales?
16 A. Yes.
17 Q. Do your customers consider it an important
18 benefit of the products?
19 A. Absolutely.
20 Q. AmpVu. What is that?
21 A. This is where we monitor the city power
22 input to the product. And we actually have what we
23 call load shedding capabilities.
24 Quite often, for given installations,
25 there's limited amperage available. So we can

1 either [redacted]
2 [redacted]. We
3 al- -- also consider it -- or [redacted]
4 [redacted].
5 Q. Is that functionality still in the product
6 today?
7 A. Yes, it is.
8 Q. Do you consider it important?
9 A. Yes, we do.
10 Q. And you tout that to your customers;
11 right?
12 A. Yes, we do.
13 Q. Do they consider it important?
14 A. Absolutely.
15 Q. And does it help MRI drive sales?
16 A. Yes, it does.
17 Q. How about BestVu? What is that?
18 A. That's a dynamic optimization of the image
19 on the display. So it is taking into account the
20 ambient lighting conditions and dynamically
21 modulating [redacted]
22 [redacted]
23 Q. Is that an important feature of the
24 products?
25 A. Absolutely.

1 Q. Helps to drive sales?
2 A. Yes.
3 Q. Customers think it's important?
4 A. Yes.
5 Q. And it's still in the product today?
6 A. Yes.
7 Q. Has it been in the product since the time
8 of this display?
9 A. Of which display?
10 Q. I'm sorry. I misspoke. Thank you.
11 Since the time of this presentation.
12 A. Yes.
13 Q. Thank you. Thank you.
14 How about EcoVu (pronounced differently)?
15 A. EcoVu.
16 Q. EcoVu. Thank you.
17 A. EcoVu. Again that's a design philosophy.
18 It has to do with materials, glass, aluminum that's
19 recyclable. It has to do with the fact we don't use
20 any CFC, any chemical contaminants that are harmful
21 to the environment, the fact that we have the
22 absolute lowest power consumption in the industry
23 for a given visual performance.
24 So it's an environmentally friendly design
25 philosophy.

1 Q. And it appears to me MRI touts that
2 philosophy to its customers --
3 A. Yes.
4 Q. -- correct?
5 And do the customers consider that
6 important in making their purchasing decisions, as
7 far as you know?
8 A. Yes.
9 Q. I notice these features are not listed
10 alphabetically.
11 Do you know any -- any significance to the
12 order in which they're listed?
13 A. I do not.
14 Q. Just for my review of your materials, it
15 seems to me often the first thing that you tout is
16 BrightVu.
17 Is that the most important one?
18 A. It depends on the opportunity, the
19 customer. Certainly it -- it is a very important
20 one.
21 Q. If you could turn to page -9821.
22 A. -9821. Okay.
23 Q. Do you have that before you?
24 A. Yes.
25 Q. The heading says: "The LG-MRI 70-inch