

1 UNITED STATES INTERNATIONAL TRADE COMMISSION  
2 WASHINGTON, DC

3 \_\_\_\_\_  
4 In the Matter of ) Investigation No  
Certain Light-Based ) 337-TA-1276  
5 Physiological Measurement )  
Devices and Components Thereof )  
6 \_\_\_\_\_)

7  
8 APPLE CONFIDENTIAL BUSINESS INFORMATION  
9 SUBJECT TO THE PROTECTIVE ORDER  
10 REMOTE VIDEOTAPED DEPOSITION OF DR. TAO SHUI  
11 APPEARING REMOTELY  
12 February 11, 2022  
13 12:00 p.m.

14  
15  
16 Reported by: Eileen Mulvenna, CSR/RMR/CRR  
17  
18  
19

20 \_\_\_\_\_  
DIGITAL EVIDENCE GROUP  
21 1730 M Street, NW, Suite 812  
Washington, D.C. 20036  
22 (202) 232-0646

1           REMOTE VIDEOTAPED DEPOSITION of  
2   DR. TAO SHUI, a witness on behalf of Respondent  
3   Apple in the above-titled action, held on Friday,  
4   February 11, 2022, commencing at approximately  
5   12:00 p.m., before Eileen Mulvenna, CSR/RMR/CRR,  
6   Certified Shorthand Reporter, Registered Merit  
7   Reporter, Certified Realtime Reporter, and Notary  
8   Public of the State of New York.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

## 1     A P P E A R A N C E S:

2  
3     KENDALL LOEBBAKA, ESQUIRE  
Attorneys for Complainants Masimo Corporation and  
4     Cercacore  
KNOBBE MARTENS OLSEN & BEAR LLP  
5     2040 Main Street, 14th Floor  
Irvine, California 92614  
6     949-760-0404  
7     kendall.loebbaka@knobbe.com

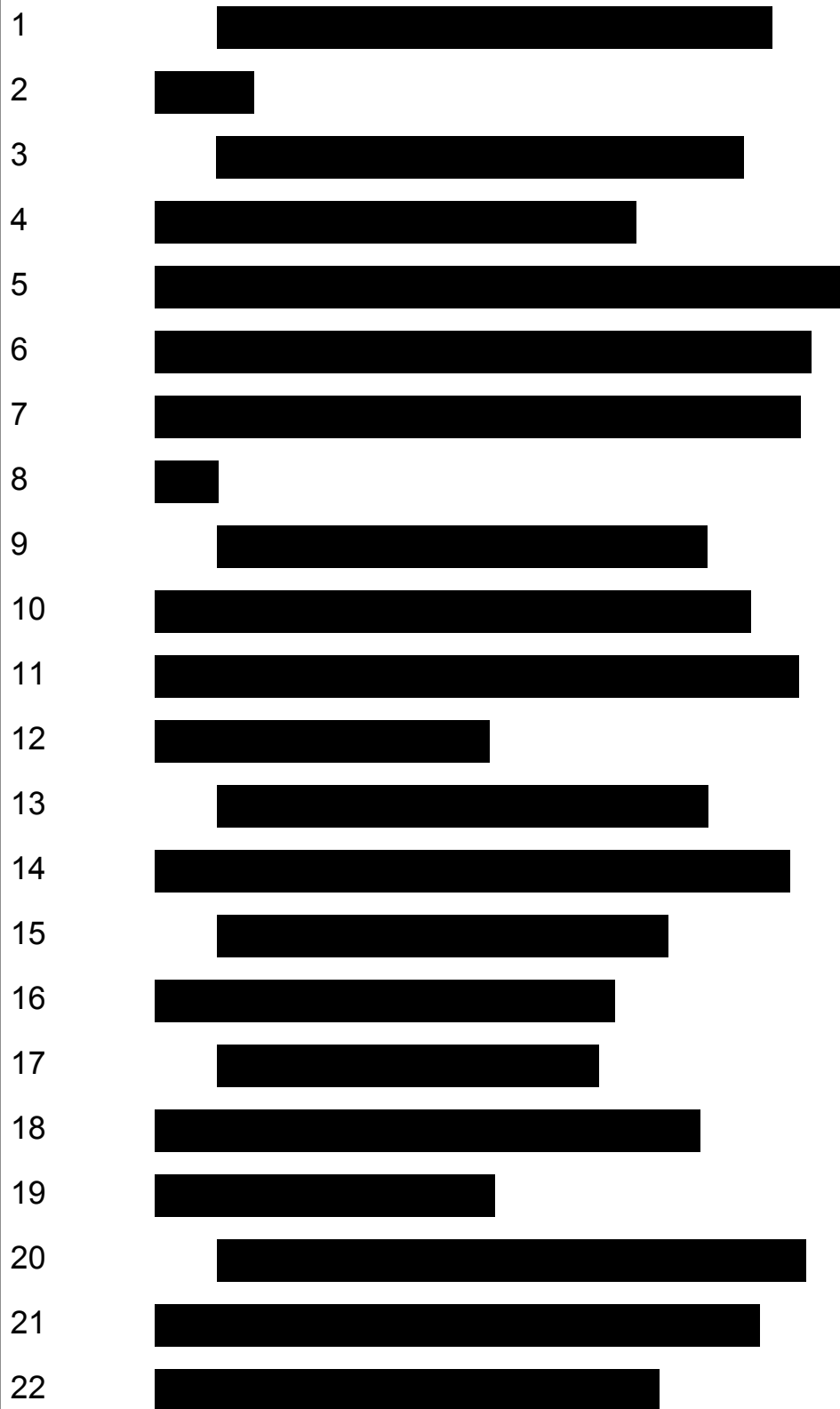
8  
9     NINA GARCIA, ESQUIRE  
SARAH FRAZIER, ESQUIRE  
10    Attorneys for Respondent Apple, Inc.  
WILMERHALE  
11    60 State Street  
Boston, Massachusetts 02109  
12    617.526.6000  
nina.garcia@wilmerhale.com

13  
14    ALSO PRESENT:

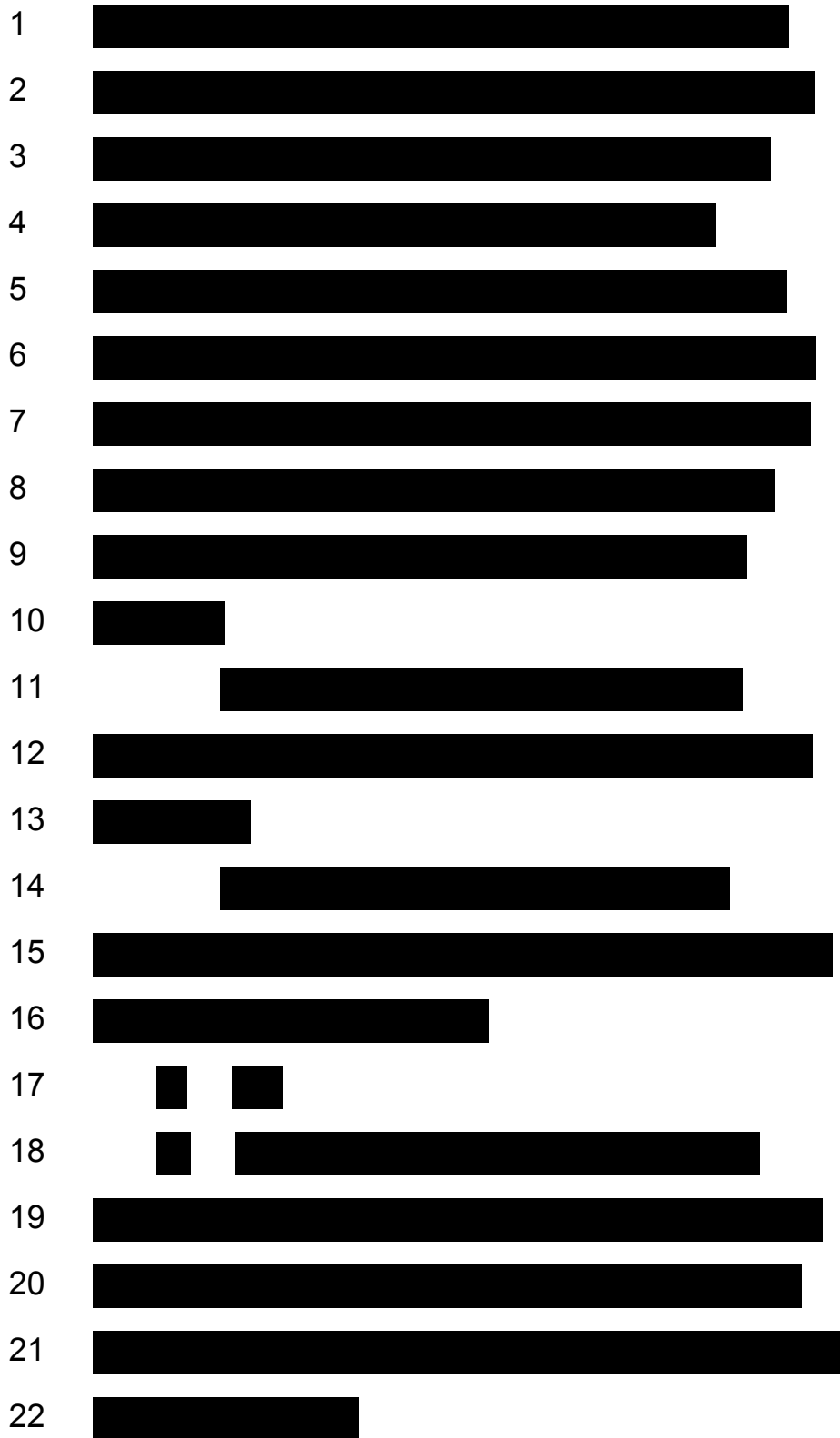
15    Ryan Moran, Esq., Apple  
16    Billy Fahnert, Videographer

|    |  |  |  |
|----|--|--|--|
| 1  |  |  |  |
| 2  |  |  |  |
| 3  |  |  |  |
| 4  |  |  |  |
| 5  |  |  |  |
| 6  |  |  |  |
| 7  |  |  |  |
| 8  |  |  |  |
| 9  |  |  |  |
| 10 |  |  |  |
| 11 |  |  |  |
| 12 |  |  |  |
| 13 |  |  |  |
| 14 |  |  |  |
| 15 |  |  |  |
| 16 |  |  |  |
| 17 |  |  |  |
| 18 |  |  |  |
| 19 |  |  |  |
| 20 |  |  |  |
| 21 |  |  |  |
| 22 |  |  |  |



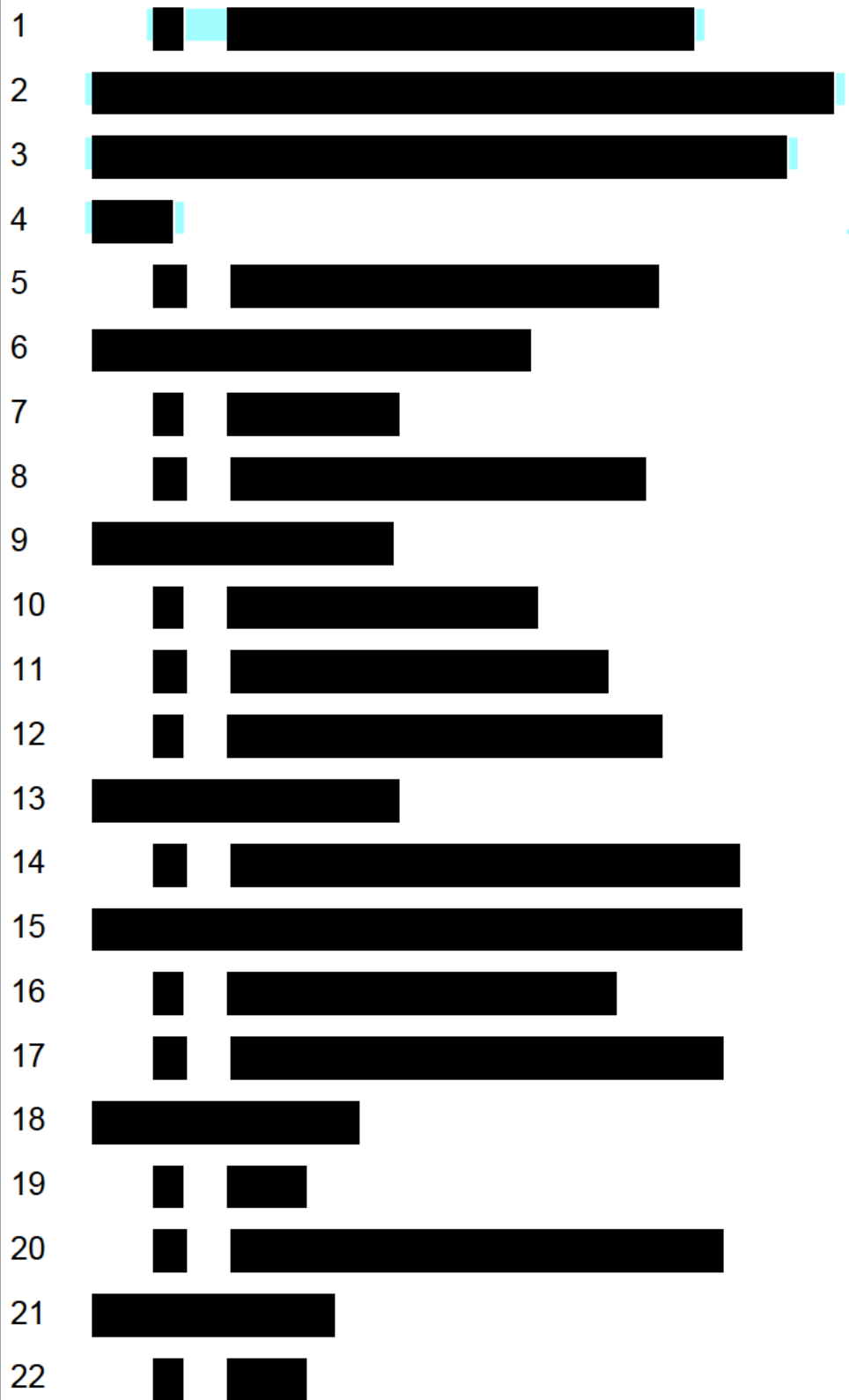


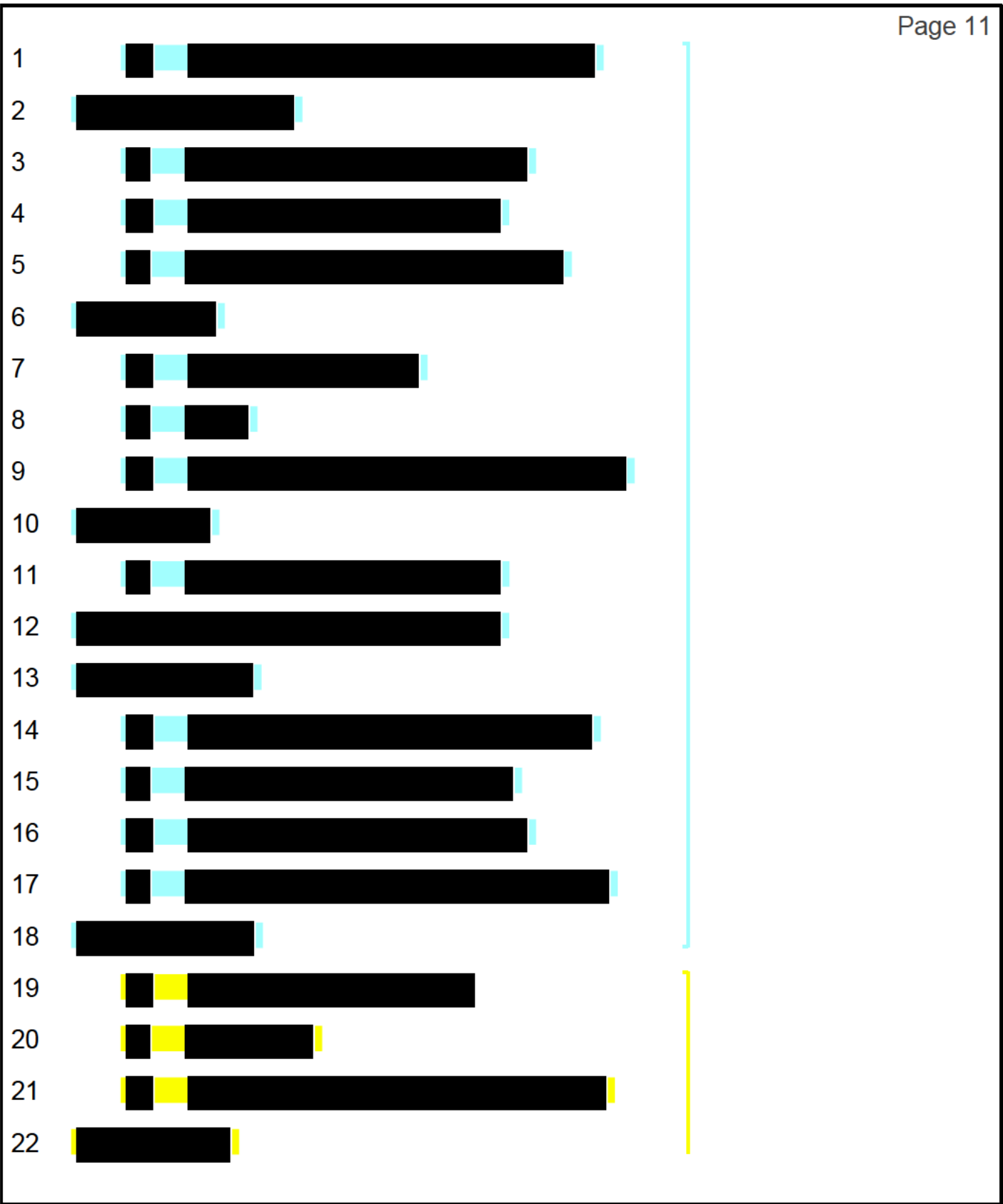




|    |  |  |  |
|----|--|--|--|
| 1  |  |  |  |
| 2  |  |  |  |
| 3  |  |  |  |
| 4  |  |  |  |
| 5  |  |  |  |
| 6  |  |  |  |
| 7  |  |  |  |
| 8  |  |  |  |
| 9  |  |  |  |
| 10 |  |  |  |
| 11 |  |  |  |
| 12 |  |  |  |
| 13 |  |  |  |
| 14 |  |  |  |
| 15 |  |  |  |
| 16 |  |  |  |
| 17 |  |  |  |
| 18 |  |  |  |
| 19 |  |  |  |
| 20 |  |  |  |
| 21 |  |  |  |
| 22 |  |  |  |

● Apple Counter-Designations (Page 9:20 to Page 10:4)





● Apple Counter-Designations (Page 11:1 to Page 11:18)

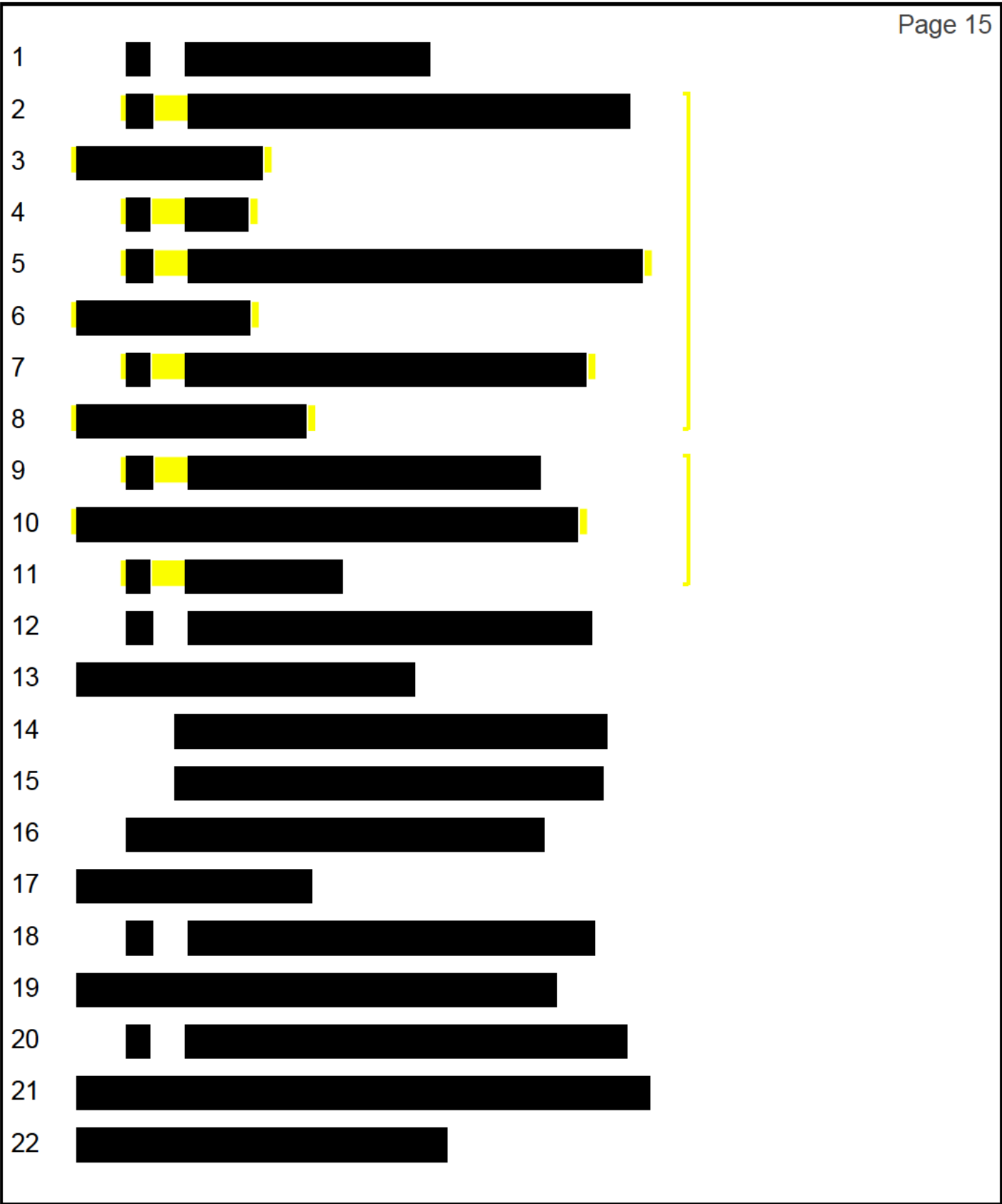
● Masimo Designations (Page 11:19 to Page 12:4)



|    |  |  |
|----|--|--|
| 1  |  |  |
| 2  |  |  |
| 3  |  |  |
| 4  |  |  |
| 5  |  |  |
| 6  |  |  |
| 7  |  |  |
| 8  |  |  |
| 9  |  |  |
| 10 |  |  |
| 11 |  |  |
| 12 |  |  |
| 13 |  |  |
| 14 |  |  |
| 15 |  |  |
| 16 |  |  |
| 17 |  |  |
| 18 |  |  |
| 19 |  |  |
| 20 |  |  |
| 21 |  |  |
| 22 |  |  |

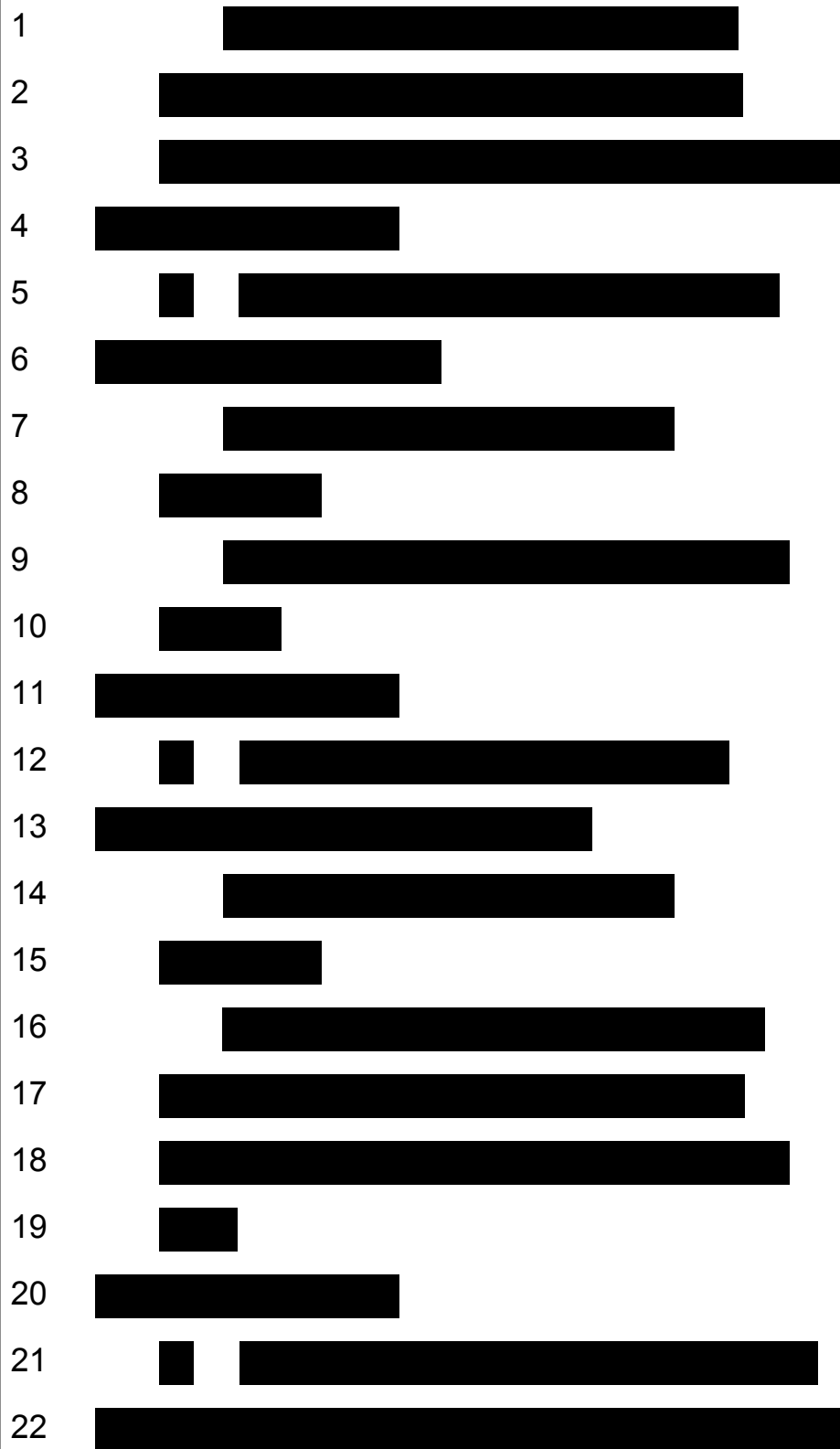
● Masimo Designations (Page 13:4 to Page 13:7)

|    |                                                                                      |                                                                                     |
|----|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1  |     |   |
| 2  |     |                                                                                     |
| 3  |     |    |
| 4  |     |                                                                                     |
| 5  |     |    |
| 6  |     |    |
| 7  |     |    |
| 8  |     |   |
| 9  |     |                                                                                     |
| 10 |     |   |
| 11 |    |                                                                                     |
| 12 |   |  |
| 13 |   |  |
| 14 |   |                                                                                     |
| 15 |                                                                                      |  |
| 16 |   |                                                                                     |
| 17 |   |                                                                                     |
| 18 |  |                                                                                     |
| 19 |   |                                                                                     |
| 20 |                                                                                      |  |
| 21 |   |                                                                                     |
| 22 |   |  |



● Masimo Designations (Page 15:2 to Page 15:8, Page 15:9 to Page 15:11)

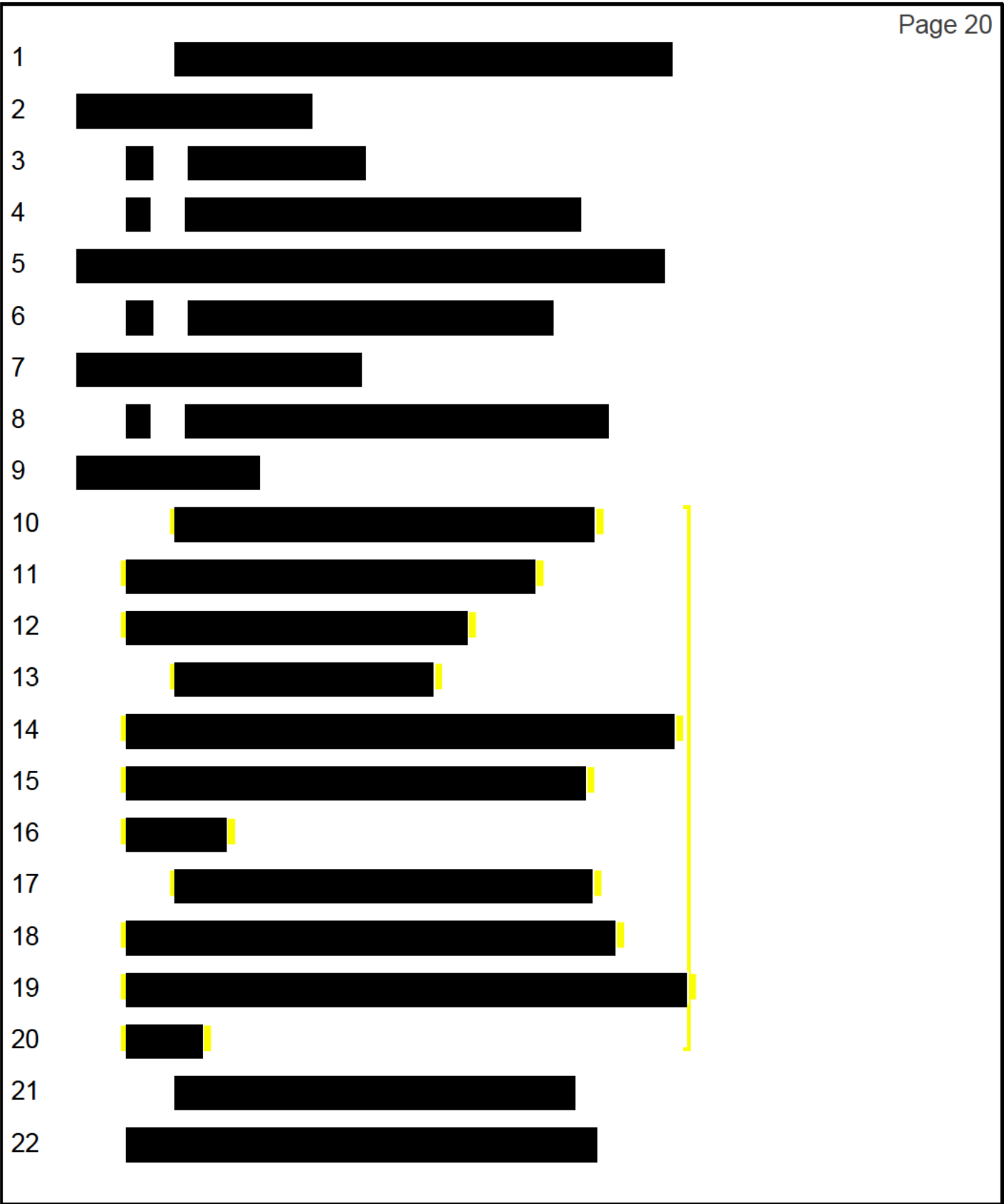
|    |                                                                                      |                                                                                      |
|----|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1  |     |    |
| 2  |     |                                                                                      |
| 3  |     |     |
| 4  |     |                                                                                      |
| 5  |     |     |
| 6  |     |                                                                                      |
| 7  |                                                                                      |     |
| 8  |                                                                                      |     |
| 9  |     |                                                                                      |
| 10 |     |                                                                                      |
| 11 |     |                                                                                      |
| 12 |   |   |
| 13 |   |  |
| 14 |  |                                                                                      |
| 15 |   |                                                                                      |
| 16 |   |   |
| 17 |   |                                                                                      |
| 18 |   |   |
| 19 |   |  |
| 20 |  |                                                                                      |
| 21 |   |                                                                                      |
| 22 |                                                                                      |   |





● Masimo Designations (Page 18:13 to Page 18:19, Page 18:21 to Page 19:11)



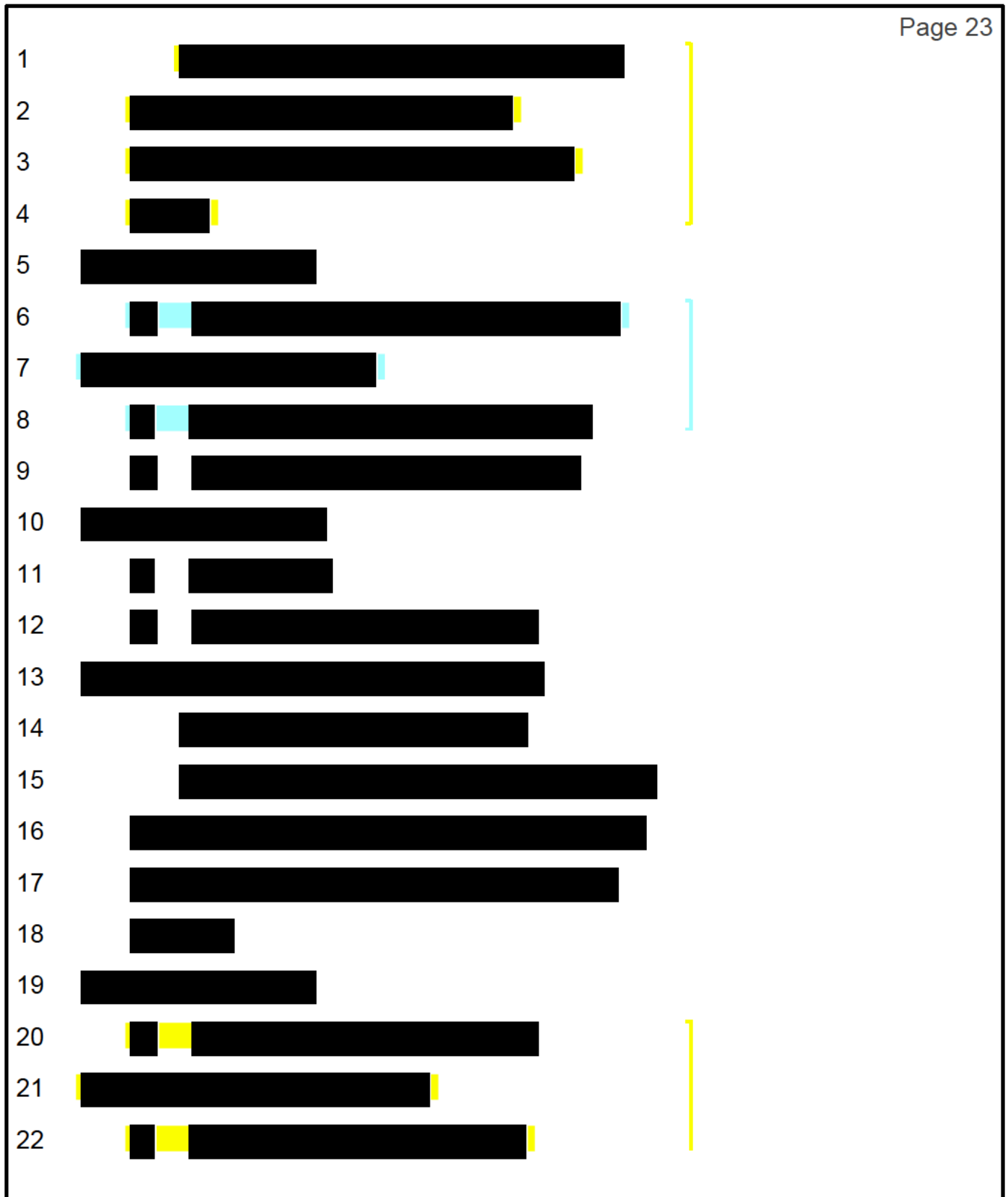


● Masimo Designations (Page 20:10 to Page 20:20)

|    |            |
|----|------------|
| 1  | [REDACTED] |
| 2  | [REDACTED] |
| 3  | [REDACTED] |
| 4  | [REDACTED] |
| 5  | [REDACTED] |
| 6  | [REDACTED] |
| 7  | [REDACTED] |
| 8  | [REDACTED] |
| 9  | [REDACTED] |
| 10 | [REDACTED] |
| 11 | [REDACTED] |
| 12 | [REDACTED] |
| 13 | [REDACTED] |
| 14 | [REDACTED] |
| 15 | [REDACTED] |
| 16 | [REDACTED] |
| 17 | [REDACTED] |
| 18 | [REDACTED] |
| 19 | [REDACTED] |
| 20 | [REDACTED] |
| 21 | [REDACTED] |
| 22 | [REDACTED] |

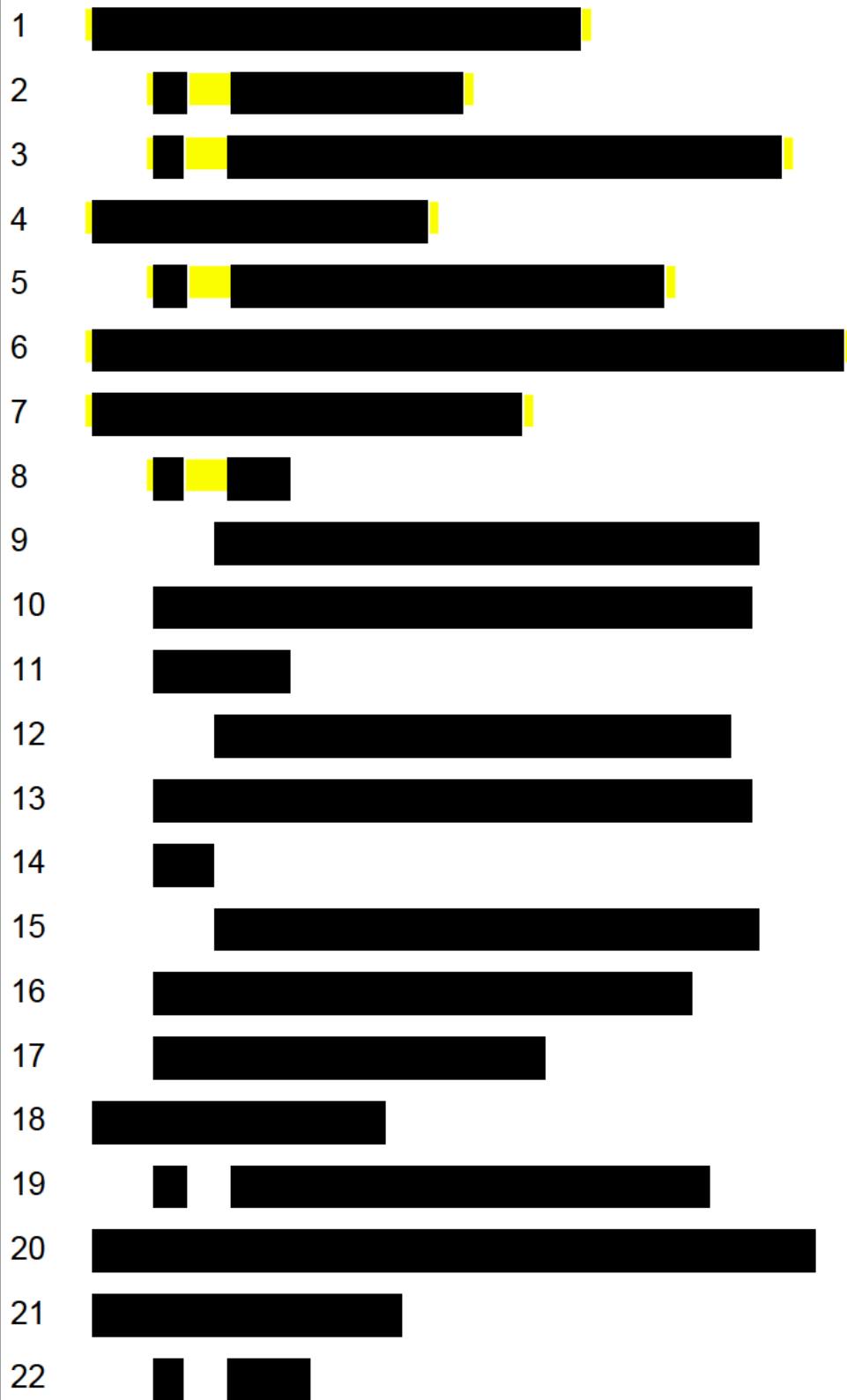


● Masimo Designations (Page 22:9 to Page 22:21)    ● Apple Counter-Designations (Page 22:22 to Page 22:22)



● Masimo Designations (Page 23:1 to Page 23:4, Page 23:20 to Page 24:8)  
23:6 to Page 23:8)

● Apple Counter-Designations (Page



|    |                                                                                      |                                                                                      |
|----|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1  |     |    |
| 2  |    |                                                                                      |
| 3  |     |     |
| 4  |     |     |
| 5  |                                                                                      |     |
| 6  |    |                                                                                      |
| 7  |     |                                                                                      |
| 8  |                                                                                      |     |
| 9  |     |                                                                                      |
| 10 |     |    |
| 11 |     |                                                                                      |
| 12 |    |   |
| 13 |  |                                                                                      |
| 14 |   |                                                                                      |
| 15 |                                                                                      |   |
| 16 |                                                                                      |  |
| 17 |   |                                                                                      |
| 18 |   |                                                                                      |
| 19 |   |   |
| 20 |   |                                                                                      |
| 21 |                                                                                      |   |
| 22 |                                                                                      |  |



● Masimo Designations (Page 26:3 to Page 26:9, Page 26:20 to Page 27:13)

|    |            |   |
|----|------------|---|
| 1  | [REDACTED] |   |
| 2  | [REDACTED] |   |
| 3  | [REDACTED] |   |
| 4  | [REDACTED] |   |
| 5  | [REDACTED] |   |
| 6  | [REDACTED] |   |
| 7  | [REDACTED] |   |
| 8  | [REDACTED] |   |
| 9  | [REDACTED] |   |
| 10 | [REDACTED] |   |
| 11 | [REDACTED] |   |
| 12 | [REDACTED] |   |
| 13 | [REDACTED] |   |
| 14 | [REDACTED] |   |
| 15 | [REDACTED] |   |
| 16 | [REDACTED] |   |
| 17 | [REDACTED] |   |
| 18 | [REDACTED] |   |
| 19 | [REDACTED] |   |
| 20 | [REDACTED] |   |
| 21 | [REDACTED] |   |
| 22 | [REDACTED] | 1 |

● Masimo Designations (Page 27:22 to Page 28:5)

|    |            |  |
|----|------------|--|
| 1  | [REDACTED] |  |
| 2  | [REDACTED] |  |
| 3  | [REDACTED] |  |
| 4  | [REDACTED] |  |
| 5  | [REDACTED] |  |
| 6  | [REDACTED] |  |
| 7  | [REDACTED] |  |
| 8  | [REDACTED] |  |
| 9  | [REDACTED] |  |
| 10 | [REDACTED] |  |
| 11 | [REDACTED] |  |
| 12 | [REDACTED] |  |
| 13 | [REDACTED] |  |
| 14 | [REDACTED] |  |
| 15 | [REDACTED] |  |
| 16 | [REDACTED] |  |
| 17 | [REDACTED] |  |
| 18 | [REDACTED] |  |
| 19 | [REDACTED] |  |
| 20 | [REDACTED] |  |
| 21 | [REDACTED] |  |
| 22 | [REDACTED] |  |

● Masimo Designations (Page 28:7 to Page 28:9, Page 28:11 to Page 29:15)





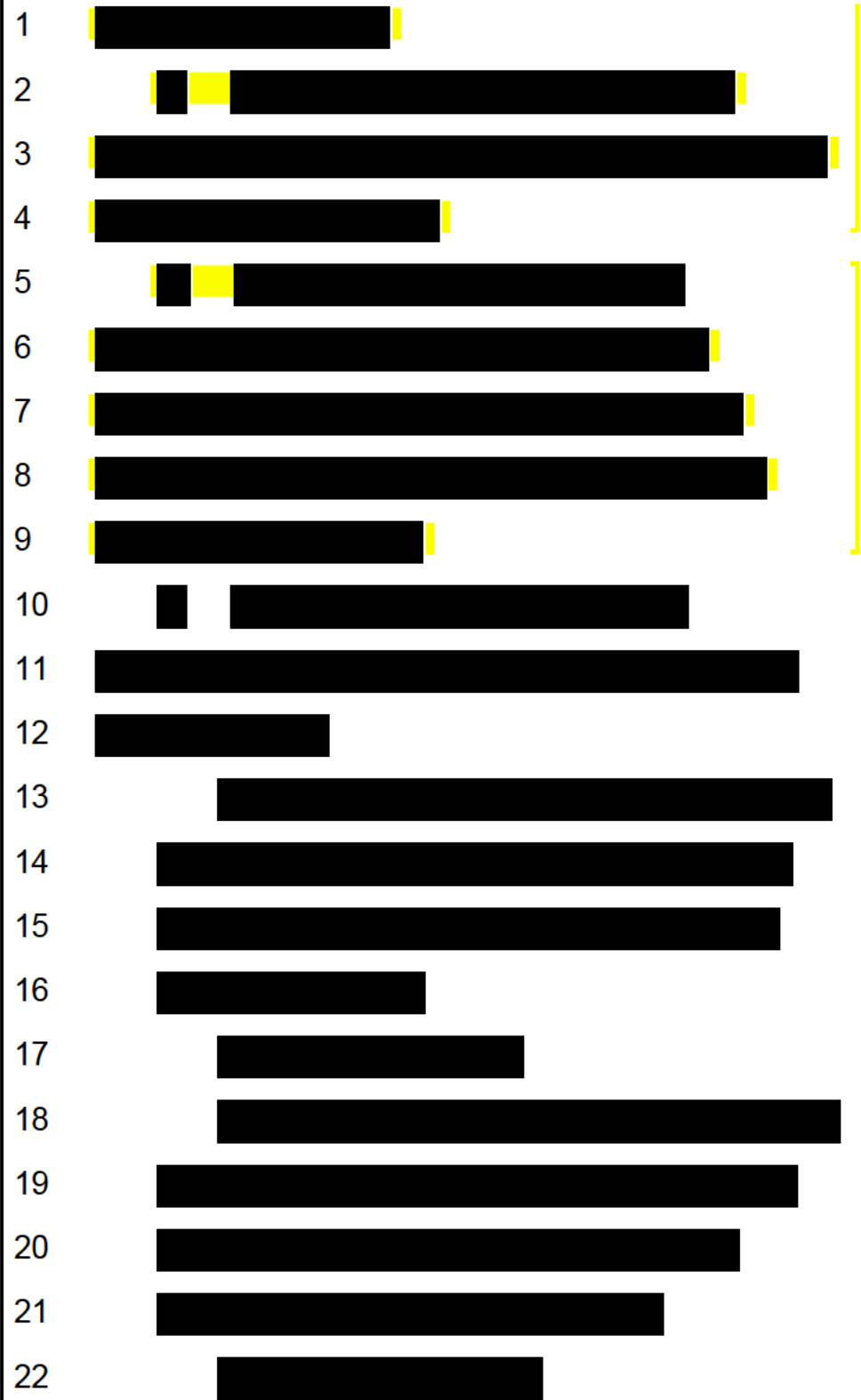
● Masimo Designations (Page 30:1 to Page 30:18)    ● Apple Counter-Designations (Page 30:19 to Page 31:3)

|    |                                              |
|----|----------------------------------------------|
| 1  | <div><div></div><div></div><div></div></div> |
| 2  | <div><div></div><div></div><div></div></div> |
| 3  | <div><div></div><div></div><div></div></div> |
| 4  | <div><div></div><div></div><div></div></div> |
| 5  | <div><div></div><div></div><div></div></div> |
| 6  | <div><div></div><div></div><div></div></div> |
| 7  | <div><div></div><div></div><div></div></div> |
| 8  | <div><div></div><div></div><div></div></div> |
| 9  | <div><div></div><div></div><div></div></div> |
| 10 | <div><div></div><div></div><div></div></div> |
| 11 | <div><div></div><div></div><div></div></div> |
| 12 | <div><div></div><div></div><div></div></div> |
| 13 | <div><div></div><div></div><div></div></div> |
| 14 | <div><div></div><div></div><div></div></div> |
| 15 | <div><div></div><div></div><div></div></div> |
| 16 | <div><div></div><div></div><div></div></div> |
| 17 | <div><div></div><div></div><div></div></div> |
| 18 | <div><div></div><div></div><div></div></div> |
| 19 | <div><div></div><div></div><div></div></div> |
| 20 | <div><div></div><div></div><div></div></div> |
| 21 | <div><div></div><div></div><div></div></div> |
| 22 | <div><div></div><div></div><div></div></div> |

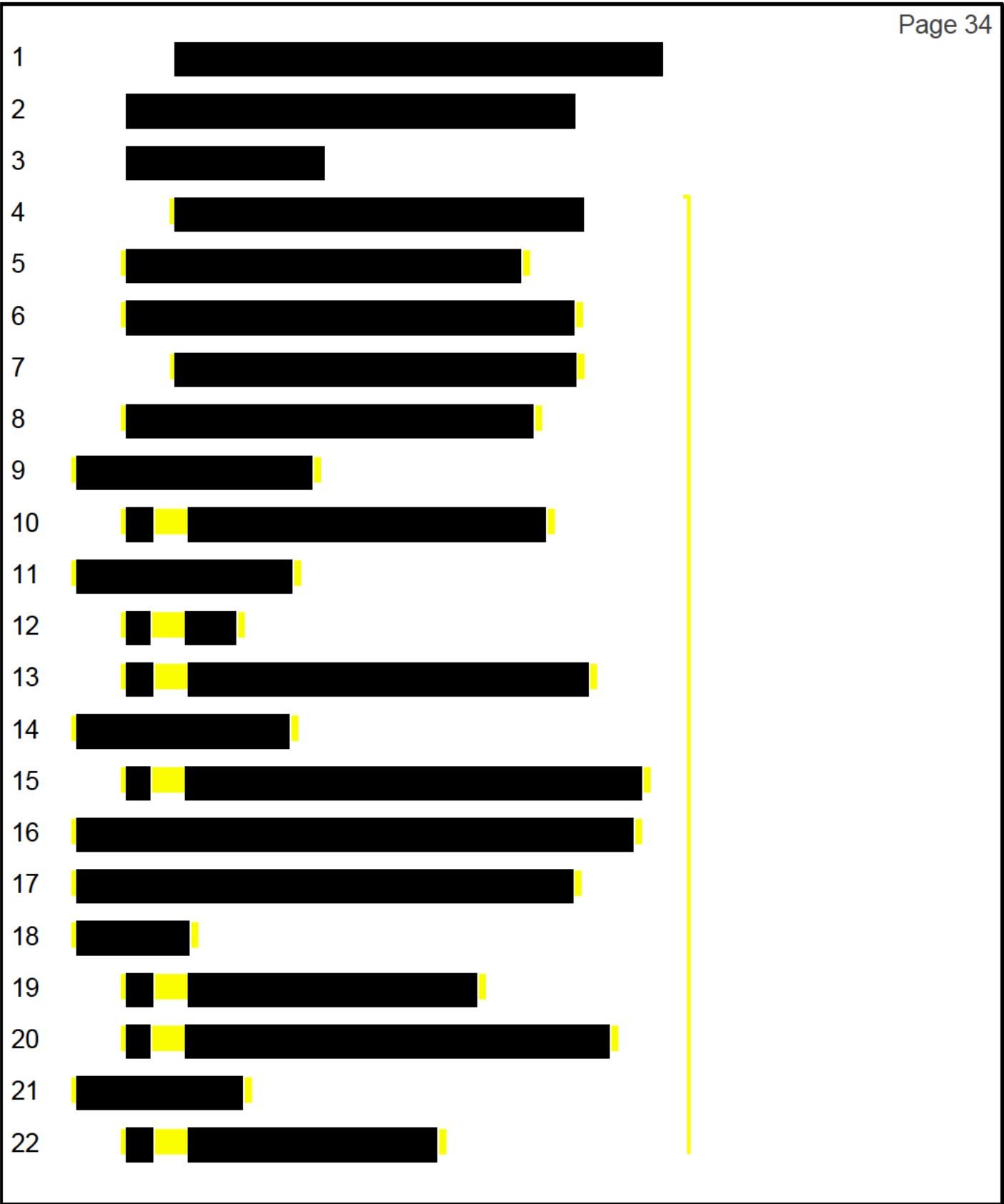
● Masimo Designations (Page 31:13 to Page 32:4)

|    |                                              |  |
|----|----------------------------------------------|--|
| 1  | <div><div></div><div></div><div></div></div> |  |
| 2  | <div><div></div><div></div><div></div></div> |  |
| 3  | <div><div></div><div></div><div></div></div> |  |
| 4  | <div><div></div><div></div><div></div></div> |  |
| 5  | <div><div></div><div></div><div></div></div> |  |
| 6  | <div><div></div><div></div><div></div></div> |  |
| 7  | <div><div></div><div></div><div></div></div> |  |
| 8  | <div><div></div><div></div><div></div></div> |  |
| 9  | <div><div></div><div></div><div></div></div> |  |
| 10 | <div><div></div><div></div><div></div></div> |  |
| 11 | <div><div></div><div></div><div></div></div> |  |
| 12 | <div><div></div><div></div><div></div></div> |  |
| 13 | <div><div></div><div></div><div></div></div> |  |
| 14 | <div><div></div><div></div><div></div></div> |  |
| 15 | <div><div></div><div></div><div></div></div> |  |
| 16 | <div><div></div><div></div><div></div></div> |  |
| 17 | <div><div></div><div></div><div></div></div> |  |
| 18 | <div><div></div><div></div><div></div></div> |  |
| 19 | <div><div></div><div></div><div></div></div> |  |
| 20 | <div><div></div><div></div><div></div></div> |  |
| 21 | <div><div></div><div></div><div></div></div> |  |
| 22 | <div><div></div><div></div><div></div></div> |  |

● Masimo Designations (Page 32:18 to Page 33:4)



● Masimo Designations (Page 33:5 to Page 33:9)



● Masimo Designations (Page 34:4 to Page 35:14)



● Masimo Designations (Page 35:16 to Page 36:4)

|    |            |  |
|----|------------|--|
| 1  | [REDACTED] |  |
| 2  | [REDACTED] |  |
| 3  | [REDACTED] |  |
| 4  | [REDACTED] |  |
| 5  | [REDACTED] |  |
| 6  | [REDACTED] |  |
| 7  | [REDACTED] |  |
| 8  | [REDACTED] |  |
| 9  | [REDACTED] |  |
| 10 | [REDACTED] |  |
| 11 | [REDACTED] |  |
| 12 | [REDACTED] |  |
| 13 | [REDACTED] |  |
| 14 | [REDACTED] |  |
| 15 | [REDACTED] |  |
| 16 | [REDACTED] |  |
| 17 | [REDACTED] |  |
| 18 | [REDACTED] |  |
| 19 | [REDACTED] |  |
| 20 | [REDACTED] |  |
| 21 | [REDACTED] |  |
| 22 | [REDACTED] |  |

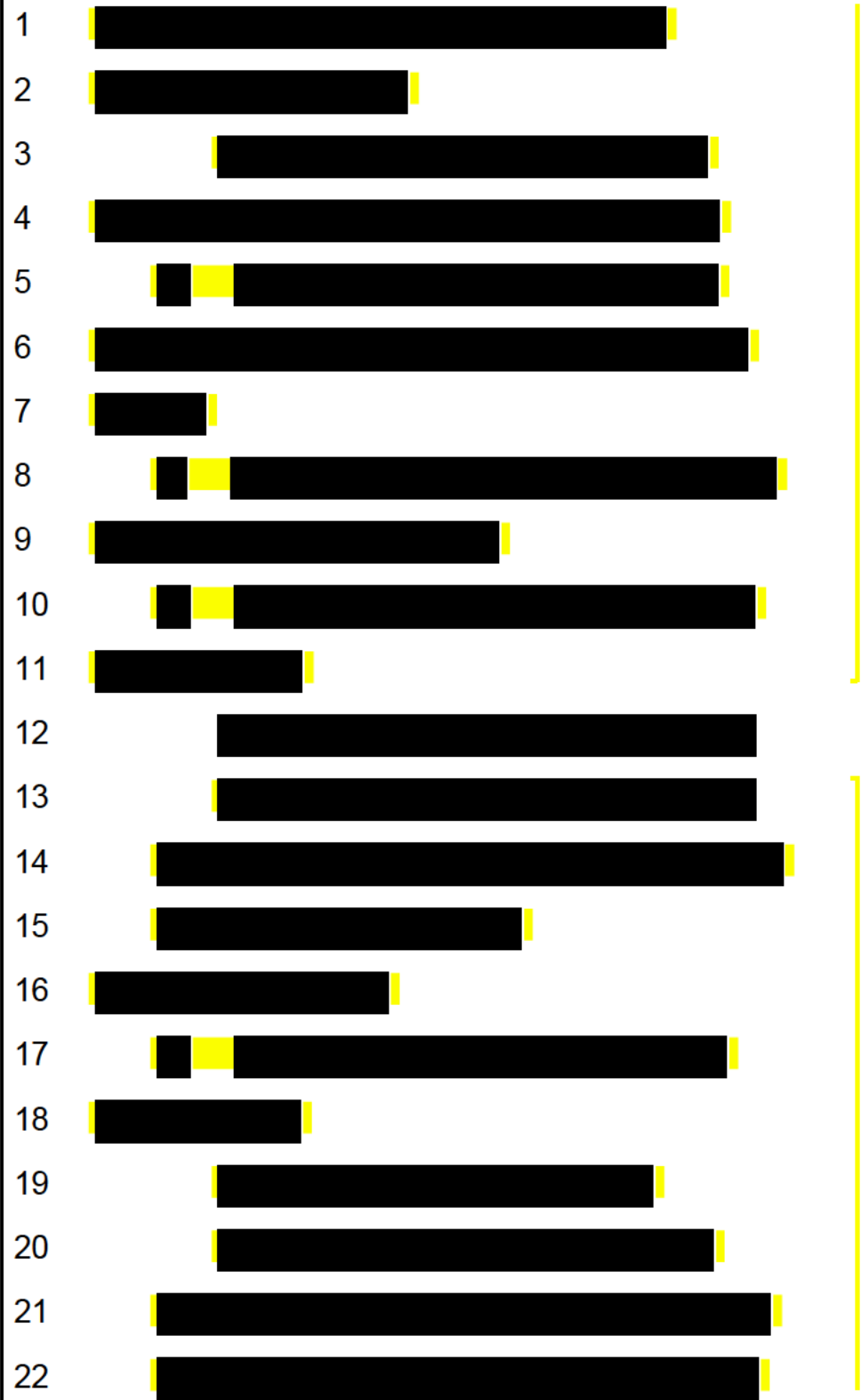
● Masimo Designations (Page 36:5 to Page 36:7, Page 36:21 to Page 37:7)  
36:10 to Page 36:12)

● Apple Counter-Designations (Page

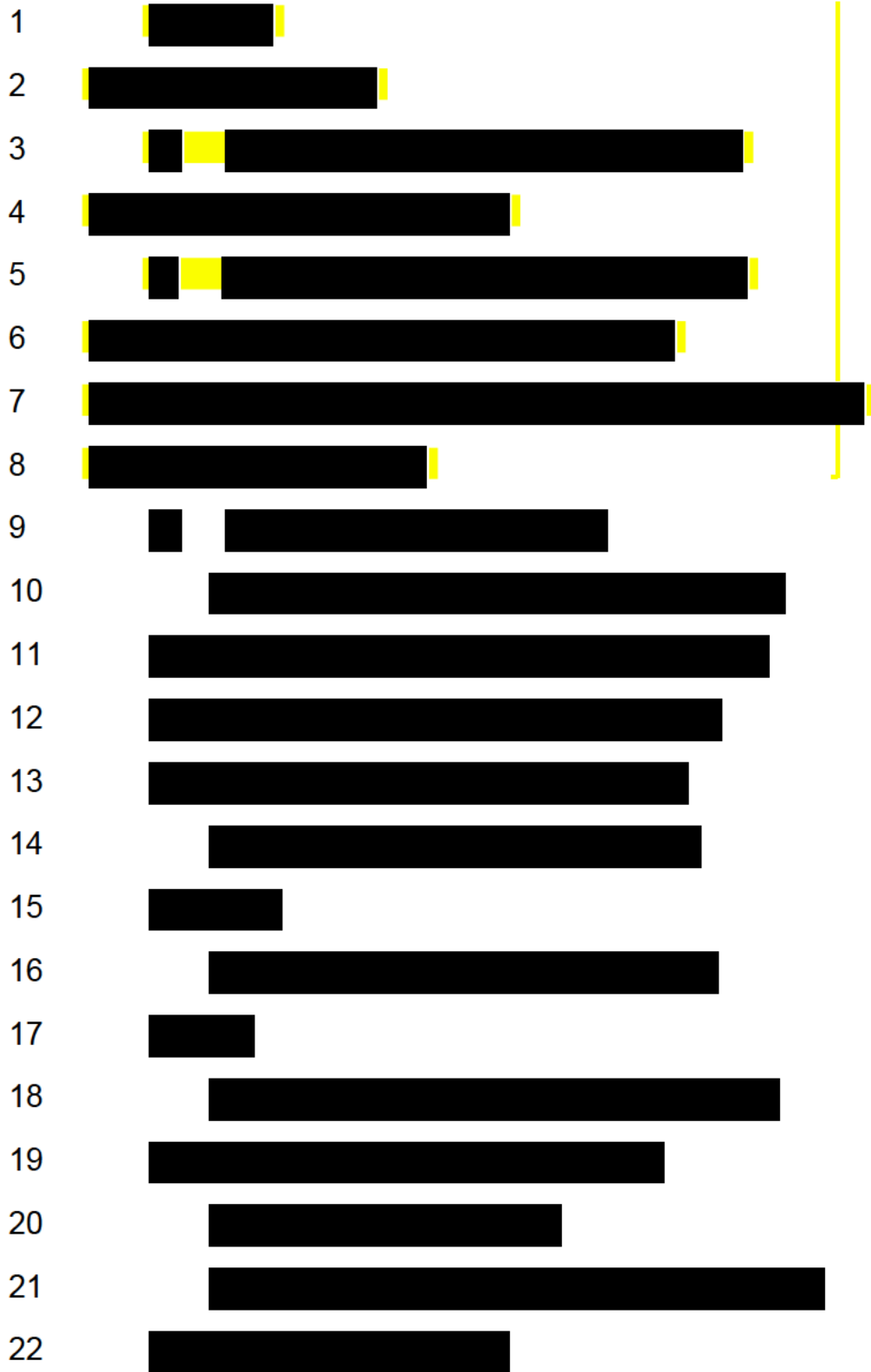
|    |                                              |
|----|----------------------------------------------|
| 1  | <div><div></div><div></div><div></div></div> |
| 2  | <div><div></div><div></div><div></div></div> |
| 3  | <div><div></div><div></div><div></div></div> |
| 4  | <div><div></div><div></div><div></div></div> |
| 5  | <div><div></div><div></div><div></div></div> |
| 6  | <div><div></div><div></div><div></div></div> |
| 7  | <div><div></div><div></div><div></div></div> |
| 8  | <div><div></div><div></div><div></div></div> |
| 9  | <div><div></div><div></div><div></div></div> |
| 10 | <div><div></div><div></div><div></div></div> |
| 11 | <div><div></div><div></div><div></div></div> |
| 12 | <div><div></div><div></div><div></div></div> |
| 13 | <div><div></div><div></div><div></div></div> |
| 14 | <div><div></div><div></div><div></div></div> |
| 15 | <div><div></div><div></div><div></div></div> |
| 16 | <div><div></div><div></div><div></div></div> |
| 17 | <div><div></div><div></div><div></div></div> |
| 18 | <div><div></div><div></div><div></div></div> |
| 19 | <div><div></div><div></div><div></div></div> |
| 20 | <div><div></div><div></div><div></div></div> |
| 21 | <div><div></div><div></div><div></div></div> |
| 22 | <div><div></div><div></div><div></div></div> |

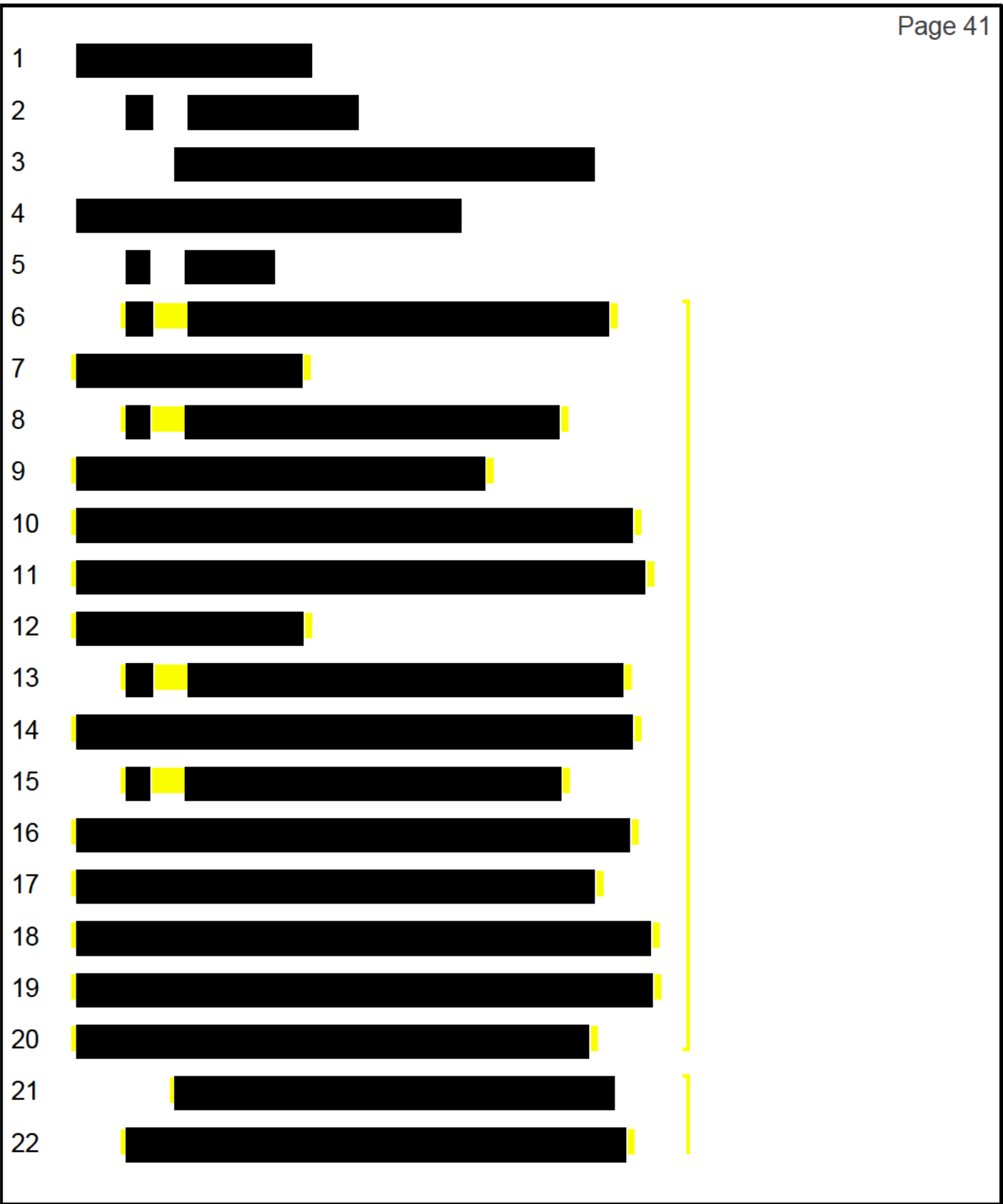
● Masimo Designations (Page 37:10 to Page 39:11)





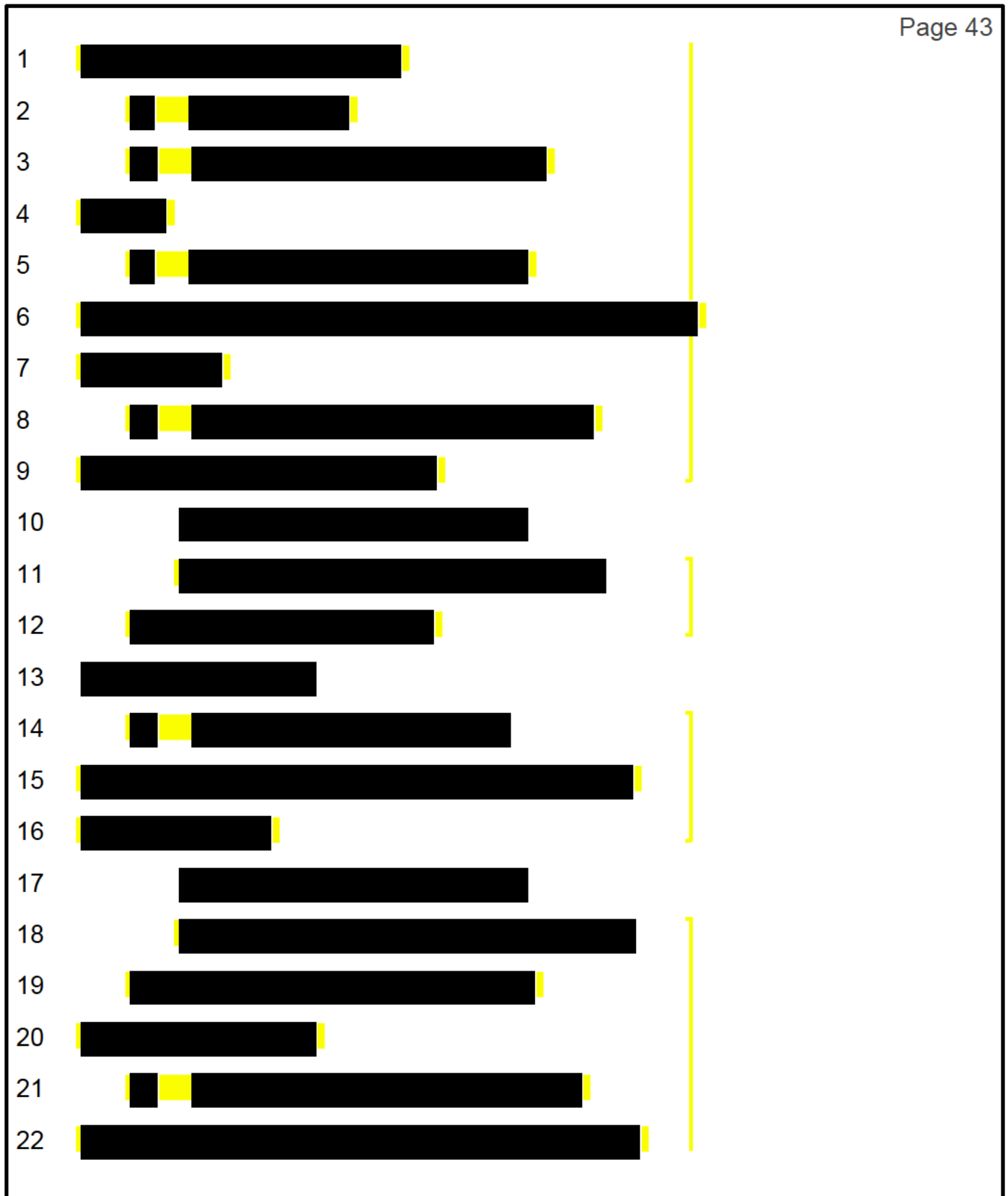
● Masimo Designations (Page 39:13 to Page 40:8)





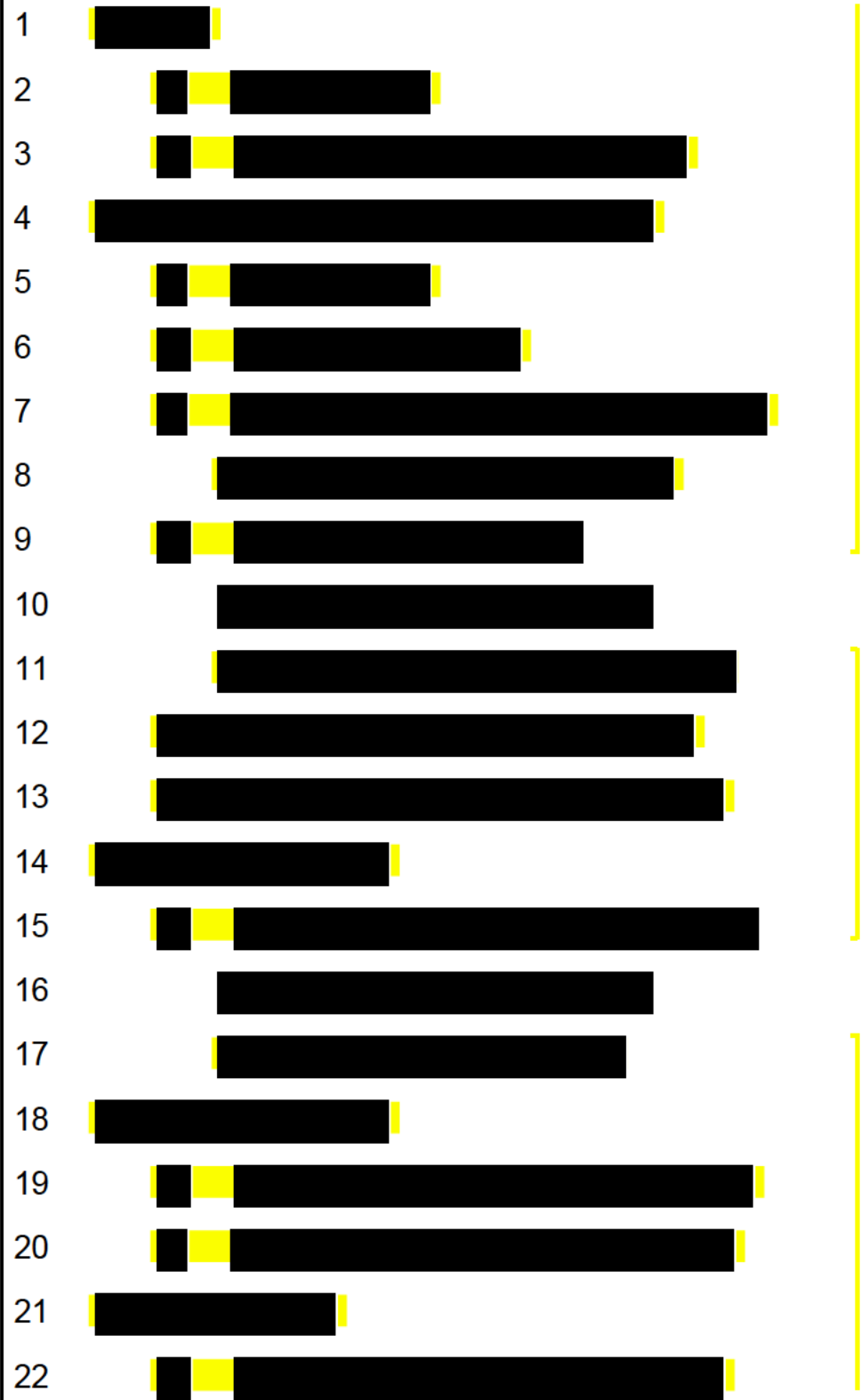
● Masimo Designations (Page 41:6 to Page 41:20, Page 41:21 to Page 43:9)





● Masimo Designations (Page 43:11 to Page 43:12, Page 43:14 to Page 43:16)

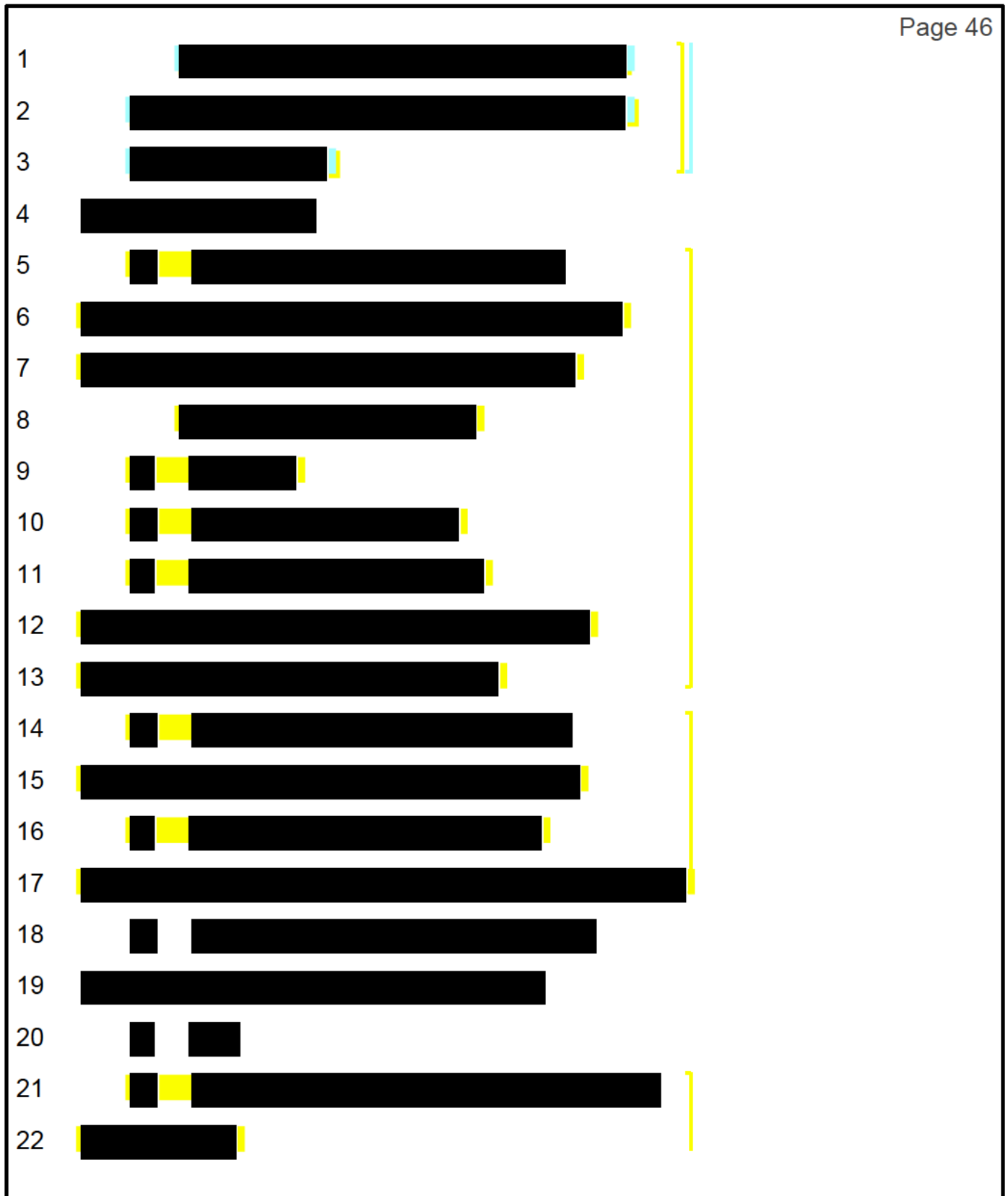
● Masimo Designations (Page 43:18 to Page 44:9)



● Masimo Designations (Page 44:11 to Page 44:15, Page 44:17 to Page 45:9)



● Masimo Designations (Page 45:11 to Page 45:21)    ● Apple Counter-Designations (Page 45:20 to Page 46:3)



● Masimo Designations (Page 46:1 to Page 46:3, Page 46:21 to Page 47:19, Page 46:5 to Page 46:13)  
Designations (Page 46:14 to Page 46:17)

● Masimo



● Masimo Designations (Page 47:21 to Page 48:1)

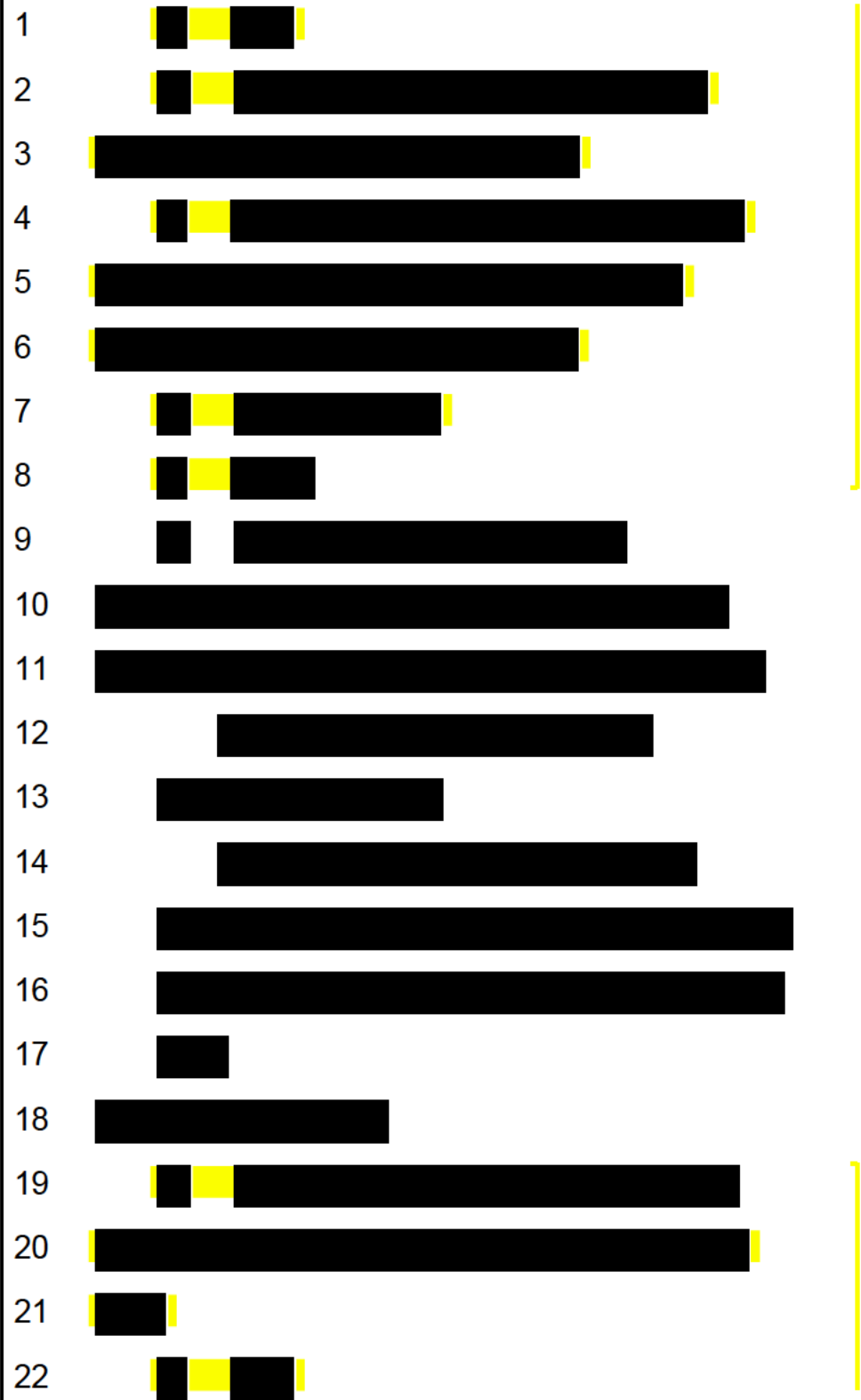
|    |            |  |
|----|------------|--|
| 1  | [REDACTED] |  |
| 2  | [REDACTED] |  |
| 3  | [REDACTED] |  |
| 4  | [REDACTED] |  |
| 5  | [REDACTED] |  |
| 6  | [REDACTED] |  |
| 7  | [REDACTED] |  |
| 8  | [REDACTED] |  |
| 9  | [REDACTED] |  |
| 10 | [REDACTED] |  |
| 11 | [REDACTED] |  |
| 12 | [REDACTED] |  |
| 13 | [REDACTED] |  |
| 14 | [REDACTED] |  |
| 15 | [REDACTED] |  |
| 16 | [REDACTED] |  |
| 17 | [REDACTED] |  |
| 18 | [REDACTED] |  |
| 19 | [REDACTED] |  |
| 20 | [REDACTED] |  |
| 21 | [REDACTED] |  |
| 22 | [REDACTED] |  |

● Masimo Designations (Page 48:7 to Page 49:1)

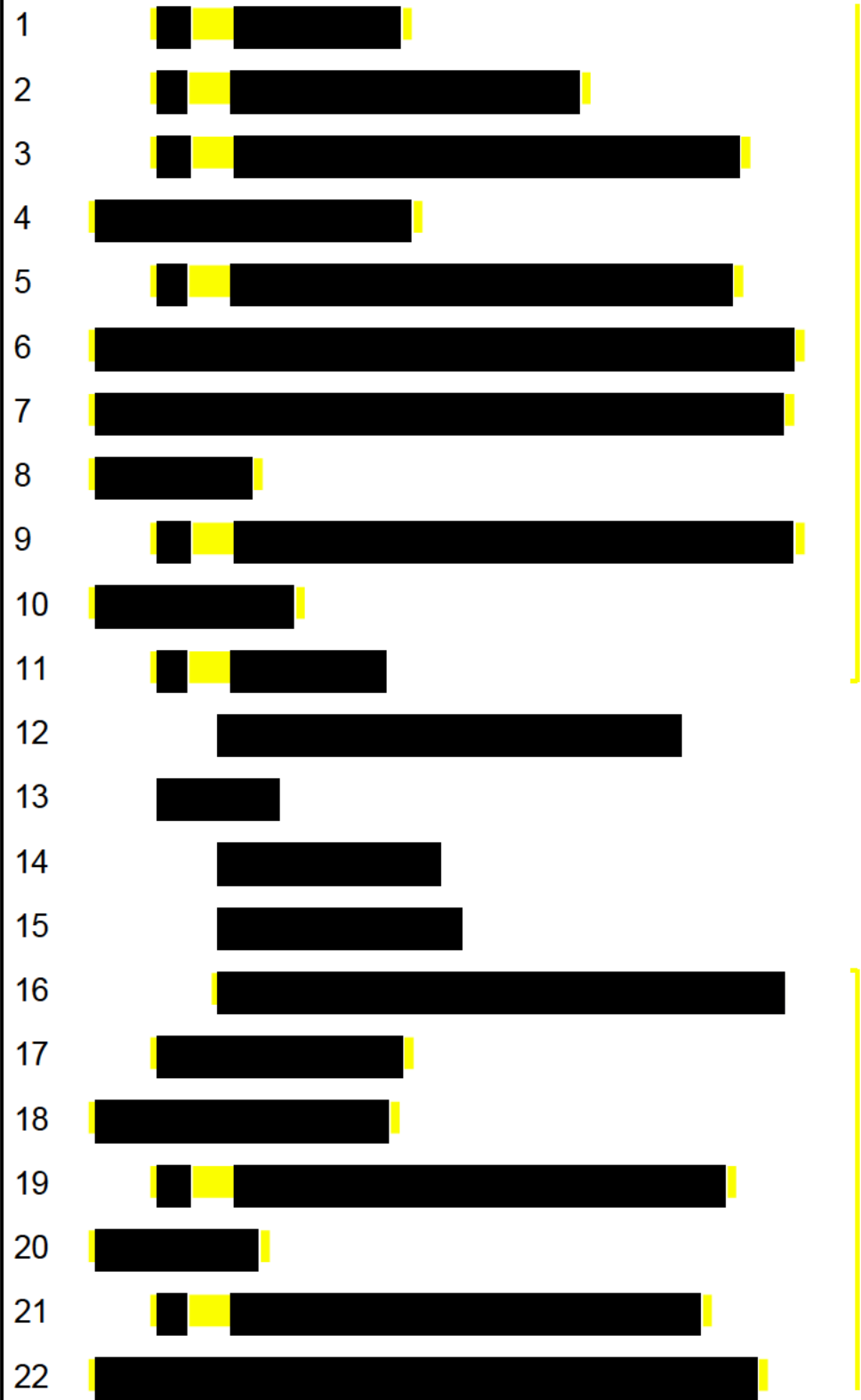
|    |            |  |
|----|------------|--|
| 1  | [REDACTED] |  |
| 2  | [REDACTED] |  |
| 3  | [REDACTED] |  |
| 4  | [REDACTED] |  |
| 5  | [REDACTED] |  |
| 6  | [REDACTED] |  |
| 7  | [REDACTED] |  |
| 8  | [REDACTED] |  |
| 9  | [REDACTED] |  |
| 10 | [REDACTED] |  |
| 11 | [REDACTED] |  |
| 12 | [REDACTED] |  |
| 13 | [REDACTED] |  |
| 14 | [REDACTED] |  |
| 15 | [REDACTED] |  |
| 16 | [REDACTED] |  |
| 17 | [REDACTED] |  |
| 18 | [REDACTED] |  |
| 19 | [REDACTED] |  |
| 20 | [REDACTED] |  |
| 21 | [REDACTED] |  |
| 22 | [REDACTED] |  |

● Masimo Designations (Page 49:3 to Page 49:13, Page 49:15 to Page 51:8)



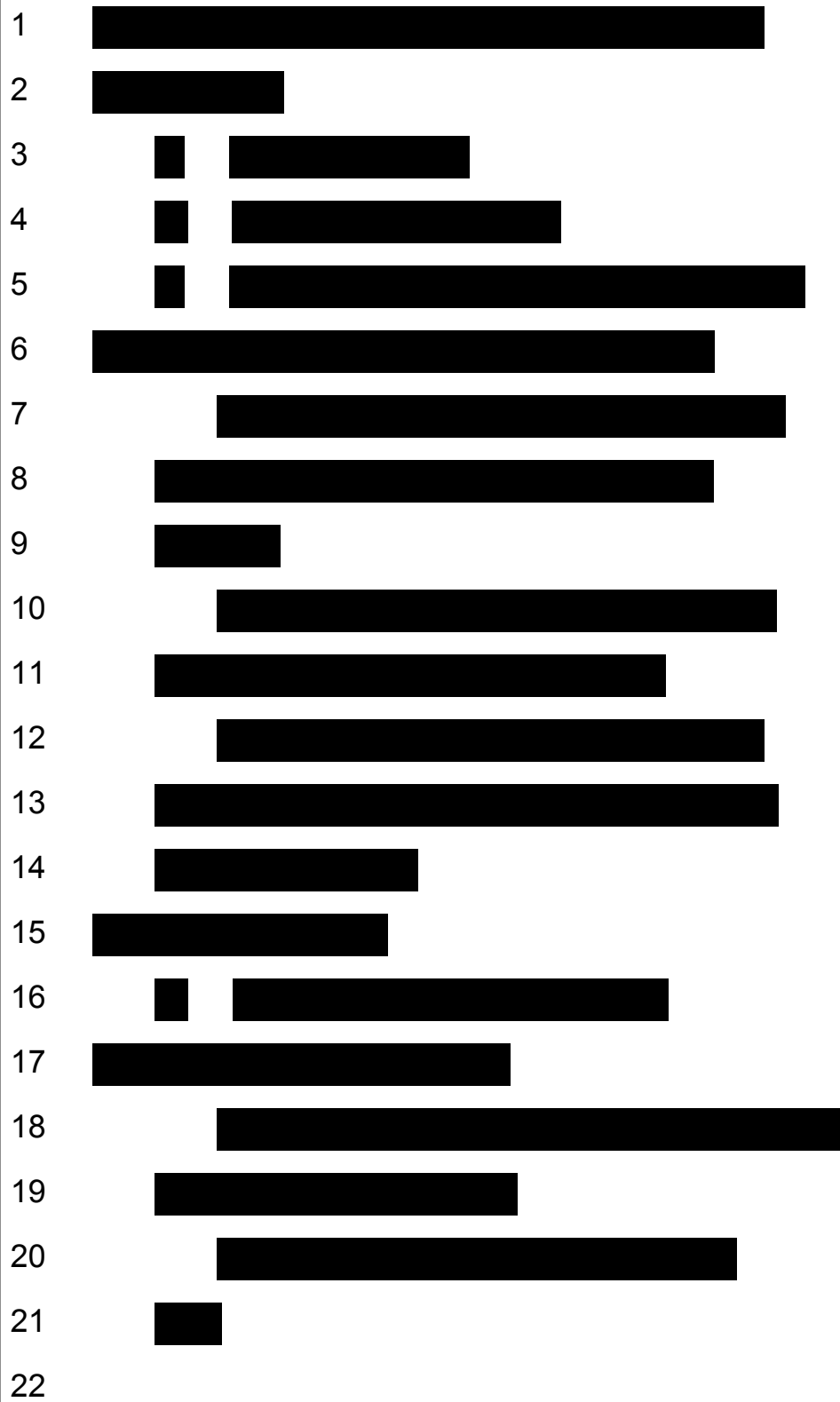


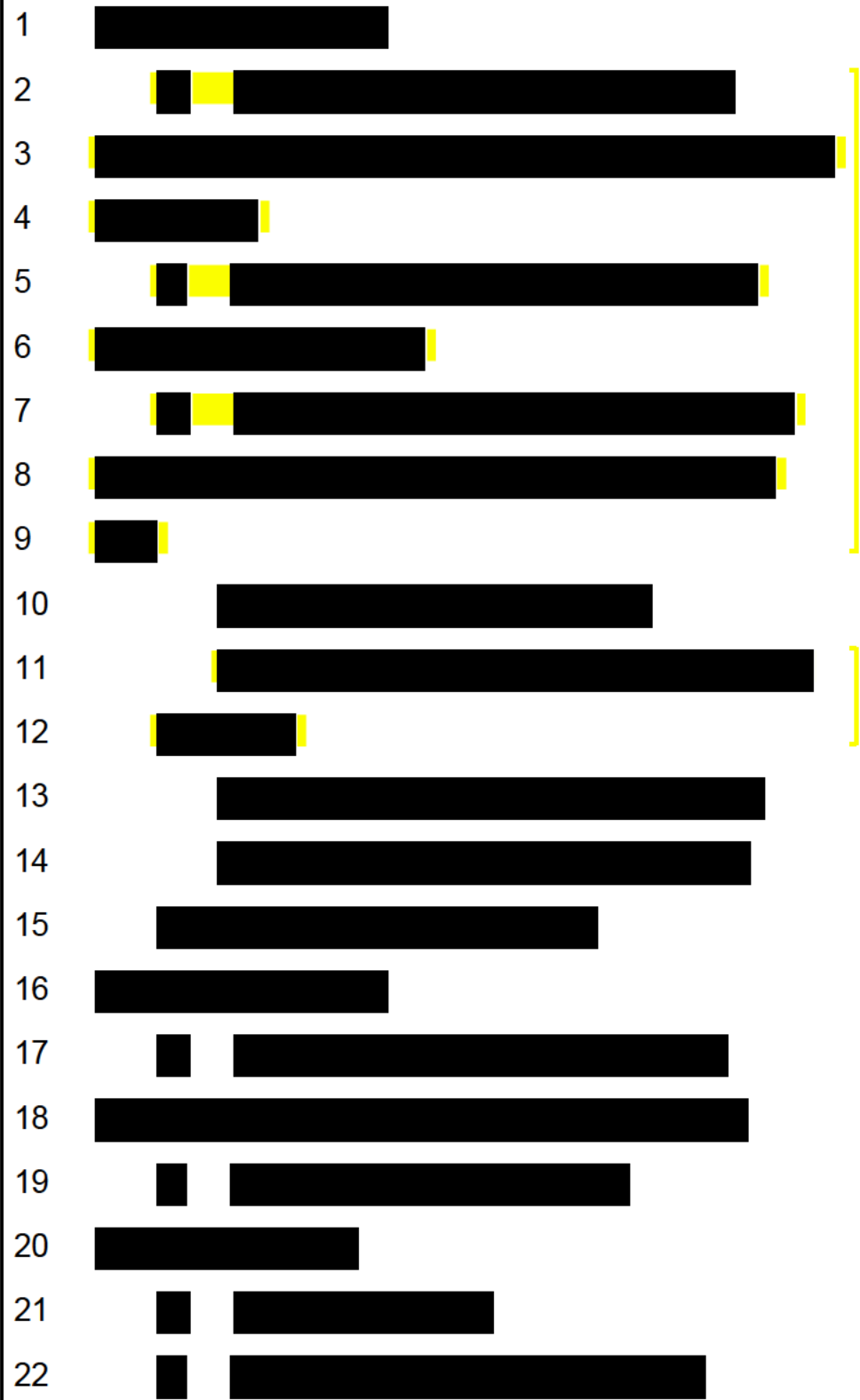
● Masimo Designations (Page 51:19 to Page 52:11)



● Masimo Designations (Page 52:16 to Page 53:17)





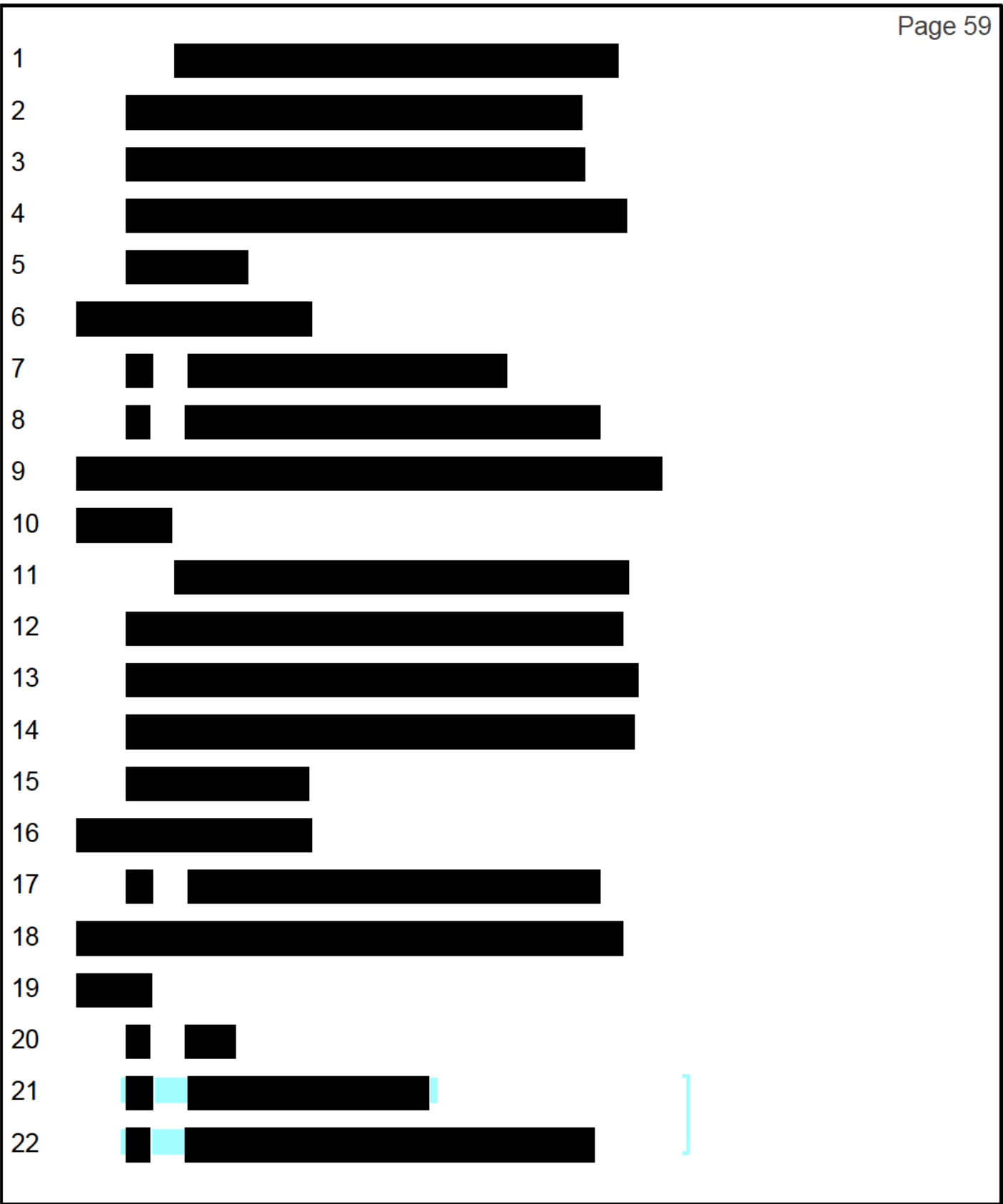


● Masimo Designations (Page 55:2 to Page 55:9, Page 55:11 to Page 55:12)

|    |  |  |
|----|--|--|
| 1  |  |  |
| 2  |  |  |
| 3  |  |  |
| 4  |  |  |
| 5  |  |  |
| 6  |  |  |
| 7  |  |  |
| 8  |  |  |
| 9  |  |  |
| 10 |  |  |
| 11 |  |  |
| 12 |  |  |
| 13 |  |  |
| 14 |  |  |
| 15 |  |  |
| 16 |  |  |
| 17 |  |  |
| 18 |  |  |
| 19 |  |  |
| 20 |  |  |
| 21 |  |  |
| 22 |  |  |

|    |                                                                                      |                                                                                      |
|----|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1  |     |     |
| 2  |     |                                                                                      |
| 3  |     |     |
| 4  |     |                                                                                      |
| 5  |     |     |
| 6  |     |                                                                                      |
| 7  |     |     |
| 8  |     |                                                                                      |
| 9  |     |     |
| 10 |     |                                                                                      |
| 11 |    |                                                                                      |
| 12 |    |                                                                                      |
| 13 |   |                                                                                      |
| 14 |   |   |
| 15 |   |                                                                                      |
| 16 |   |   |
| 17 |   |                                                                                      |
| 18 |   |   |
| 19 |  |                                                                                      |
| 20 |   |  |
| 21 |   |                                                                                      |
| 22 |   |  |

|    |                                                                                      |                                                                                     |
|----|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1  |     |    |
| 2  |     |    |
| 3  |     |                                                                                     |
| 4  |     |   |
| 5  |     |                                                                                     |
| 6  |     |    |
| 7  |     |                                                                                     |
| 8  |     |    |
| 9  |     |   |
| 10 |     |                                                                                     |
| 11 |    |   |
| 12 |   |                                                                                     |
| 13 |   |  |
| 14 |   |  |
| 15 |   |                                                                                     |
| 16 |   |                                                                                     |
| 17 |   |                                                                                     |
| 18 |   |                                                                                     |
| 19 |   |  |
| 20 |  |                                                                                     |
| 21 |  |                                                                                     |
| 22 |                                                                                      |  |



● Apple Counter-Designations (Page 59:21 to Page 59:22)



● Masimo Designations (Page 60:1 to Page 60:2, Page 60:4 to Page 60:5, Page 60:11 to Page 60:14)

● Masimo

Designations (Page 60:7 to Page 60:10, Page 60:15 to Page 61:2)

|    |            |  |
|----|------------|--|
| 1  | [REDACTED] |  |
| 2  | [REDACTED] |  |
| 3  | [REDACTED] |  |
| 4  | [REDACTED] |  |
| 5  | [REDACTED] |  |
| 6  | [REDACTED] |  |
| 7  | [REDACTED] |  |
| 8  | [REDACTED] |  |
| 9  | [REDACTED] |  |
| 10 | [REDACTED] |  |
| 11 | [REDACTED] |  |
| 12 | [REDACTED] |  |
| 13 | [REDACTED] |  |
| 14 | [REDACTED] |  |
| 15 | [REDACTED] |  |
| 16 | [REDACTED] |  |
| 17 | [REDACTED] |  |
| 18 | [REDACTED] |  |
| 19 | [REDACTED] |  |
| 20 | [REDACTED] |  |
| 21 | [REDACTED] |  |
| 22 | [REDACTED] |  |

● Masimo Designations (Page 61:5 to Page 61:5, Page 61:7 to Page 61:21)

Page 62

A horizontal bar chart with 22 rows, numbered 1 to 22 on the left. Each row contains a black horizontal bar. The bars vary in length and position. Yellow vertical markers are present at the ends of most bars and at specific points within some bars. A large yellow bracket on the right side of the chart groups rows 1 through 16. Rows 17 through 22 are not grouped.

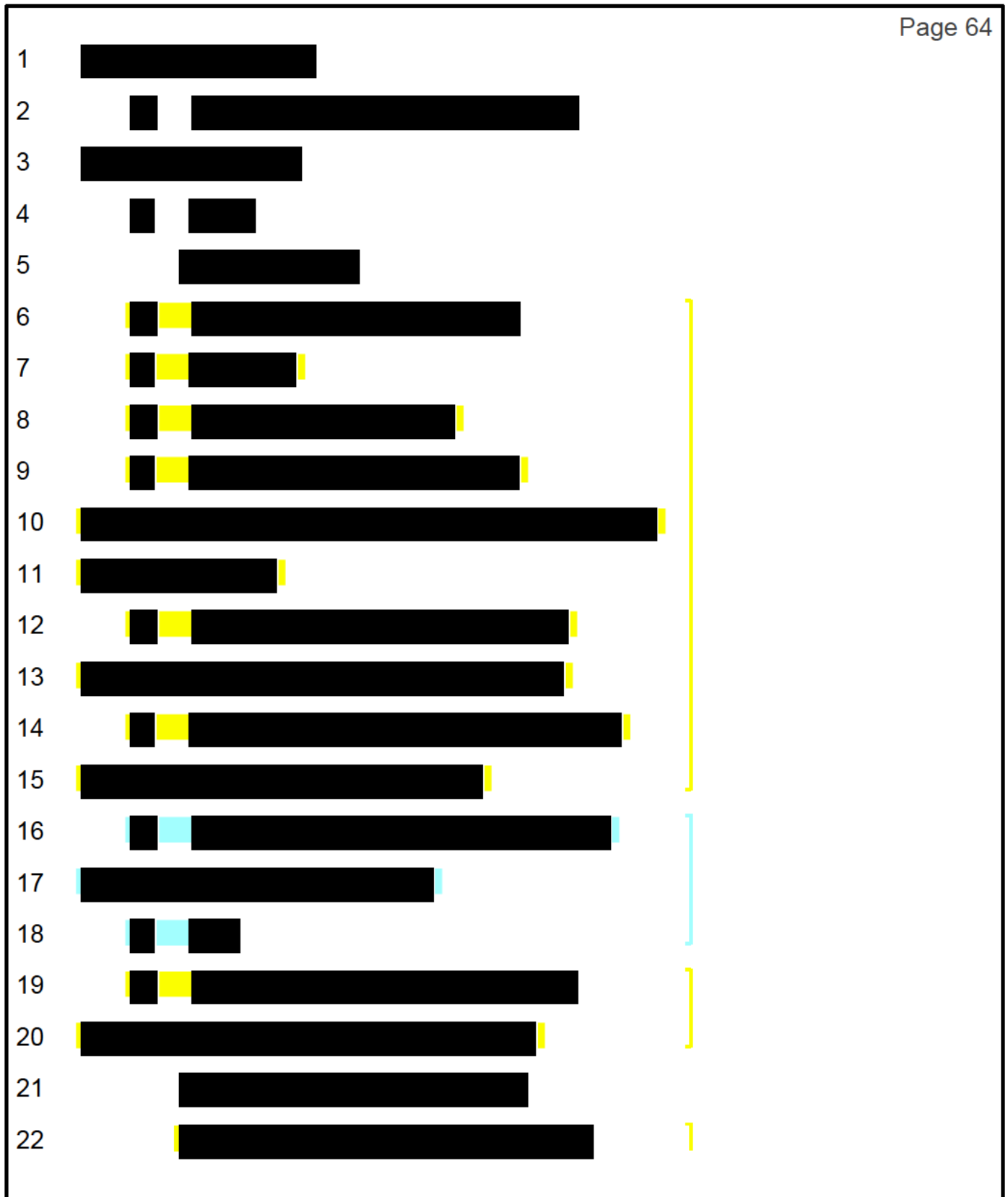
| Row | Bar Start (approx. %) | Bar End (approx. %) | Yellow Markers (approx. %) |
|-----|-----------------------|---------------------|----------------------------|
| 1   | 15                    | 60                  | 15, 60                     |
| 2   | 5                     | 35                  | 5, 35                      |
| 3   | 15                    | 90                  | 15, 20, 90                 |
| 4   | 15                    | 75                  | 15, 20, 75                 |
| 5   | 15                    | 90                  | 15, 20, 90                 |
| 6   | 5                     | 35                  | 5, 35                      |
| 7   | 15                    | 90                  | 15, 20, 90                 |
| 8   | 5                     | 10                  | 5, 10                      |
| 9   | 15                    | 90                  | 15, 90                     |
| 10  | 15                    | 85                  | 15, 85                     |
| 11  | 5                     | 30                  | 5, 30                      |
| 12  | 15                    | 75                  | 15, 20, 75                 |
| 13  | 5                     | 85                  | 5, 85                      |
| 14  | 15                    | 25                  | 15, 20, 25                 |
| 15  | 15                    | 75                  | 15, 20, 75                 |
| 16  | 5                     | 90                  | 5, 90                      |
| 17  | 15                    | 55                  | 15, 55                     |
| 18  | 15                    | 75                  | 15, 75                     |
| 19  | 15                    | 90                  | 15, 90                     |
| 20  | 15                    | 85                  | 15, 85                     |
| 21  | 15                    | 25                  | 15, 25                     |
| 22  |                       |                     |                            |

● Masimo Designations (Page 62:1 to Page 62:8, Page 62:9 to Page 62:10, Page 62:18 to Page 63:3)  
Designations (Page 62:12 to Page 62:16)

- Masimo

|    |            |  |
|----|------------|--|
| 1  | [REDACTED] |  |
| 2  | [REDACTED] |  |
| 3  | [REDACTED] |  |
| 4  | [REDACTED] |  |
| 5  | [REDACTED] |  |
| 6  | [REDACTED] |  |
| 7  | [REDACTED] |  |
| 8  | [REDACTED] |  |
| 9  | [REDACTED] |  |
| 10 | [REDACTED] |  |
| 11 | [REDACTED] |  |
| 12 | [REDACTED] |  |
| 13 | [REDACTED] |  |
| 14 | [REDACTED] |  |
| 15 | [REDACTED] |  |
| 16 | [REDACTED] |  |
| 17 | [REDACTED] |  |
| 18 | [REDACTED] |  |
| 19 | [REDACTED] |  |
| 20 | [REDACTED] |  |
| 21 | [REDACTED] |  |
| 22 |            |  |

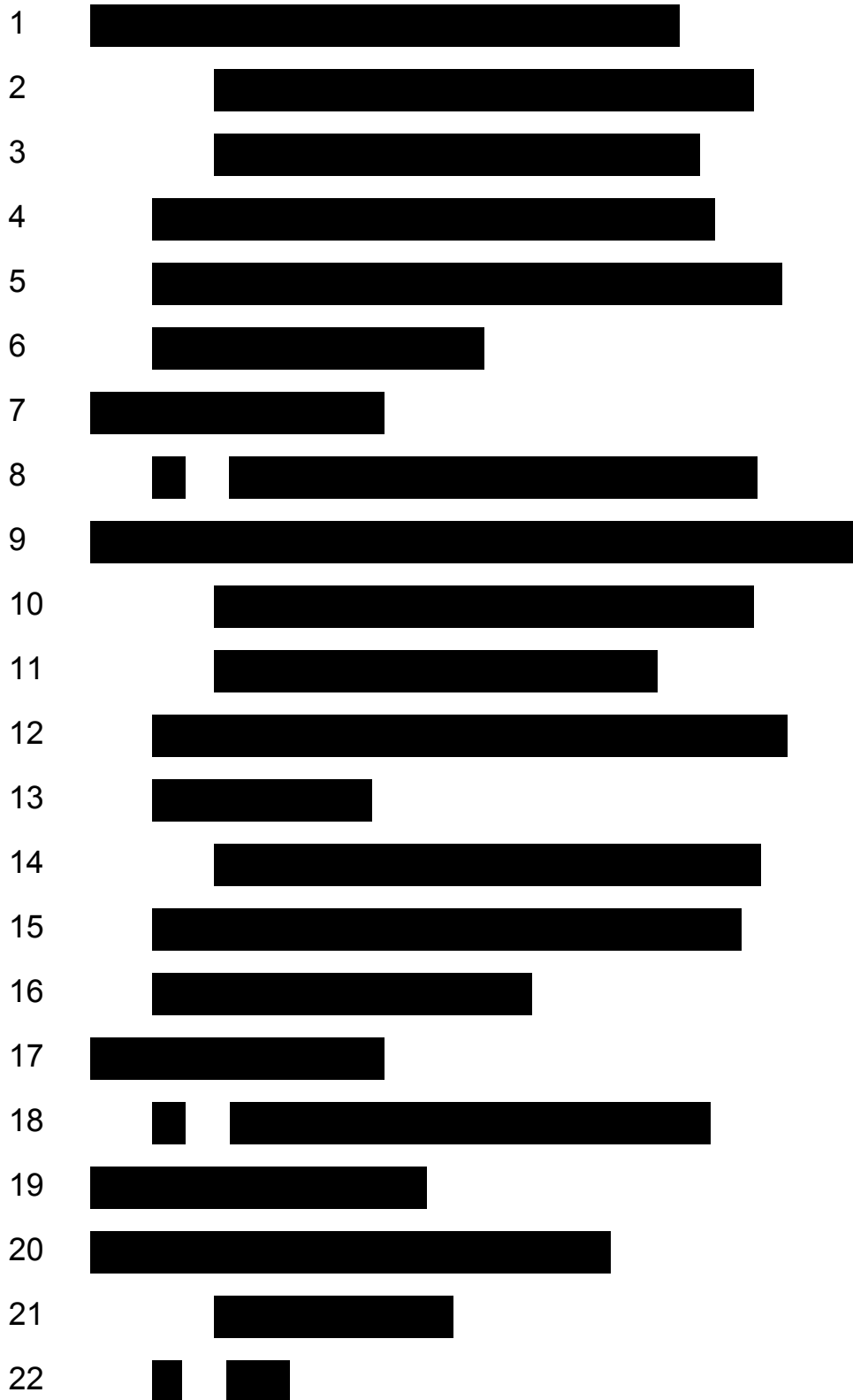
● Masimo Designations (Page 63:5 to Page 63:8, Page 63:13 to Page 63:17)



● Masimo Designations (Page 64:6 to Page 64:15, Page 64:19 to Page 64:20)  
(Page 64:16 to Page 64:18) ● Masimo Designations (Page 64:22 to Page 65:1)

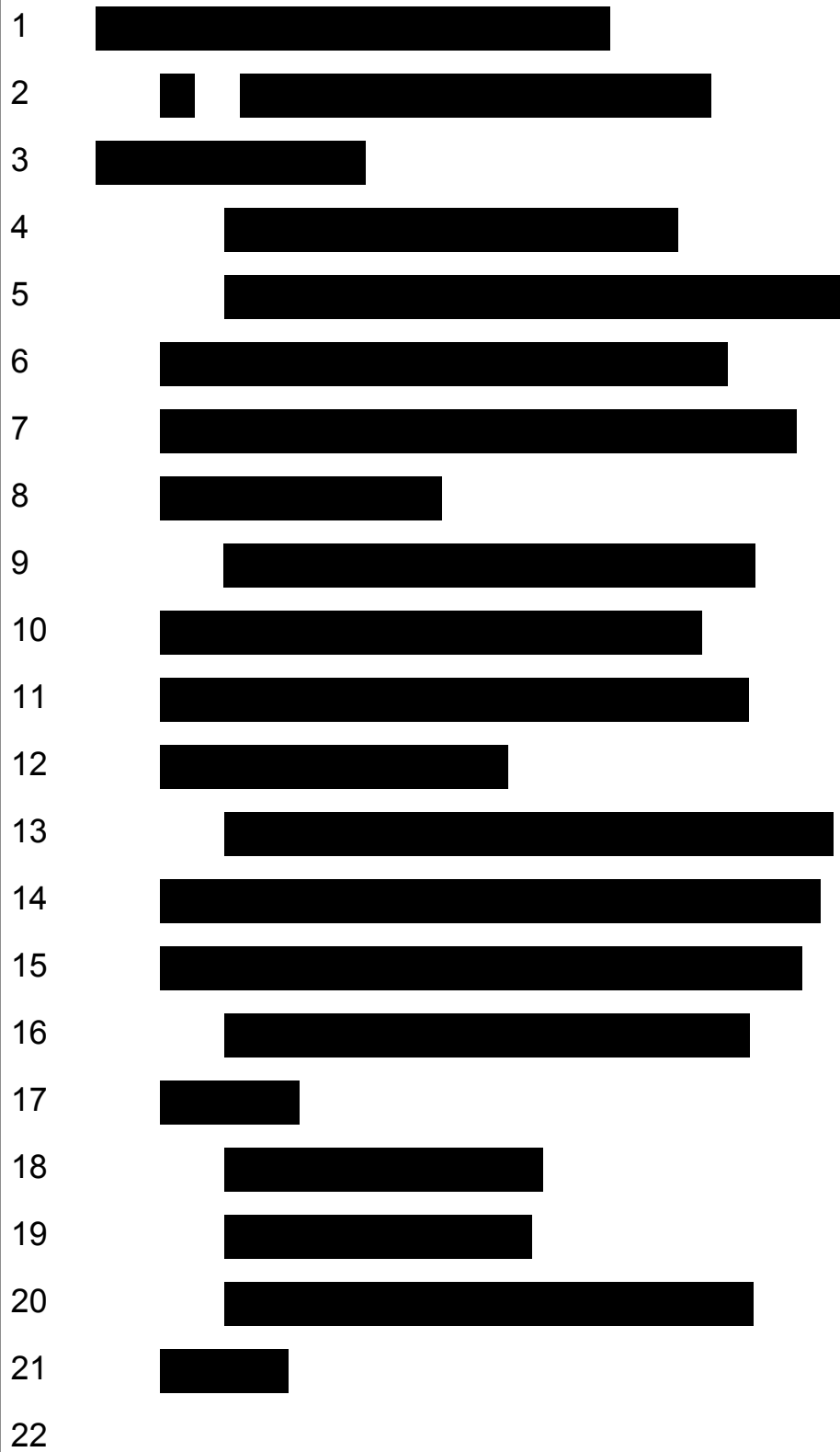
● Apple Counter-Designations

|    |  |  |  |
|----|--|--|--|
| 1  |  |  |  |
| 2  |  |  |  |
| 3  |  |  |  |
| 4  |  |  |  |
| 5  |  |  |  |
| 6  |  |  |  |
| 7  |  |  |  |
| 8  |  |  |  |
| 9  |  |  |  |
| 10 |  |  |  |
| 11 |  |  |  |
| 12 |  |  |  |
| 13 |  |  |  |
| 14 |  |  |  |
| 15 |  |  |  |
| 16 |  |  |  |
| 17 |  |  |  |
| 18 |  |  |  |
| 19 |  |  |  |
| 20 |  |  |  |
| 21 |  |  |  |
| 22 |  |  |  |



|    |                                                                                      |                                                                                      |
|----|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1  |     |     |
| 2  |     |                                                                                      |
| 3  |                                                                                      |     |
| 4  |     |                                                                                      |
| 5  |                                                                                      |    |
| 6  |     |                                                                                      |
| 7  |     |                                                                                      |
| 8  |     |    |
| 9  |     |                                                                                      |
| 10 |     |     |
| 11 |    |    |
| 12 |   |   |
| 13 |  |                                                                                      |
| 14 |   |   |
| 15 |   |                                                                                      |
| 16 |   |   |
| 17 |   |                                                                                      |
| 18 |   |                                                                                      |
| 19 |   |  |
| 20 |  |                                                                                      |
| 21 |   |                                                                                      |
| 22 |   |   |

|    |                                                                                      |                                                                                     |
|----|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1  |     |    |
| 2  |     |   |
| 3  |     |                                                                                     |
| 4  |     |    |
| 5  |     |    |
| 6  |     |                                                                                     |
| 7  |     |    |
| 8  |    |                                                                                     |
| 9  |     |                                                                                     |
| 10 |     |    |
| 11 |    |   |
| 12 |   |  |
| 13 |  |                                                                                     |
| 14 |   |                                                                                     |
| 15 |   |                                                                                     |
| 16 |   |  |
| 17 |                                                                                      |  |
| 18 |                                                                                      |  |
| 19 |   |                                                                                     |
| 20 |   |                                                                                     |
| 21 |   |  |
| 22 |   |  |

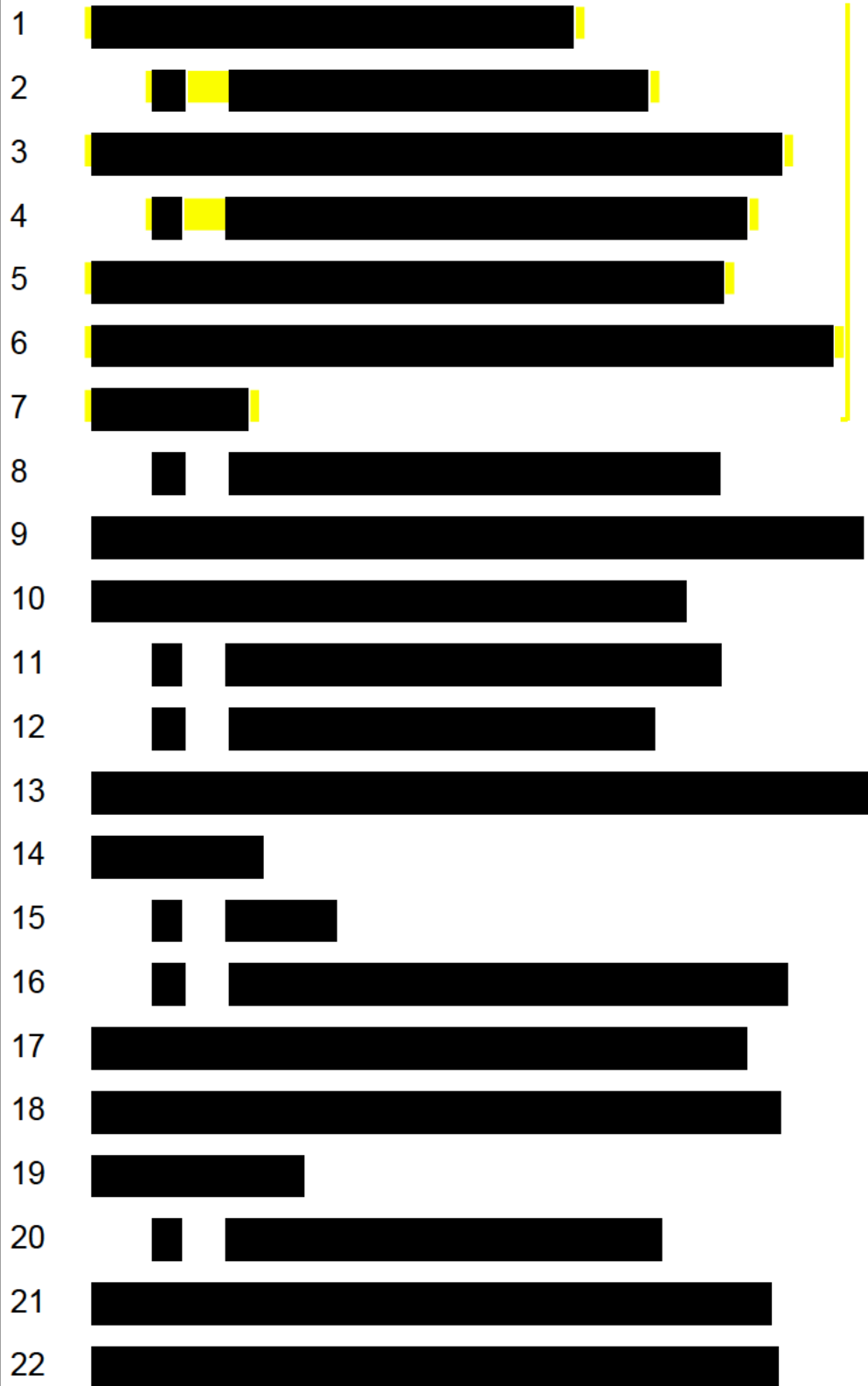


|    |            |
|----|------------|
| 1  | [REDACTED] |
| 2  | [REDACTED] |
| 3  | [REDACTED] |
| 4  | [REDACTED] |
| 5  | [REDACTED] |
| 6  | [REDACTED] |
| 7  | [REDACTED] |
| 8  | [REDACTED] |
| 9  | [REDACTED] |
| 10 | [REDACTED] |
| 11 | [REDACTED] |
| 12 | [REDACTED] |
| 13 | [REDACTED] |
| 14 | [REDACTED] |
| 15 | [REDACTED] |
| 16 | [REDACTED] |
| 17 | [REDACTED] |
| 18 | [REDACTED] |
| 19 | [REDACTED] |
| 20 | [REDACTED] |
| 21 | [REDACTED] |
| 22 | [REDACTED] |

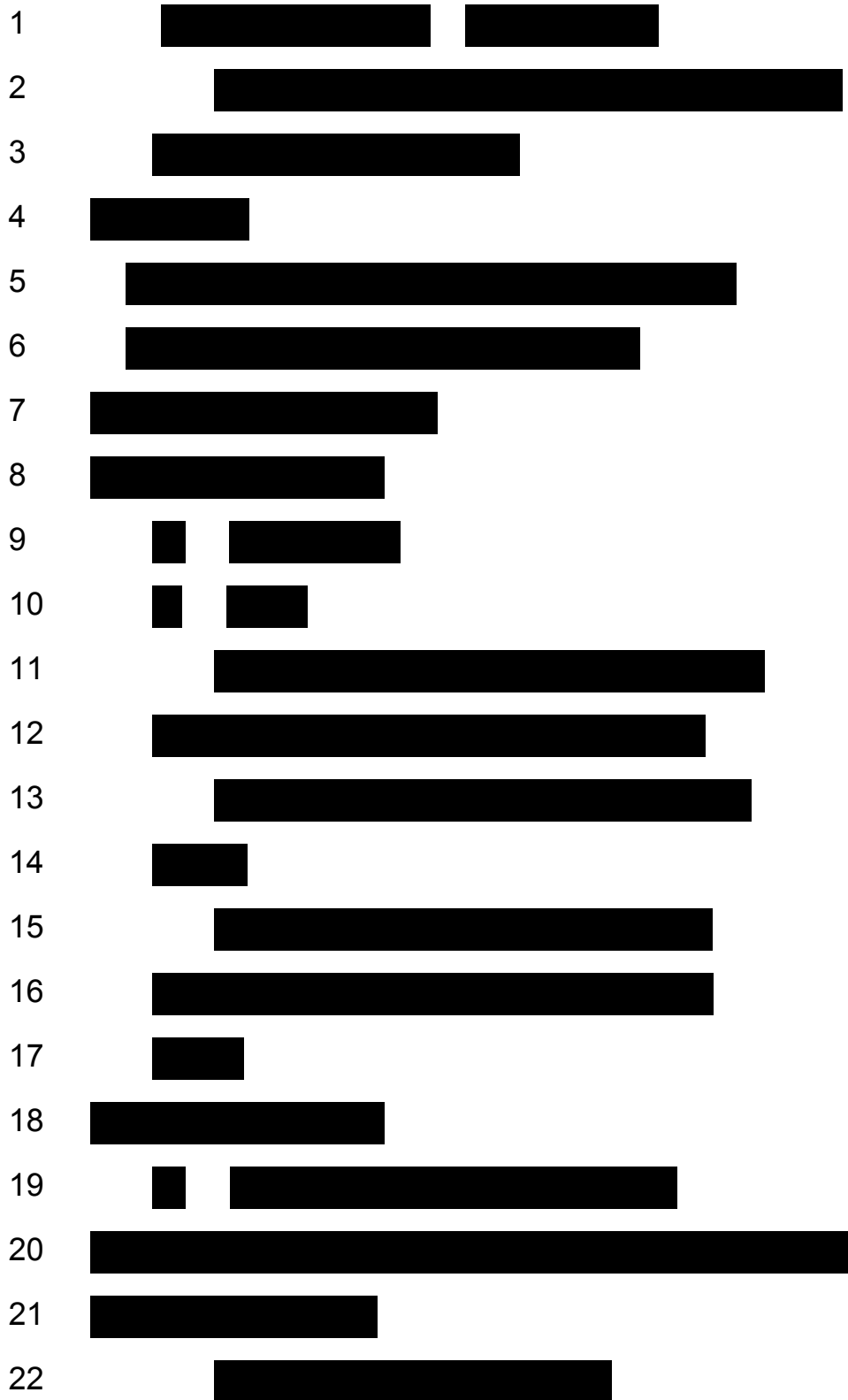
● Masimo Designations (Page 70:17 to Page 70:19, Page 70:21 to Page 71:10)

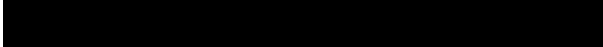


● Masimo Designations (Page 71:11 to Page 72:7)

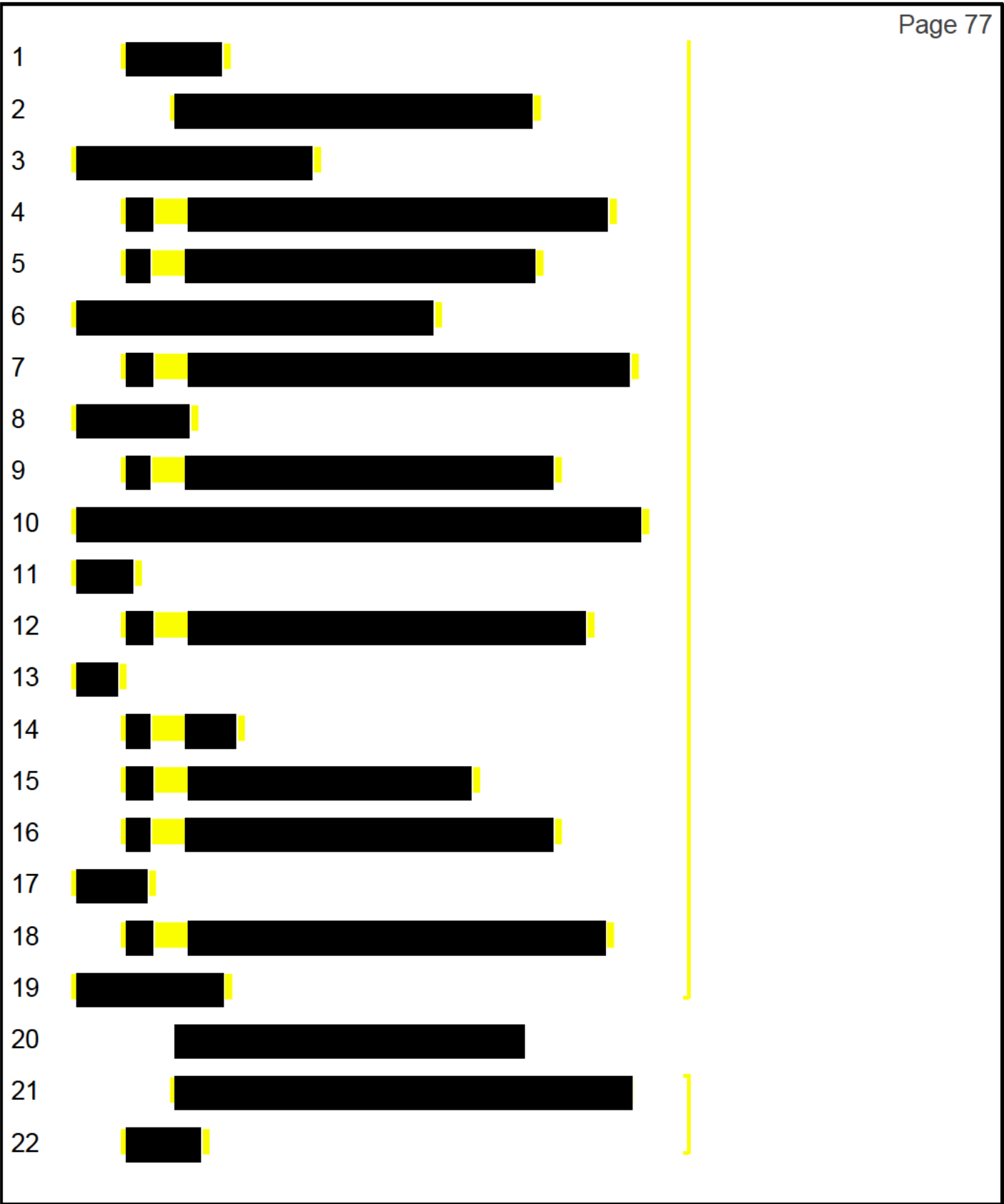


|    |  |
|----|--|
| 1  |  |
| 2  |  |
| 3  |  |
| 4  |  |
| 5  |  |
| 6  |  |
| 7  |  |
| 8  |  |
| 9  |  |
| 10 |  |
| 11 |  |
| 12 |  |
| 13 |  |
| 14 |  |
| 15 |  |
| 16 |  |
| 17 |  |
| 18 |  |
| 19 |  |
| 20 |  |
| 21 |  |
| 22 |  |

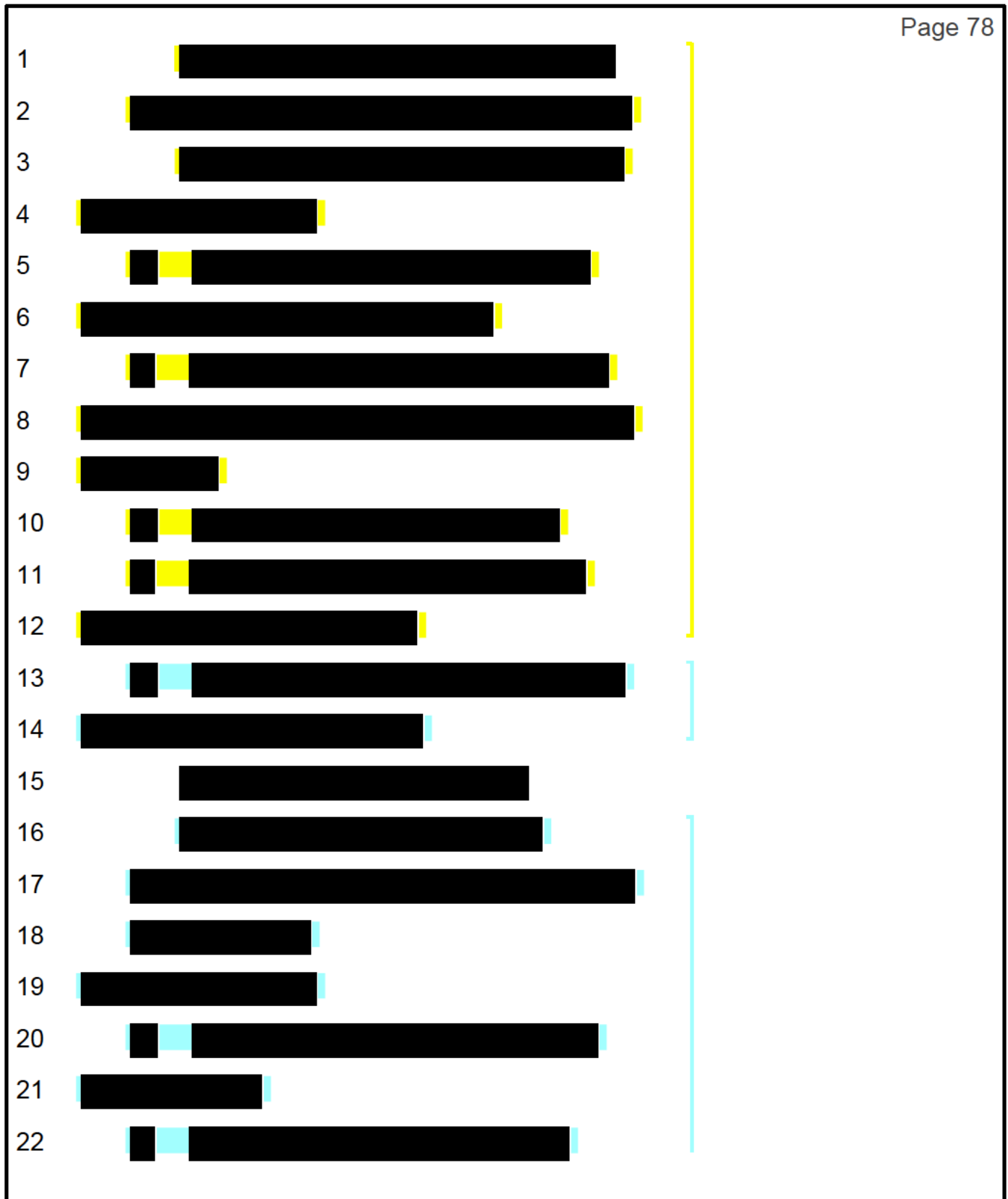


|    |                                                                                     |                                                                                      |
|----|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1  |    |     |
| 2  |                                                                                     |     |
| 3  |                                                                                     |     |
| 4  |                                                                                     |     |
| 5  |                                                                                     |     |
| 6  |    |                                                                                      |
| 7  |    |     |
| 8  |                                                                                     |     |
| 9  |    |     |
| 10 |                                                                                     |    |
| 11 |    |     |
| 12 |                                                                                     |   |
| 13 |  |   |
| 14 |  |   |
| 15 |  |   |
| 16 |  |   |
| 17 |  |   |
| 18 |                                                                                     |   |
| 19 |                                                                                     |   |
| 20 |  |                                                                                      |
| 21 |                                                                                     |  |
| 22 |  |                                                                                      |

● Masimo Designations (Page 76:21 to Page 77:19)



● Masimo Designations (Page 77:21 to Page 77:22)



● Masimo Designations (Page 78:1 to Page 78:12)  
Page 78:16 to Page 79:3)

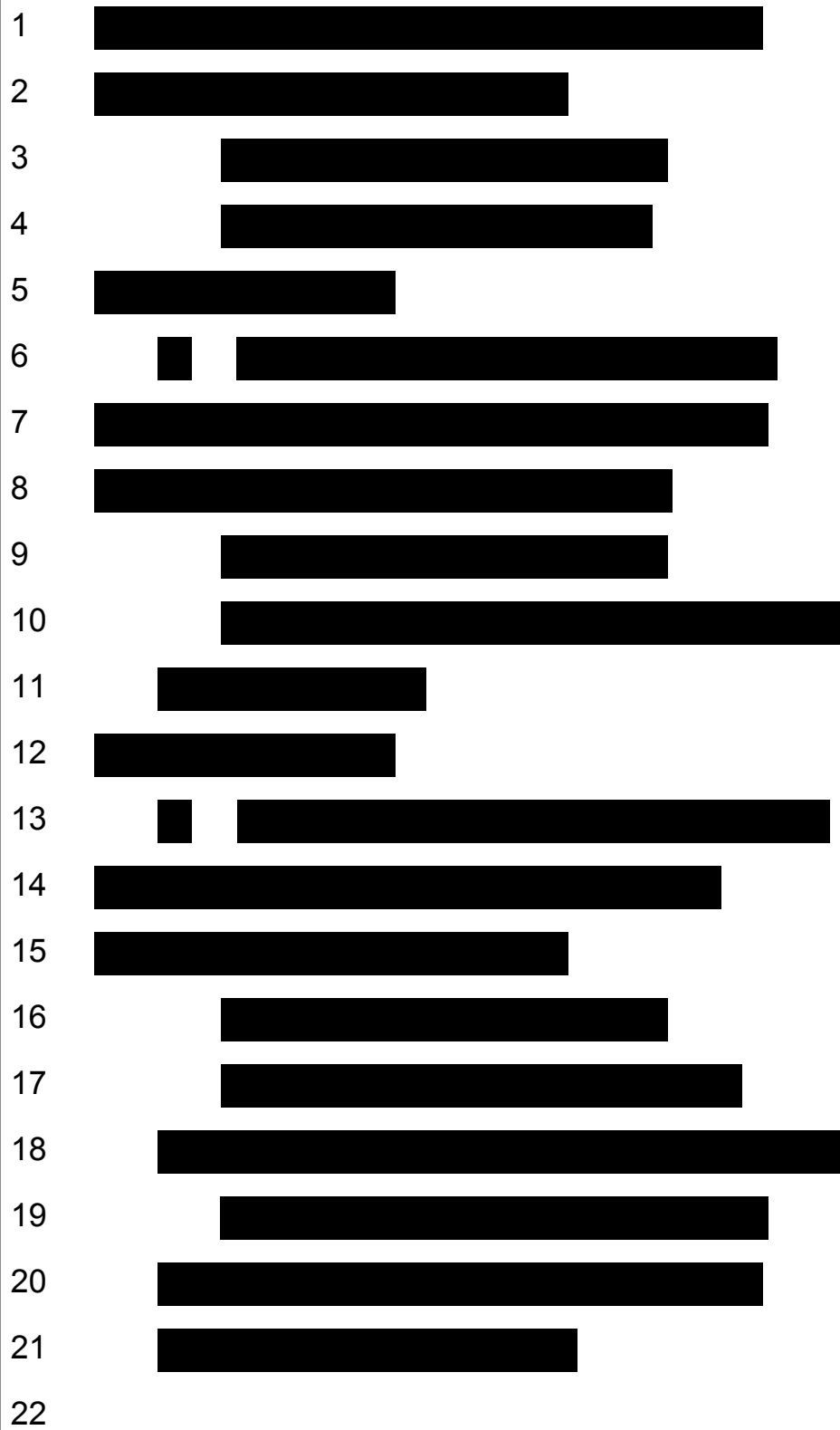
● Apple Counter-Designations (Page 78:13 to Page 78:14,  
Page 79:3)

|    |            |  |
|----|------------|--|
| 1  | [REDACTED] |  |
| 2  | [REDACTED] |  |
| 3  | [REDACTED] |  |
| 4  | [REDACTED] |  |
| 5  | [REDACTED] |  |
| 6  | [REDACTED] |  |
| 7  | [REDACTED] |  |
| 8  | [REDACTED] |  |
| 9  | [REDACTED] |  |
| 10 | [REDACTED] |  |
| 11 | [REDACTED] |  |
| 12 | [REDACTED] |  |
| 13 | [REDACTED] |  |
| 14 | [REDACTED] |  |
| 15 | [REDACTED] |  |
| 16 | [REDACTED] |  |
| 17 | [REDACTED] |  |
| 18 | [REDACTED] |  |
| 19 | [REDACTED] |  |
| 20 | [REDACTED] |  |
| 21 | [REDACTED] |  |
| 22 | [REDACTED] |  |

● Masimo Designations (Page 79:4 to Page 79:7, Page 79:15 to Page 80:2)

|    |            |  |
|----|------------|--|
| 1  | [REDACTED] |  |
| 2  | [REDACTED] |  |
| 3  | [REDACTED] |  |
| 4  | [REDACTED] |  |
| 5  | [REDACTED] |  |
| 6  | [REDACTED] |  |
| 7  | [REDACTED] |  |
| 8  | [REDACTED] |  |
| 9  | [REDACTED] |  |
| 10 | [REDACTED] |  |
| 11 | [REDACTED] |  |
| 12 | [REDACTED] |  |
| 13 | [REDACTED] |  |
| 14 | [REDACTED] |  |
| 15 | [REDACTED] |  |
| 16 | [REDACTED] |  |
| 17 | [REDACTED] |  |
| 18 | [REDACTED] |  |
| 19 | [REDACTED] |  |
| 20 | [REDACTED] |  |
| 21 | [REDACTED] |  |
| 22 | [REDACTED] |  |

● Apple Counter-Designations (Page 80:3 to Page 80:5, Page 80:14 to Page 80:15)





Apple Counter-Designations (Page 82:2 to Page 82:5) Masimo Designations (Page 82:6 to Page 82:8, Page 82:15 to Page 82:17) Masimo Designations (Page 82:20 to Page 83:5)

|    |            |  |
|----|------------|--|
| 1  | [REDACTED] |  |
| 2  | [REDACTED] |  |
| 3  | [REDACTED] |  |
| 4  | [REDACTED] |  |
| 5  | [REDACTED] |  |
| 6  | [REDACTED] |  |
| 7  | [REDACTED] |  |
| 8  | [REDACTED] |  |
| 9  | [REDACTED] |  |
| 10 | [REDACTED] |  |
| 11 | [REDACTED] |  |
| 12 | [REDACTED] |  |
| 13 | [REDACTED] |  |
| 14 | [REDACTED] |  |
| 15 | [REDACTED] |  |
| 16 | [REDACTED] |  |
| 17 | [REDACTED] |  |
| 18 | [REDACTED] |  |
| 19 | [REDACTED] |  |
| 20 | [REDACTED] |  |
| 21 | [REDACTED] |  |
| 22 | [REDACTED] |  |

● Masimo Designations (Page 83:8 to Page 83:10)

|    |  |  |
|----|--|--|
| 1  |  |  |
| 2  |  |  |
| 3  |  |  |
| 4  |  |  |
| 5  |  |  |
| 6  |  |  |
| 7  |  |  |
| 8  |  |  |
| 9  |  |  |
| 10 |  |  |
| 11 |  |  |
| 12 |  |  |
| 13 |  |  |
| 14 |  |  |
| 15 |  |  |
| 16 |  |  |
| 17 |  |  |
| 18 |  |  |
| 19 |  |  |
| 20 |  |  |
| 21 |  |  |
| 22 |  |  |

|    |                                                                                     |                                                                                      |
|----|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1  |    |     |
| 2  |    |                                                                                      |
| 3  |    |     |
| 4  |    |                                                                                      |
| 5  |                                                                                     |    |
| 6  |                                                                                     |    |
| 7  |    |                                                                                      |
| 8  |    |                                                                                      |
| 9  |    |                                                                                      |
| 10 |                                                                                     |    |
| 11 |   |                                                                                      |
| 12 |  |                                                                                      |
| 13 |                                                                                     |  |
| 14 |  |                                                                                      |
| 15 |  |                                                                                      |
| 16 |  |                                                                                      |
| 17 |                                                                                     |   |
| 18 |                                                                                     |  |
| 19 |  |                                                                                      |
| 20 |  |                                                                                      |
| 21 |                                                                                     |   |
| 22 |                                                                                     |   |

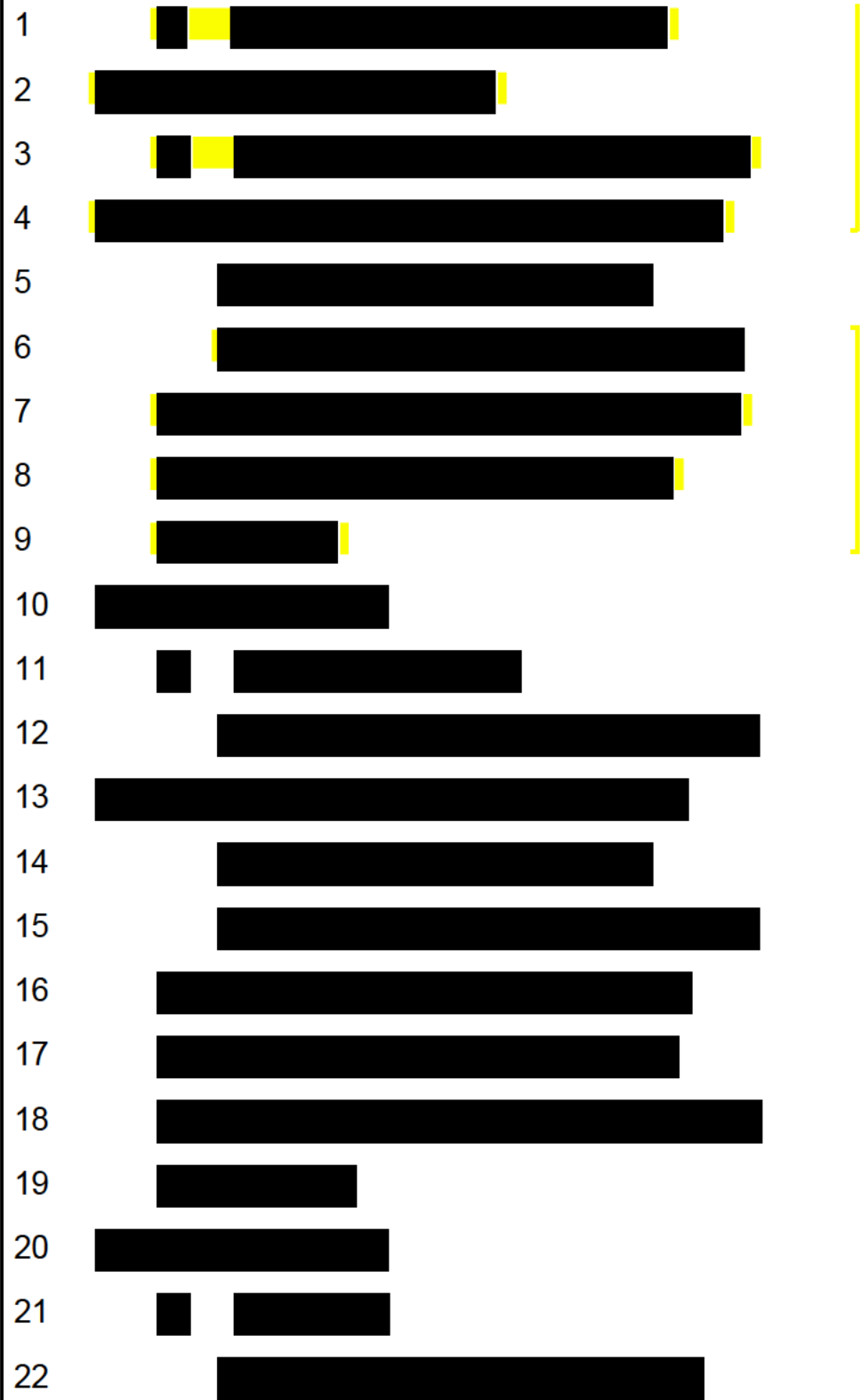
|    |            |   |
|----|------------|---|
| 1  | [REDACTED] |   |
| 2  | [REDACTED] |   |
| 3  | [REDACTED] | ] |
| 4  | [REDACTED] |   |
| 5  | [REDACTED] |   |
| 6  | [REDACTED] |   |
| 7  | [REDACTED] |   |
| 8  | [REDACTED] |   |
| 9  | [REDACTED] |   |
| 10 | [REDACTED] |   |
| 11 | [REDACTED] |   |
| 12 | [REDACTED] | ] |
| 13 | [REDACTED] |   |
| 14 | [REDACTED] |   |
| 15 | [REDACTED] |   |
| 16 | [REDACTED] |   |
| 17 | [REDACTED] |   |
| 18 | [REDACTED] |   |
| 19 | [REDACTED] |   |
| 20 | [REDACTED] |   |
| 21 | [REDACTED] |   |
| 22 | [REDACTED] |   |

● Masimo Designations (Page 86:3 to Page 86:4, Page 86:12 to Page 86:18)

|    |            |   |
|----|------------|---|
| 1  | [REDACTED] |   |
| 2  | [REDACTED] |   |
| 3  | [REDACTED] |   |
| 4  | [REDACTED] |   |
| 5  | [REDACTED] | ] |
| 6  | [REDACTED] |   |
| 7  | [REDACTED] |   |
| 8  | [REDACTED] |   |
| 9  | [REDACTED] |   |
| 10 | [REDACTED] |   |
| 11 | [REDACTED] | ] |
| 12 | [REDACTED] |   |
| 13 | [REDACTED] |   |
| 14 | [REDACTED] |   |
| 15 | [REDACTED] |   |
| 16 | [REDACTED] |   |
| 17 | [REDACTED] |   |
| 18 | [REDACTED] |   |
| 19 | [REDACTED] |   |
| 20 | [REDACTED] |   |
| 21 | [REDACTED] |   |
| 22 | [REDACTED] |   |

● Masimo Designations (Page 87:5 to Page 87:6, Page 87:11 to Page 87:16) to Page 88:4)

● Masimo Designations (Page 87:18 to Page 88:4)



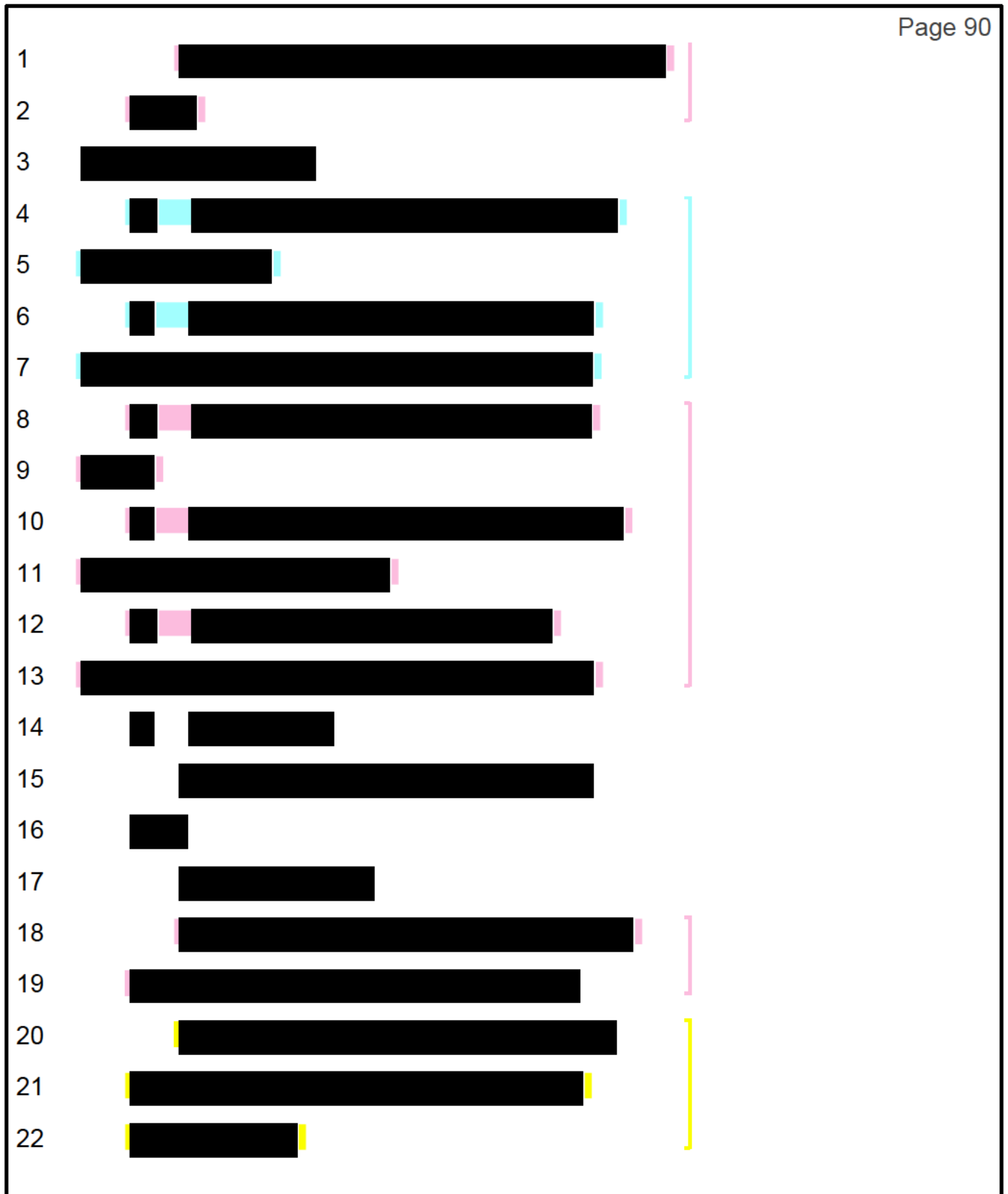
● Masimo Designations (Page 88:6 to Page 88:9)



● Masimo Counter-Counter Designations (Page 89:9 to Page 89:11, Page 89:14 to Page 89:18)

● Masimo

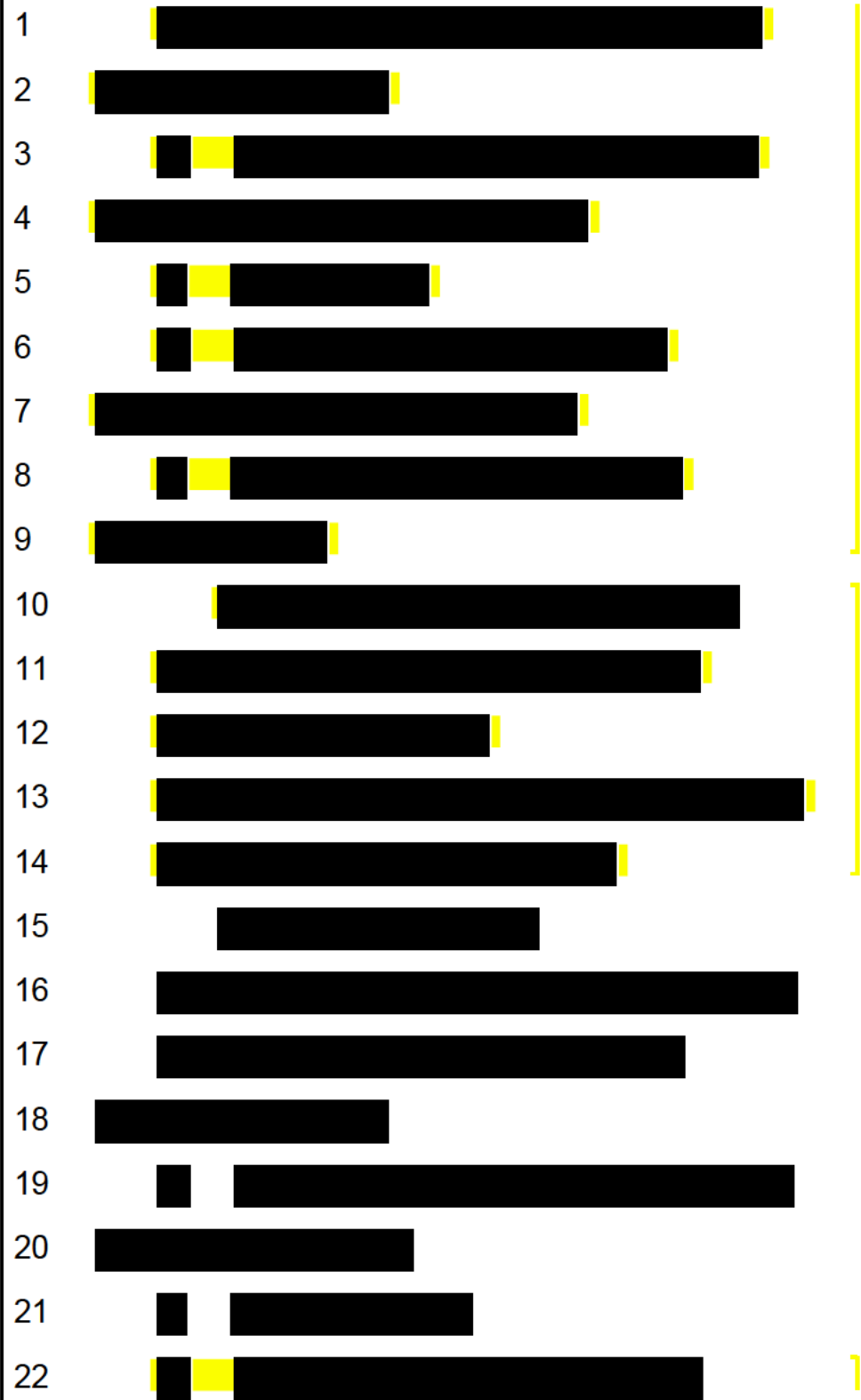
Counter-Counter Designations (Page 89:20 to Page 90:2)



● Apple Counter-Designations (Page 90:4 to Page 90:7)    ● Masimo Counter-Counter Designations (Page 90:8 to Page 90:13, Page 90:18 to Page 90:19)    ● Masimo Designations (Page 90:20 to Page 90:22)



● Masimo Designations (Page 91:9 to Page 91:15, Page 91:17 to Page 92:9)

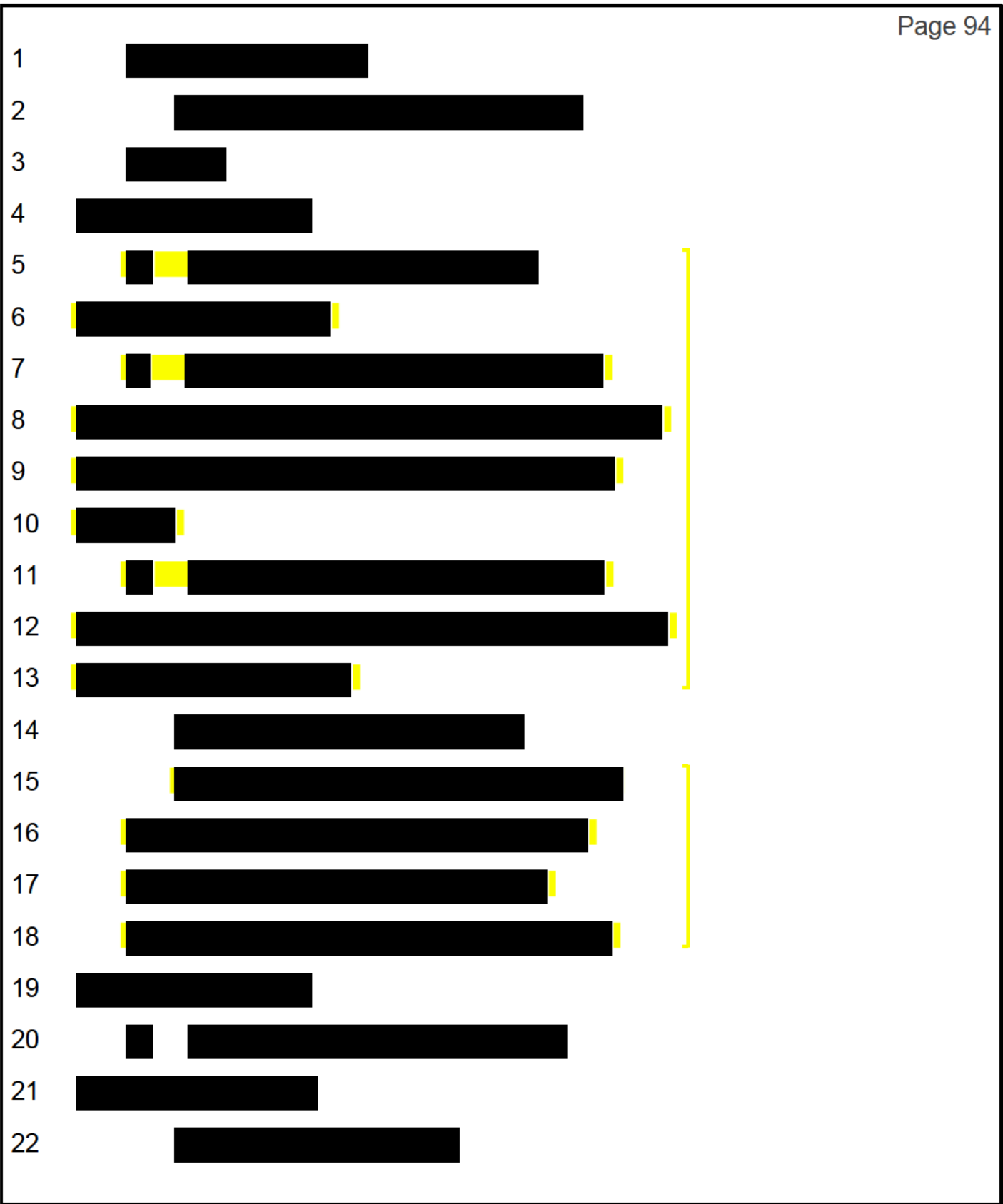


● Masimo Designations (Page 92:10 to Page 92:14, Page 92:22 to Page 93:1)

|    |                                                                                      |  |
|----|--------------------------------------------------------------------------------------|--|
| 1  |     |  |
| 2  |     |  |
| 3  |     |  |
| 4  |     |  |
| 5  |     |  |
| 6  |     |  |
| 7  |    |  |
| 8  |     |  |
| 9  |     |  |
| 10 |     |  |
| 11 |    |  |
| 12 |   |  |
| 13 |   |  |
| 14 |   |  |
| 15 |  |  |
| 16 |   |  |
| 17 |   |  |
| 18 |   |  |
| 19 |   |  |
| 20 |   |  |
| 21 |   |  |
| 22 |   |  |

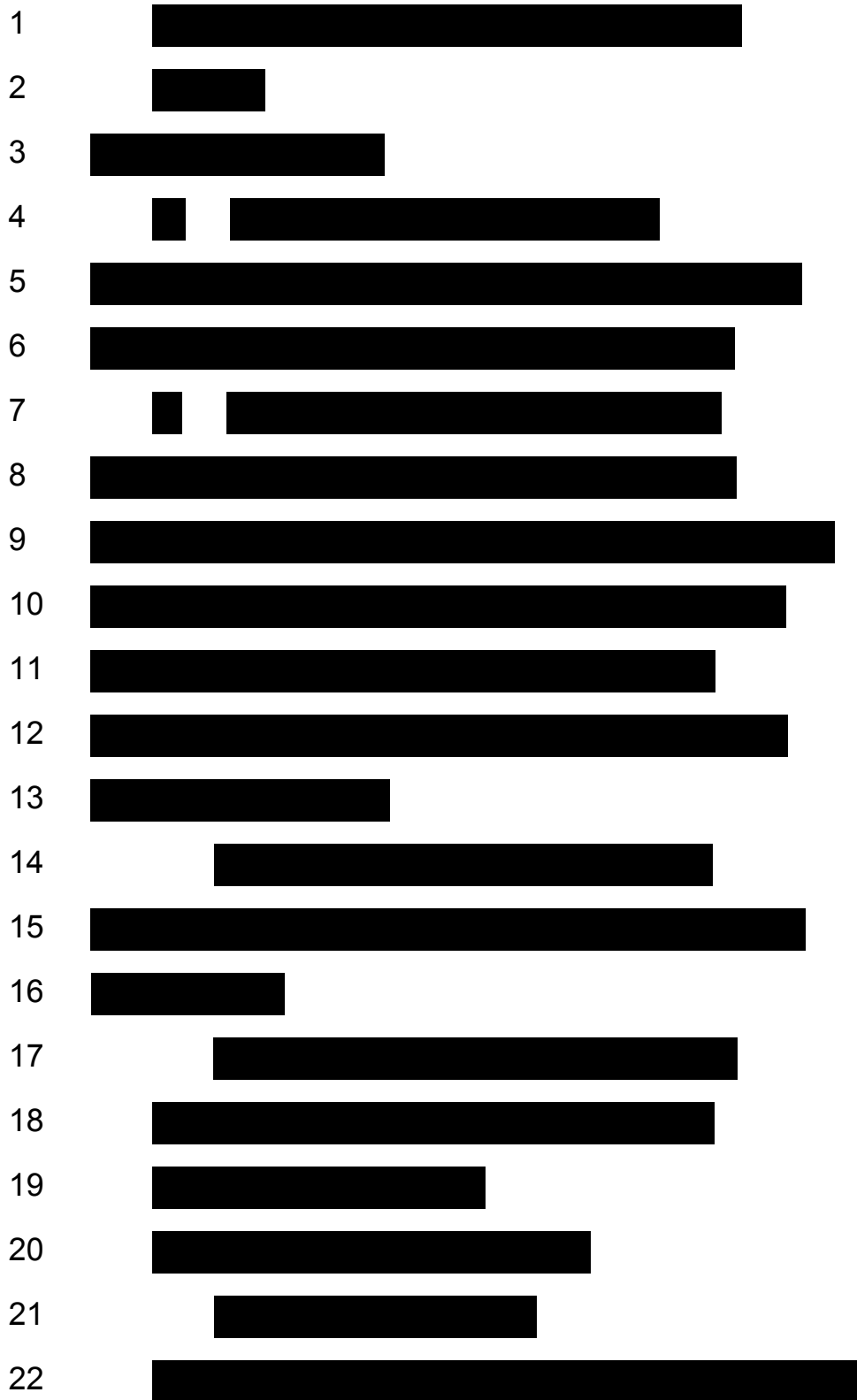
● Masimo Designations (Page 93:2 to Page 93:9, Page 93:10 to Page 93:11)  
to Page 93:20)

● Masimo Designations (Page 93:19



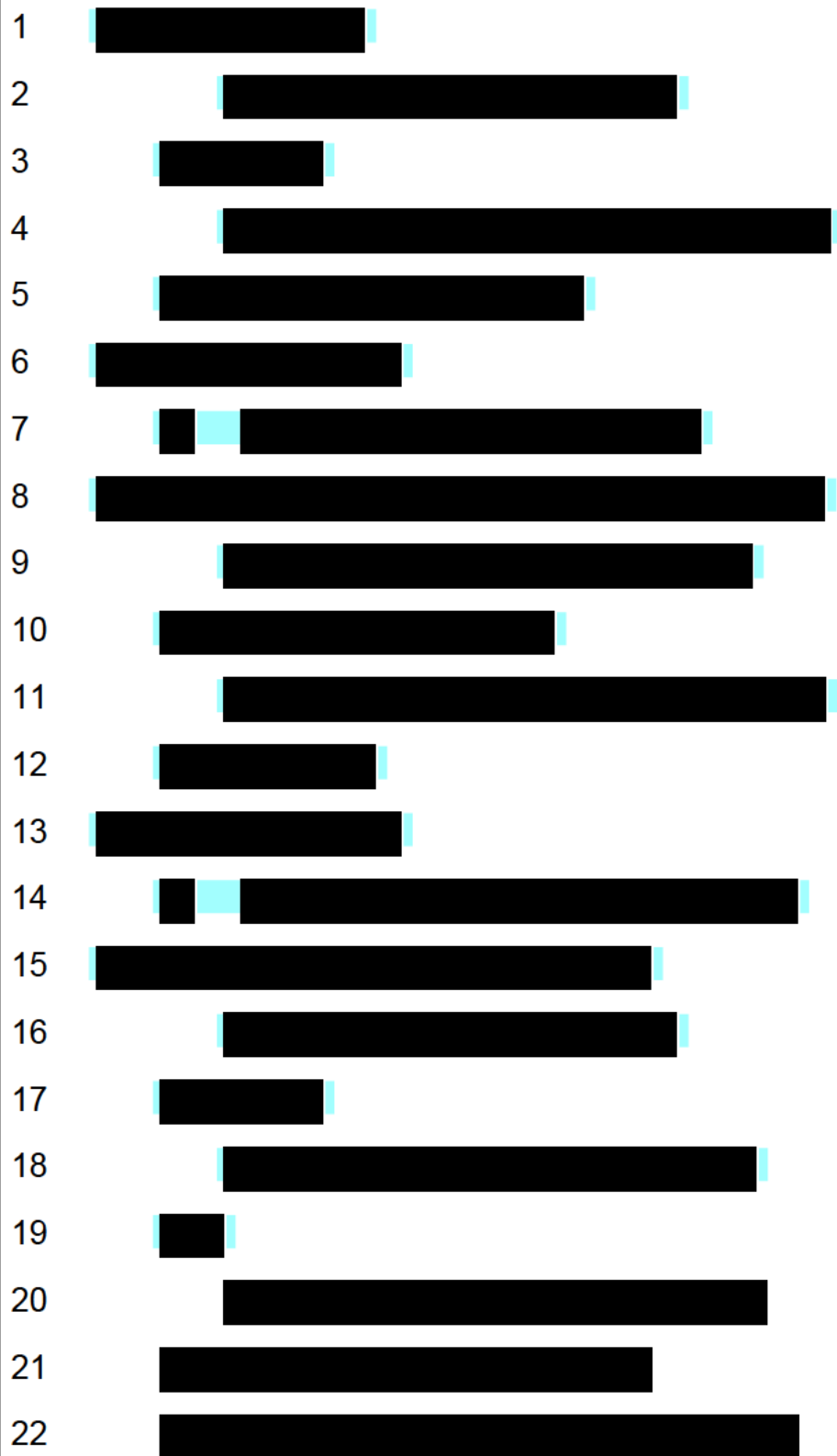
● Masimo Designations (Page 94:5 to Page 94:13, Page 94:15 to Page 94:18)

|    |  |  |
|----|--|--|
| 1  |  |  |
| 2  |  |  |
| 3  |  |  |
| 4  |  |  |
| 5  |  |  |
| 6  |  |  |
| 7  |  |  |
| 8  |  |  |
| 9  |  |  |
| 10 |  |  |
| 11 |  |  |
| 12 |  |  |
| 13 |  |  |
| 14 |  |  |
| 15 |  |  |
| 16 |  |  |
| 17 |  |  |
| 18 |  |  |
| 19 |  |  |
| 20 |  |  |
| 21 |  |  |
| 22 |  |  |



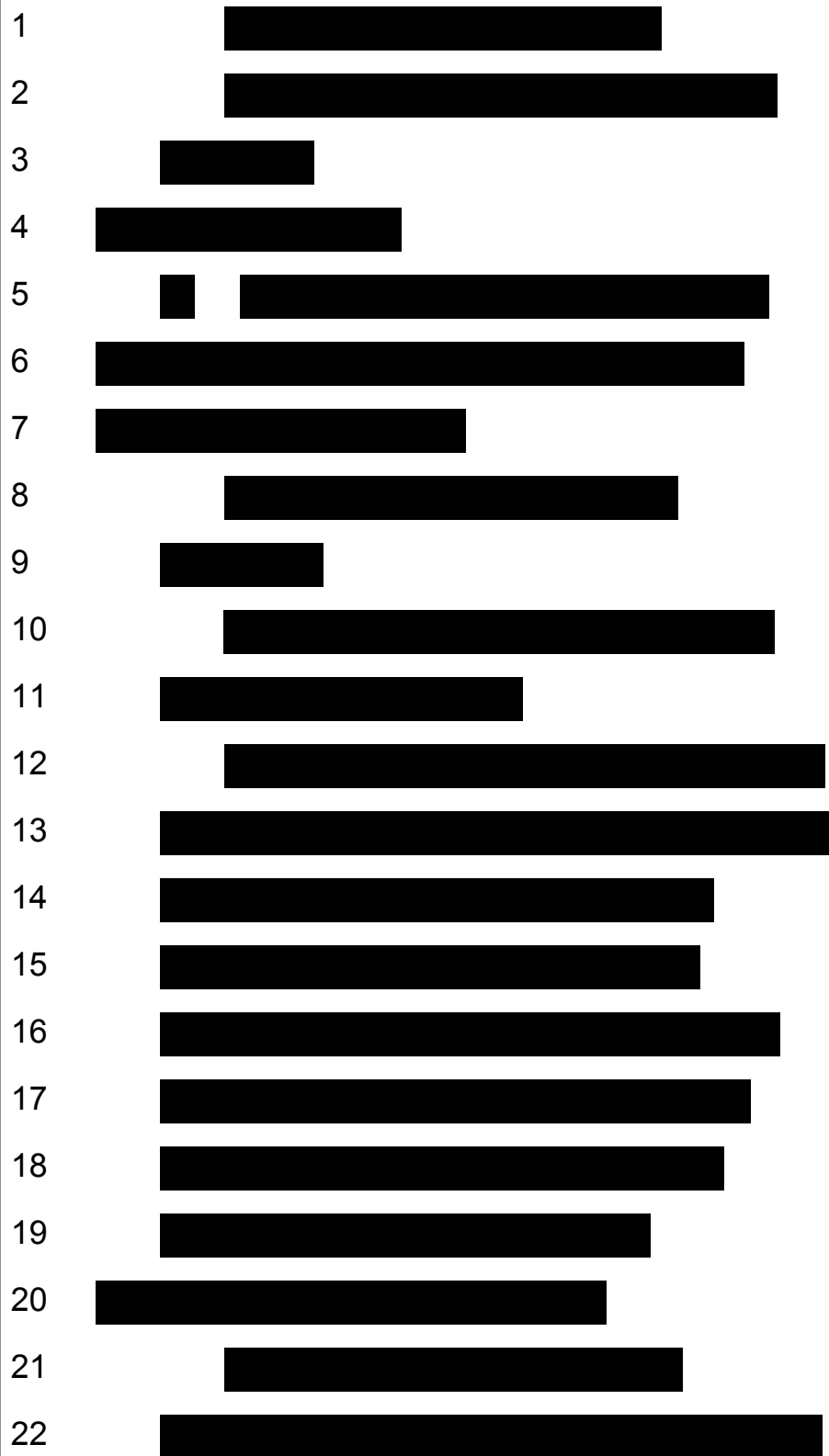
| Age Group | Yes (Black) | No (Light Blue) |
|-----------|-------------|-----------------|
| 1         | 10          | 0               |
| 2         | 8           | 0               |
| 3         | 1           | 19              |
| 4         | 9           | 0               |
| 5         | 1           | 7               |
| 6         | 1           | 14              |
| 7         | 1           | 15              |
| 8         | 1           | 3               |
| 9         | 0           | 18              |
| 10        | 2           | 0               |
| 11        | 8           | 0               |
| 12        | 1           | 16              |
| 13        | 9           | 0               |
| 14        | 1           | 3               |
| 15        | 1           | 13              |
| 16        | 1           | 17              |
| 17        | 20          | 0               |
| 18        | 3           | 0               |
| 19        | 1           | 19              |
| 20        | 10          | 0               |
| 21        | 1           | 3               |
| 22        | 1           | 19              |

- Apple Counter-Designations (Page 97:22 to Page 98:19)





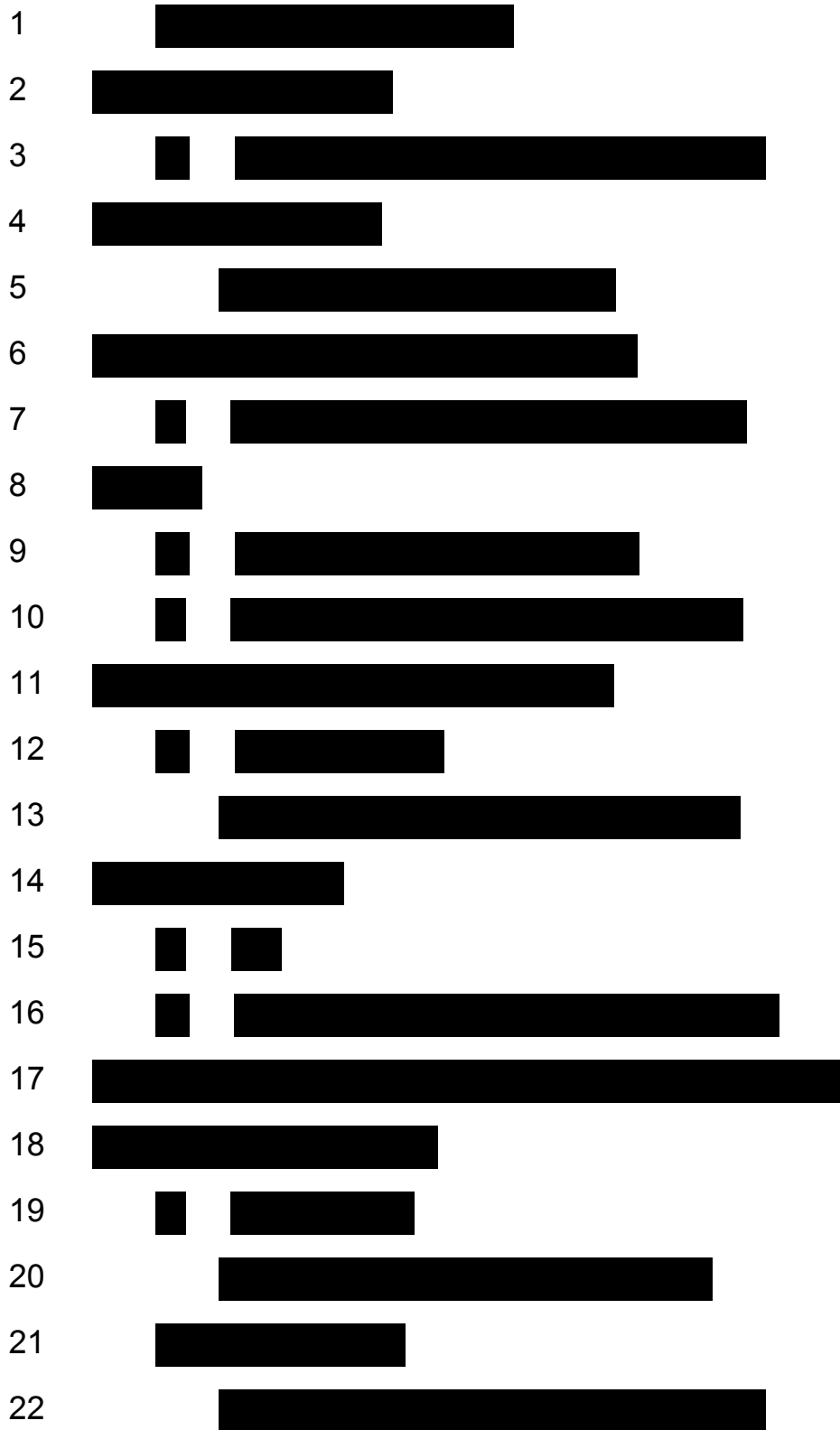






|    |  |  |
|----|--|--|
| 1  |  |  |
| 2  |  |  |
| 3  |  |  |
| 4  |  |  |
| 5  |  |  |
| 6  |  |  |
| 7  |  |  |
| 8  |  |  |
| 9  |  |  |
| 10 |  |  |
| 11 |  |  |
| 12 |  |  |
| 13 |  |  |
| 14 |  |  |
| 15 |  |  |
| 16 |  |  |
| 17 |  |  |
| 18 |  |  |
| 19 |  |  |
| 20 |  |  |
| 21 |  |  |
| 22 |  |  |

|    |  |  |
|----|--|--|
| 1  |  |  |
| 2  |  |  |
| 3  |  |  |
| 4  |  |  |
| 5  |  |  |
| 6  |  |  |
| 7  |  |  |
| 8  |  |  |
| 9  |  |  |
| 10 |  |  |
| 11 |  |  |
| 12 |  |  |
| 13 |  |  |
| 14 |  |  |
| 15 |  |  |
| 16 |  |  |
| 17 |  |  |
| 18 |  |  |
| 19 |  |  |
| 20 |  |  |
| 21 |  |  |
| 22 |  |  |





● Masimo Designations (Page 106:4 to Page 108:1)



1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 Q. What was of the most challenging part

14 of that work?

15 A. The most challenging part of the work

16 is related to the position of the Apple Watch blood

17 oxygen sensor. The watch is worn on the wrist, and

18 the wrist is well known for its lack of signal.

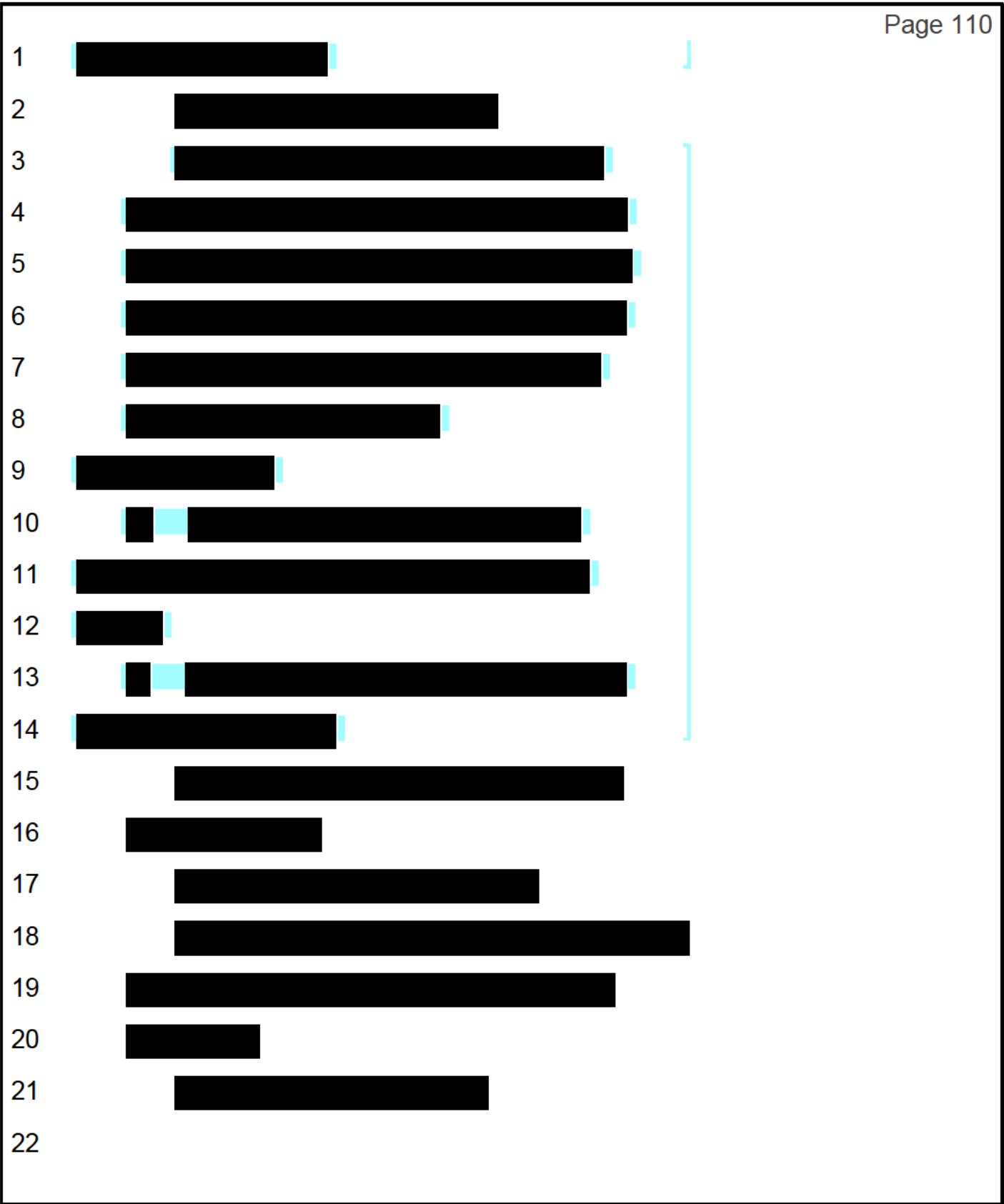
19 And, also, it's subject to a lot of external noise

20 and interference. Therefore, it's a very hostile

21 condition to do the signal processing.

22 [REDACTED]





● Apple Counter-Designations (Page 110:3 to Page 110:14)

1 STATE OF NEW YORK )

2 ss:

3 COUNTY OF WESTCHESTER )

4 I, EILEEN MULVENNA, CSR/RMR/CRR, a  
5 Certified Court Reporter, Registered Merit Reporter,  
6 Certified Realtime Reporter, and Notary Public in  
7 and for the State of New York, do hereby certify:

8 That I reported the taking of the  
9 deposition of the witness, DR. TAO SHUI,  
10 commencing on the 11th day of February , 2022, at  
11 the hour of 12:00 p.m.

12 That prior to being examined, the witness  
13 was duly sworn by me to testify to the truth, the  
14 whole truth, and nothing but the truth.

15 That I thereafter transcribed my said  
16 shorthand notes into typewriting and that the  
17 typewritten transcript of said deposition is a  
18 complete, true and accurate transcription of my  
19 said shorthand notes taken down at said time, and  
20 that a request has been made to review the  
21 transcript.

22 I further certify that I am not a relative  
or employee of an attorney or counsel of any of the  
parties, nor a relative or employee of any attorney  
or counsel involved in said action, nor a person  
financially interested in the action.

IN WITNESS WHEREOF, I have hereunto  
set my signature this 15th day of February, 2022.

\_\_\_\_\_  
EILEEN MULVENNA, CSR/RMR/CRR

1 Dr. Tao Shui, c/o  
WILMERHALE  
2 60 State Street  
Boston, Massachusetts 02109

3  
Case: 337-TA-1276  
4 Date of deposition: February 11, 2022  
Deponent: Dr. Tao Shui

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.

16  
17  
18 Sincerely,  
19 Digital Evidence Group  
20 Copyright 2022 Digital Evidence Group  
21 Copying is forbidden, including electronically, absent  
22 express written consent.

1 Digital Evidence Group, L.L.C.  
730 M Street, NW, Suite 812  
2 Washington, D.C. 20036  
(202) 232-0646

3  
4 SIGNATURE PAGE

Case: 337-TA-1276

5 Witness Name: Dr. Tao Shui

Deposition Date: February 11, 2022

6  
I do hereby acknowledge that I have read  
7 and examined the foregoing pages  
of the transcript of my deposition and that:

8  
9 (Check appropriate box):

( ) The same is a true, correct and  
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  
14 recorded.

15  
16 \_\_\_\_\_  
17 DATE

\_\_\_\_\_  
WITNESS SIGNATURE

18  
19  
20  
21 \_\_\_\_\_  
22 DATE

\_\_\_\_\_  
NOTARY

1 Digital Evidence Group, LLC  
2 1730 M Street, NW, Suite 812  
3 Washington, D.C. 20036  
4 (202)232-0646  
5

6 ERRATA SHEET  
7

8 Case: 337-TA-1276  
9 Witness Name: Dr. Tao Shui  
10 Deposition Date: February 11, 2022  
11 Page No. Line No. Change  
12  
13  
14  
15  
16  
17  
18  
19  
20

21 \_\_\_\_\_  
22 Signature Date