

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4
5 THE BOEING COMPANY,

6 Petitioner,

7 v.

8 THE REGENTS OF THE UNIVERSITY OF CALIFORNIA,

9 Patent Owner.

10
11 Case IPR2024-00761

12 U.S. Patent No. 7,487,684

13
14
15 Deposition of LaTONYA MORRIS

16 Conducted Remotely

17 Thursday, January 23, 2025

18 10:06 a.m. Eastern Standard Time

19
20 Job No. 567815

21 Pages: 1 - 69

22 Reported by: Janet A. Hamilton, RDR

1 Deposition of LaTONYA MORRIS, held
2 remotely:
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9 Pursuant to Notice, before Janet A.
10 Hamilton, Registered Diplomate Reporter and Notary
11 Public in and for the State of Maryland.
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A P P E A R A N C E S

ON BEHALF OF THE PETITIONER:

CASEY SHOMAKER, ESQUIRE

NICHOLAS T. MATICH, ESQUIRE (DC Location)

MCKOOL SMITH

300 Crescent Court

Suite 1500

Dallas, Texas 75201

214.978.4000

ON BEHALF OF THE PATENT OWNER:

RAJA SALIBA, ESQUIRE

MARK BOLAND, ESQUIRE

SUGHRE MION, PLLC

2000 Pennsylvania Avenue, NW

Suite 9000

Washington, DC 20037

202.293.7060

1 A P P E A R A N C E S C O N T I N U E D

2

3 ON BEHALF OF THE WITNESS:

4 THATCHER A. RAHMEIER, ESQUIRE

5 FAEGRE DRINKER BIDDLE & REATH LLP

6 222 Delaware Avenue

7 Suite 1410

8 Wilmington, Delaware 19801

9 302.467.4200

10

11 ALSO PRESENT:

12 ASHLEY GARRY, ESQUIRE, in-house counsel

13 ProQuest

14 ADAM VAUGHN, Remote Technician

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E X H I B I T S

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P R O C E E D I N G S

LaTONYA MORRIS,

a witness herein, being duly sworn, testified as
follows:

EXAMINATION BY COUNSEL FOR THE PATENT
OWNER

BY MR. SALIBA:

Q Good morning. My name is Raja Saliba.
I'm counsel for the patent owner, and I'll be
asking you questions today. If you could start by
stating your name for the record.

A LaTonya Morris.

Q And may I address you as Miss Morris
throughout the deposition?

A Yes.

Q Thank you. Miss Morris --

MR. RAHMEIER: Counsel, should we do
introductions for the record?

MR. SALIBA: If you'd like, that's fine.

MR. RAHMEIER: Yeah. I just want -- I
just want to say that my name is Thatcher Rahmeier

1 from the law firm of Faegre Drinker, and I'm here
2 on behalf of the third party witness, Miss LaTonya
3 Morris, from ProQuest for the limited deposition
4 in this matter.

5 MR. SALIBA: Thank you.

6 MS. SHOMAKER: This is Casey Shomaker from
7 the law firm McKoolSmith on behalf of petitioner,
8 and also with me is Nick Matich, also from
9 McKoolSmith.

10 BY MR. SALIBA:

11 Q Okay. So, Miss Morris, have you been
12 deposed before?

13 A Yes.

14 Q Approximately how many times; do you
15 recall?

16 A I don't know. I don't remember.

17 Q More than five times?

18 A I don't remember.

19 Q Do you remember when you were last
20 deposed?

21 A No, I do not.

22 Q Have you ever been deposed as an employee

1 of ProQuest?

2 A No, I was -- I have not.

3 Q Do you recall why you were deposed in the
4 past?

5 MR. RAHMEIER: Counsel, I'm going to
6 object to that question. That's well beyond the
7 topics and this limited deposition that we have an
8 order here limiting the deposition essentially to
9 her declaration but at least to the topics
10 noticed, and that's well outside. She doesn't
11 have to answer personal questions here.

12 MR. SALIBA: Counsel, I'm not going to
13 delve into her personal background. I just --
14 this is just some high level background
15 information. She can just give me a very high
16 level answer as to what the topic was. I won't be
17 delving into the deposition testimony of her prior
18 tes- -- of her prior deposition.

19 MR. RAHMEIER: Well, I again think this is
20 outside the scope, well outside the scope and, you
21 know --

22 MR. SALIBA: Your objection is noted,

1 counsel, so --

2 MR. RAHMEIER: There's an order, counsel,
3 so.

4 MR. SALIBA: I agree, and I'm allowed to
5 ask a little background questions. I'd just like
6 to get her familiarity with depositions. Again,
7 let me just -- let's just do this. It's not that
8 critical, counsel, so I won't -- I'll strike the
9 question, and we'll just move on.

10 MR. RAHMEIER: Thank you.

11 BY MR. SALIBA:

12 Q Miss Morris, I'm sure your attorney has
13 gone over some of the procedural rules of a
14 deposition, and since you haven't been, you don't
15 recall when you were last deposed, I'll just go
16 over some of the ground rules.

17 I'll be asking you questions which on
18 occasion your counsel, as he just did, might
19 object. The objection is for the record, and
20 unless your attorney instructs you not to
21 understand, you must answer the question to the
22 best of your ability. Do you understand?

1 A Yes.

2 Q And do you agree to do so?

3 A To the best of my ability, yes.

4 Q Thank you. And do you understand that
5 your testimony today is under oath?

6 A Yes.

7 Q And if there's a question I ask you that
8 you don't understand, will you let me know?

9 A Yes.

10 Q So unless you let me know, I will assume
11 you have understood my question. Is that fair?

12 MR. RAHMEIER: Objection to the form of
13 the question. You can answer if you can, Miss
14 Morris.

15 A Yes.

16 Q Thank you. At any time during this
17 deposition if you would like a break, let me know
18 and we can take one. Okay?

19 A Okay.

20 Q I would just ask that if there is a
21 pending question that we complete the question you
22 answer it before the break is taken.

1 I'm going to introduce into the chat box,
2 and there are only a handful of exhibits I'll be
3 using during this deposition. I will introduce
4 into the chat box, you'll be able to download it,
5 and I'll also share my screen so that we can all
6 see the exhibit. You're welcome to view it on
7 your screen as well.

8 Before we get into that, let me just ask
9 you, where are you located right now for your
10 deposition?

11 A Ann Arbor, Michigan.

12 Q And are you at home or in an office?

13 A Office.

14 Q At your employer ProQuest?

15 A Correct.

16 Q Is there anybody with you?

17 A No.

18 Q Do you have any documents with you?

19 A No.

20 Q Is it just the computer?

21 A Yes.

22 Q Thank you. So I will drop into the chat

1 box -- if the court reporter could mark as Exhibit
2 1 to the Morris deposition.

3 And, Miss Morris, if you could confirm
4 that you have it and are able to open it?

5 (Morris Exhibit 1 was marked for
6 identification.)

7 Q And while you're doing it --

8 A I have it.

9 Q Thank you. And I'm also sharing my --
10 stop share. Let's see. Do that again here.
11 Let's try that again. I'm sharing my screen. Do
12 you see the deposition -- I'm sorry -- the exhibit
13 I just sent over on my screen?

14 A Yes.

15 Q Okay. And do you recognize this as a
16 subpoena that was served on you?

17 A Yes.

18 Q And at the end of the subpoena are the
19 topics for deposition. Do you recognize those?

20 A Yes.

21 Q Did you do anything in preparation for
22 your deposition today?

1 A I met with counsel.

2 Q And when did you meet with counsel?

3 A Yesterday and last week.

4 Q And by counsel do you know which -- can
5 you name the counsel with whom you met?

6 A Thatcher who is on this call, Ashley Garry
7 and Elizabeth.

8 Q Elizabeth, is she counsel within ProQuest
9 or outside counsel?

10 A Outside counsel. Works with Thatcher.
11 I'm sorry. I don't remember her last name.

12 Q That's fine. And do you understand that
13 you are here today pursuant to the subpoena to
14 depose -- to testify in your personal capacity?

15 A Yes.

16 Q I'm going to drop into the chat box
17 another exhibit, and I'm putting it up on the
18 screen as well, and this is the notice of
19 deposition.

20 (Morris Exhibit 2 was marked for
21 identification.)

22 Q Have you seen this document before, Miss

1 Morris?

2 A Yes.

3 Q And this document sets the time of the
4 deposition for today at 10 a.m. Eastern time;
5 correct?

6 A I do not see a 10 a.m. Eastern time on
7 this document.

8 Q On the second -- I'm showing it on the
9 screen.

10 A Thank you. Let me look at your screen.

11 Q I can enlarge it if you'd like.

12 A Yes.

13 Q Okay. So we're sitting here today
14 pursuant to the subpoena scheduled for 10 a.m.
15 Eastern time. I just wanted to make that of
16 record.

17 Now I'm going to introduce -- close this
18 -- I'm going to introduce three exhibits. If the
19 court reporter can mark them sequentially as 3, 4
20 and 5. The first one I'm sending over now, and
21 Exhibit 3. It's 175 pages. It is labeled as
22 Boeing Exhibit 1035, pages 1 through 175.

1 Exhibit 4, if the court reporter could
2 mark this next exhibit, again, is 175 pages, a
3 declaration previously marked in the IPR as
4 Exhibit 1037, pages 1 to 175.

5 And the third one, the court reporter
6 could mark as Exhibit 5, and that is a redline
7 copy marked as Exhibit, Boeing Exhibit 1038 in the
8 IPR, pages 1 to 175, a redline copy of the
9 declaration.

10 (Morris Exhibits 3, 4 and 5 were marked
11 for identification.)

12 Q Ms. Morris, when you have all three of
13 those, if you could confirm that you have them.

14 A Confirmed.

15 Q Okay. Exhibit 3 which is on the screen,
16 do you recognize this document?

17 A I do recognize this document up to, it
18 looks like the fourth page.

19 Q You do not recognize what follows the
20 fourth page?

21 A Let me take a look. Okay. It looks like
22 the manuscript that's in question here.

1 Q And by manuscript we're referring to what
2 you refer and we'll talk about this in your
3 declaration to the dissertation or also referred
4 to as a thesis. Is that okay?

5 A Yes.

6 Q All right. So for Exhibit 3 did you draft
7 this declaration on pages 1 to 4?

8 A No.

9 Q Who drafted it?

10 A Our legal team.

11 Q Did you have any input into the
12 declaration?

13 A Yes.

14 Q What input was that?

15 A The two charts at the top that is on your
16 screen right now with the author's information,
17 the title and the degree date. So the first chart
18 and the second chart, those three data points with
19 information about publication date and the date
20 that it was available on PQDT.

21 Q And for the record you're referring to
22 page 3 of your declaration?

1 A Yes. If that's page 3 on the screen,
2 that's what I'm referring to.

3 Q Yes. And that is the two charts preceding
4 paragraph 9 of your declaration; correct?

5 A Correct.

6 Q Aside from these two charts did you have
7 any input into this declaration?

8 A No.

9 Q If you turn to page 4 of the declaration,
10 is that your signature?

11 A Yes.

12 Q And the first sentence on page 4 states:
13 "I make this declaration on personal knowledge,
14 and if called as a witness at trial, I'm competent
15 to testify."

16 Do you see that?

17 A Yes.

18 Q And you stand by that statement today;
19 correct?

20 A Yes.

21 Q So you said your input into the
22 declaration was the two charts on page 3. Did you

1 have any in -- does that mean you did not have any
2 input with respect to the remaining paragraphs in
3 the declaration?

4 A Yes.

5 Q Yes, you did not have input, or yes, you
6 had input? I'm sorry.

7 A Again, I did not have any input other than
8 the two charts on page 3. All other text was by
9 our legal team, internal legal team.

10 Q It states in paragraph 1 that you have
11 personal knowledge of the facts set forth in this
12 declaration. Do you see that?

13 A I'm sorry. The -- I'm sorry. Excuse me.
14 The light in the conference room just went out
15 automatically. Okay. I had to move for it to
16 come back on.

17 Q No, I understand. We have the same system
18 in our office. I'll repeat the question.

19 Paragraph 1 of Exhibit 3, your
20 declaration, states that, "that I am over 18 years
21 of age and have personal knowledge of the facts
22 set forth in this declaration based upon practices

1 and training encountered in the course of my
2 work."

3 Do you see that?

4 A Yes.

5 Q So is it the case that your knowledge of
6 all the facts stated in this declaration is based
7 on your personal knowledge or in view of your
8 prior testimony that your input was only with
9 respect to the two tables, your personal knowledge
10 is just with respect to those two tables?

11 MR. RAHMEIER: Object to the form of the
12 question. Mischaracterizes prior testimony.

13 MR. SALIBA: Counsel, in this proceeding
14 you can object to the form, but speaking
15 objections are not permitted by the PTAB.

16 Q You can answer the question, Miss Morris.

17 A I am -- yes. The two charts is what I
18 provided to our legal team to add to this
19 document, and to the extent that I'm aware of the
20 text that is available in the document, I have
21 access to resources within our internal system to
22 corroborate what's in this document. It's not

1 something that I necessarily need to know to do my
2 job.

3 Q I understand. You submitted a second
4 declaration; correct? And that's Exhibit 4?

5 A Yes.

6 Q And as we go through this deposition is it
7 okay if I refer to Exhibit 3 as your first
8 declaration which you signed on March 5th, 2024,
9 and to Exhibit 4 as your second declaration which
10 I believe you signed on December 18, 2024? Is
11 that fine?

12 A The -- the previous declaration, can we
13 look at that date again that I signed?

14 Q Sure. Would you like me to zoom in?

15 A That's fine. Both are okay. Thank you.

16 Q Sure.

17 A You've mentioned March 5th, I believe, and
18 it's March 15th.

19 Q I apologize, March 15th, 2024. Thank you
20 for correcting that.

21 So in your second declaration that you've,
22 that's your signature that appears on page 4 of

1 Exhibit 4; correct?

2 A Yes.

3 Q And, again, in this declaration you make
4 the statement at the top of page 4: "I make this
5 declaration on personal knowledge, and if called
6 as a witness at trial I'm competent to testify,"
7 and do you stand by that statement?

8 A Yes.

9 Q So with respect to both your first and
10 second declaration, the statements there are based
11 on personal knowledge. You're not testifying --
12 and you're testifying in your personal capacity;
13 is that correct, in both of those declarations?

14 A Yes.

15 Q You're not testifying as a corporate
16 representative of ProQuest; is that correct?

17 A Can you rephrase the question? I -- I
18 don't understand the question.

19 Q The question is, your testimony here today
20 and in your two declarations is in your personal
21 capacity, not as a corporate representative.
22 You're not testifying on behalf of the company.

1 You're testifying as an individual?

2 MR. RAHMEIER: Objection. Form.

3 MS. SHOMAKER: Same objection.

4 MR. RAHMEIER: You can answer, Ms. Morris,
5 if you understand it.

6 A I'm here on behalf of the employer that I
7 work for, and the reason for the document is
8 because I work for the company that I do. So to
9 the extent that I'm testifying on a personal
10 level, I'm -- to that extent would be the job
11 responsibilities that I have.

12 Q Thank you. In each of your first and
13 second declaration you conclude with the statement
14 "I declare under penalty of perjury the foregoing
15 is true and correct."

16 Do you see that?

17 A Yes.

18 Q Now, isn't it correct that your testimony
19 in the second declaration in Exhibit 4 contradicts
20 your testimony in the first one?

21 MR. RAHMEIER: Objection to the form of
22 the question.

1 Q You can answer the question, Miss Morris.

2 A No, it's not true, because when I
3 completed the first one, the information that I
4 put on that document is what I believe to be true,
5 and when I completed the second one, I noted that
6 this was because a correction I noticed once this
7 deposition was called.

8 Q Your second declaration provides no
9 explanation as to the reason for the changes; is
10 that correct?

11 A Yes.

12 Q Your first declaration did not qualify the
13 statements as being true and correct upon belief.
14 They simply stated they were true and correct, and
15 the same with your second declaration. So isn't
16 it correct that there are statements in your first
17 declaration that are false?

18 MR. RAHMEIER: Objection to the form of
19 the question. Document speaks for itself.

20 MR. SALIBA: Again, counsel, if you could
21 refrain from the speaking objection, I'd
22 appreciate it.

1 Q Miss Morris, you can answer the question.

2 A At the time that I provided information to
3 draft the first affidavit, everything in that
4 document that I provided I believe to be true.

5 The second document I noticed from the first there
6 was a copy/paste error, and that's why there's a
7 second one.

8 Q Okay. So --

9 A So I believe that to be true.

10 Q I understand. But for the record there
11 are statements made in your first declaration that
12 are false, that are, in fact, false?

13 MR. RAHMEIER: Objection to the form.

14 Q Miss Morris, you can answer the question.

15 A Can you tell me what statements would you
16 deem to be false?

17 Q Well, the statements that were changed
18 between your first and second declaration.

19 A There was a date change. That was the
20 only correction that was made on page 3, the date
21 of PQDT when it was uploaded, that was the only
22 change.

1 Q Okay. With respect to that change, in
2 your first declaration that statement was false;
3 correct?

4 A At the time that I provided that
5 information, I believed it to be true, which is
6 why I signed the document stating such.

7 Q I understand. But as you sit here today,
8 you recognize that that statement was false?

9 MR. RAHMEIER: Objection. Asked and
10 answered.

11 Q Miss Morris, could you answer the
12 question, please?

13 A As I sit here today, I recognize that the
14 date was incorrect.

15 Q Okay. And if we can turn to Exhibit 5,
16 which I characterize as a redline copy showing
17 changes between Exhibit 3 and 4. Do you recognize
18 this document, Ms. Morris?

19 A I do.

20 Q Did you --

21 MR. RAHMEIER: Counsel, just for the
22 record, is this a document you created?

1 MR. SALIBA: No, it's not. It was
2 provided to us.

3 MR. RAHMEIER: Do you know where it came
4 from?

5 MR. SALIBA: Well, I'm going to find out
6 if Miss Morris had anything to do with it.

7 Q So, Miss Morris, you said you recognize
8 this document. Do you recognize the redlines?

9 A No, I do not recognize the redlines, and I
10 only recognize some of the text in the document
11 because it's similar to the affidavit that I
12 signed.

13 Q I see. So then I will represent to you
14 this was provided to us by, from -- by counsel for
15 petitioner indicating the changes between your
16 first declaration and your second declaration.

17 MR. RAHMEIER: And for the record I'll
18 state that we have not received a copy of this
19 until today.

20 Q Understood. So I'll still refer to it
21 throughout this deposition and give you the
22 opportunity to consider it, but what I want to

1 show you are the redline changes that were made
2 indicate changes that appear to be differences
3 between your first declaration and your second
4 declaration. So referring to page 3 of Exhibit 5,
5 do you see the redline changes on that page?

6 A I see the redline changes, yes.

7 Q Okay. And you can look, and you can
8 compare based on your copies of Exhibits 3 and 4,
9 but do you agree that these were changes made to
10 your first declaration?

11 MR. RAHMEIER: Objection to the form of
12 the question.

13 Q And let me clarify. Do you agree that
14 your -- these reflect the changes made to your
15 first declaration in your second declaration?

16 MR. RAHMEIER: Objection to the form of
17 the question.

18 A Yes.

19 Q And I've gone to page 4, and I see another
20 track change on the execution date. And do you
21 agree with that as well?

22 MR. RAHMEIER: Objection. Form.

1 A Yes.

2 Q Okay. I want to go back to page 3 of the
3 redline copy. You had stated initially that the
4 only change was to the date in the table, and I
5 presume you were referring to the table that's
6 identified as Full Text Availability, the last
7 row, there's a date change from 2003, March 4 to
8 2010, September 6. Do you see that?

9 MR. RAHMEIER: Objection to the form of
10 the question. Compound.

11 Q Do you see that, counsel? I'm sorry. Do
12 you see that, Miss Morris?

13 A I do, yes.

14 Q And that is a -- that is one of the
15 changes you made to your declaration; correct?

16 A That's the only change that I made to my
17 declaration, correct.

18 Q Well, if you look at paragraph 9, it
19 indicates that some text was stricken from
20 paragraph 9, specifically paragraph 9, quote,
21 "full text of the," close quote, was stricken.
22 Was that an actual -- was that a change to your

1 first declaration?

2 A Quite possibly.

3 Q Well --

4 A But it's not a change that I made or
5 requested.

6 Q Can you confirm that you agree it is a
7 change, and I'm putting up on the screen Exhibit 3
8 where it says in paragraph 9 "full text of the
9 dissertation," and in Exhibit 4 that language
10 seems to be omitted; correct?

11 A Correct.

12 Q So it is a change to your declaration, and
13 you signed the declaration.

14 MR. RAHMEIER: Objection. Is there a
15 question?

16 Q So do you agree that this was a change
17 made to your declaration?

18 A Yes. We both agree.

19 Q And do you agree with the change, or do
20 you have knowledge as to the basis for the change?

21 MR. RAHMEIER: Objection to the form of
22 the question.

1 A Yes. I agree with the change.

2 Q Were you aware of the change before today?

3 A No.

4 Q In paragraph 12, and I'm showing you again
5 Exhibit 5 on the screen, on the shared screen, in
6 paragraph 12 of your declaration the redlines
7 indicate that the word "record" was inserted after
8 the word "dissertation." Do you see that?

9 A Yes. I see that on your document.

10 Q And based on your prior testimony is it
11 correct that you did not make that change?

12 MR. RAHMEIER: Objection. Form.

13 A Correct. I did not make that change or
14 any of the other changes. The only change I made
15 was to the PQDT date in the chart, the second
16 chart on page 3.

17 Q And is it correct that you were not aware
18 of this change in paragraph 12 until today?

19 A I don't remember. I may have reviewed it
20 and overlooked it. I don't remember.

21 Q And with respect to paragraph 14, the word
22 "possibly" has been added as shown underlined. Is

1 your answer the same, that you did not insert that
2 word yourself into the declaration?

3 A Yes.

4 Q And is today the first time you're made
5 aware of that change?

6 A That's correct.

7 Q Okay. Thank you. You indicated with
8 respect to the change that you stated you did make
9 to the table under Full Text Availability that it
10 was a cut and paste error; is that correct?

11 A That's correct.

12 Q How did this error come to your attention?

13 MR. RAHMEIER: I'll just caution the
14 witness not to divulge any conversations with
15 attorneys. To the extent you can answer without
16 divulging such, the content of such conversations
17 you can answer.

18 A When I received notification that I would
19 be participating in this deposition, I rereviewed
20 the document.

21 Q And how did this error come to light with
22 respect to the date that you changed?

1 MR. RAHMEIER: Same instruction. Caution
2 the witness not to divulge privileged information.

3 A I followed the same process, and I checked
4 our system for the date.

5 Q And as you sit here today, you can confirm
6 that September 6, 2010, is, in fact, to your
7 knowledge, the accurate date the full -- that the
8 full text was loaded in the PQDT?

9 A To my knowledge, it is, in fact, that date
10 is when I found in our system to be correct.

11 Q And just to step back a bit. With respect
12 to the other changes that you testified you did
13 not make, do you know who made those changes?

14 A This document goes through our legal team.
15 So I -- I don't have that information for you.

16 Q You joined ProQuest, I understand, in 2018
17 based on your statement in paragraph 2; is that
18 correct?

19 A Correct.

20 Q Where were you before joining ProQuest?

21 MR. RAHMEIER: I'm going to object as
22 being beyond the scope of this deposition. If you

1 can answer at a high level, Miss Morris, go ahead.

2 A Thomson Reuters.

3 Q Thank you. And it says you, in paragraph
4 2 that you've been there since 2018, three plus
5 years. When you signed this declaration in 2024,
6 that's actually six years later, six plus; is that
7 correct?

8 MR. RAHMEIER: Sorry. Object to form.

9 A I'm sorry. I don't understand what you're
10 asking. Three plus is still more than -- it's
11 still equivalent to the amount of time that I've
12 been with the company, six plus years. It's more
13 than three years that I've been with the company.

14 Q Understood. So you were not at ProQuest
15 obviously in 2004; is that correct?

16 A That's correct.

17 Q And since you were not there at ProQuest
18 in 2004, you did not personally observe any of the
19 events described in your declaration that occurred
20 in 2004; is that correct?

21 MR. RAHMEIER: Objection. Vague.

22 A Certainly that would not be possible.

1 Q So with respect to events in 2004 in your
2 declaration, are you relying on what was told to
3 you?

4 MR. RAHMEIER: Objection. Form.

5 A I would have to ask what part of the
6 declaration are you speaking of that was told to
7 me?

8 Q Well, with respect to events that predate
9 your joining ProQuest, for example, in paragraph 3
10 you discuss events prior to 2013. Do you see
11 that?

12 A Yes.

13 Q You don't have personal knowledge of any
14 events in that time frame, do you?

15 MR. RAHMEIER: Objection.

16 A No.

17 Q And so you would be relying on what was
18 told to you regarding those events; correct?

19 MR. RAHMEIER: Object to form.

20 A I'm relying on the historical context that
21 our legal team and employees are privy to or
22 taught when we join the company. We may not

1 retain that information, but we have access to it.

2 Q And with respect to statements made in
3 your declaration regarding activities in 2003, you
4 don't have personal knowledge; is that correct?

5 MR. RAHMEIER: Objection. Vague.

6 A Correct.

7 Q Now, on page 3 of your declaration in the
8 second table, with the heading Full Text
9 Availability, you corrected the date in the last
10 row from March 4, 2003, to September 6, 2010;
11 correct?

12 A Correct.

13 Q So according to your understanding the
14 full text of the Wang thesis, and when I refer to
15 the Wang thesis, I'm referring to the document I
16 understand is cataloged as dissertation No. 3074
17 -- 3070468 based on the record information in the
18 table above or the Wang thesis. Is it -- you'll
19 understand I'm referring to that document if I
20 refer to it as the Wang thesis or dissertation.
21 Is that fine?

22 MR. RAHMEIER: Objection. Form.

1 Q Is that okay, Miss Morris?

2 MR. RAHMEIER: Same objection.

3 A I understand the thesis that you're
4 referring to, yes.

5 Q Thank you. So according to your
6 understanding the full text of the Wang thesis was
7 not in the PQDT database until September 6, 2010;
8 correct?

9 A Correct.

10 Q And so it was not -- it was not published
11 as of March 4, 2003; correct?

12 MR. RAHMEIER: Objection to form.

13 MS. SHOMAKER: Same objection.

14 A At ProQuest a record of the public, of the
15 work that we receive, whether paper, microfiche or
16 electronic nowadays, it's considered published.
17 The full text was not available. The full text
18 PDF was not available until September of 2010.

19 Q Okay.

20 A But a record of the theses was available
21 in our system in March of the year that's on that
22 document.

1 Q And when you refer to record, you're
2 referring to what's in the table above on page,
3 the top table on page 3?

4 A You're correct.

5 MR. RAHMEIER: Can you -- counsel, could
6 you put her actual declaration up, like the
7 correct one, please?

8 MR. SALIBA: Right now I'm asking her
9 questions about Exhibit 5, but if Miss Morris
10 needs to refer to Exhibit 3 or 4, she's welcome
11 to.

12 MR. RAHMEIER: Well, Exhibit 4 has
13 different language.

14 MR. SALIBA: Exhibit 4 is her second
15 declaration which base -- which has the same
16 language as Exhibit 5 except that the stricken
17 language is identified in Exhibit 5. Is your
18 concern the stricken language, counsel?

19 MR. RAHMEIER: My concern is the top left
20 box of the second chart. So for the record I just
21 -- I would --

22 MR. SALIBA: I appreciate that, and I see

1 that might be a change that counsel for petitioner
2 didn't identify in the track change version.

3 MS. SHOMAKER: Counsel, I'm going to
4 object to your characterization of that. We will
5 submit a corrected redline. This is something
6 that was not caught by the computer software.

7 MR. SALIBA: What was wrong with my
8 characterization?

9 MS. SHOMAKER: There was no intent --
10 counsel, I am still speaking. There was no intent
11 to miss that redline.

12 MR. SALIBA: I didn't -- I didn't state
13 that there was any intent, counsel. I said it
14 wasn't identified. I think that's an accurate
15 statement.

16 Q So, Miss Morris, and for the record it
17 appears that in the second table on page 3 of your
18 declaration, in your first declaration Exhibit 3
19 it says "first made available for sale in PDF
20 format and placed in PQDT."

21 Do you see that?

22 A Yes.

1 Q In your second declaration it says, "first
2 made available for sale, print or electronic."

3 Do you see that?

4 A I do see that.

5 Q And so let me ask you, did you make that
6 change?

7 A The only information that I provided are
8 the dates to the right side of that chart and that
9 volume number. So, no, I did not make that
10 change.

11 Q Okay. And do you have any knowledge as to
12 who made that change?

13 A These documents go through our legal team.
14 I don't have any personal knowledge -- personal
15 knowledge as to who exactly made that change.

16 Q Thank you. So from your earlier testimony
17 regarding the Wang dissertation is it correct --
18 the availability of the Wang dissertation and the
19 date that it, the full text is loaded at the PQDT
20 being September 6, 2010, is it correct then to say
21 that that dissertation -- strike that.

22 That a researcher in the field could not

1 have located the full text of the dissertation by
2 March 4, 2003?

3 MR. RAHMEIER: Object to form. Counsel,
4 it's unclear what you just struck and what the
5 question is. If you want to ask it again.

6 Q Miss Morris, do you understand the
7 question? I'm happy to repeat it.

8 A Would you re --

9 MS. SHOMAKER: I'll also object to form.

10 MR. SALIBA: I think I heard Miss Morris
11 say she'd like me to repeat it.

12 Q Sure. So based on your earlier testimony
13 that the date the full text was loaded into PQDT
14 being September 6, 2010, is it correct that a
15 researcher in the field could not have located the
16 full text of the dissertation by March 4 because
17 it was -- it was not in the database?

18 MR. RAHMEIER: Object to form.

19 MS. SHOMAKER: Same objection.

20 A As it relates to the full text PDF being
21 available for searching in ProQuest system it was
22 not available, the full text PDF, the manuscript,

1 the theses, until September 6, 2010, and a record
2 of it was available in March.

3 Q In March of 2003?

4 A That's correct, as stated on the document
5 and the chart on page 3.

6 Q And by record you're referring to the top
7 table on page 3 of exhibit --

8 A The second table on page 3 at the top.

9 Q No. As to what was in the record you're
10 referring -- strike that.

11 So just to clarify, I understood from your
12 earlier testimony that the record that was
13 available is the information in the top table on
14 page 3 of Exhibit 4?

15 MR. RAHMEIER: Object to form.

16 A Yes. That information is part of what was
17 available. The abstract was also available, and
18 there's other indexing information that goes along
19 with the completion of publishing a document.

20 Q So you referred now to publishing a
21 document. What do you mean by publishing a
22 document?

1 A There is a record of it in our system, and
2 that means it's published. When it's published,
3 there is the opportunity for anyone finding that
4 record to purchase a copy of the full text
5 dissertation or theses.

6 Q I see.

7 A So this was available for purchase in
8 March of 20 -- of 2003.

9 Q As you have in the first row of the second
10 table, first made available for sale, print or
11 electronic; correct?

12 A That's correct.

13 Q Okay. But again, on that day, the
14 researcher in the field could not have accessed
15 and read the actual dissertation.

16 MR. RAHMEIER: Object to form.

17 MS. SHOMAKER: Same objection.

18 Q Is that correct, Miss Morris?

19 A The full text PDF was not available to
20 researchers or anyone until September 6, 2010 --

21 Q All right. Thank you.

22 A -- in ProQuest's system.

1 Q Regarding statement in the second table on
2 page 3 of Exhibit 4 "first made available for
3 sale," your declaration does not discuss how a
4 sales transaction could have occurred that day;
5 correct?

6 MR. RAHMEIER: Objection to the form of
7 the question.

8 A I'm sorry. Can you rephrase the question?
9 It doesn't make sense in the contents that -- the
10 context that you're asking it. I don't understand
11 what you're -- you're asking.

12 Q Thank you for asking me to clarify. I
13 will do my best.

14 Focusing on the statement that "first made
15 available for sale," that language, refers to the
16 sale of the underlying document, the Wang thesis;
17 correct?

18 A Correct.

19 Q But in your declaration you don't discuss
20 how a sales transaction could have occurred on
21 that day; is that correct?

22 A I don't understand your question. I'm

1 sorry.

2 Q What is it you don't understand and I'll
3 try to clarify?

4 A I don't understand what you mean about how
5 a sales transaction could occur. In ProQuest --

6 Q I'm sorry. Go ahead, please.

7 A In ProQuest's system a sales transaction,
8 when work is published, it would follow the same
9 process as any other user, librarian or patron or
10 anyone interested in purchasing that document.

11 This was a paper submission that came in, and it
12 was not digitized until 2010, but anyone wanting
13 to purchase that document could do so as of the
14 date of publication which was in March 2003.

15 So we do not digitize documents until
16 there is an interest in it, so, or purchase when
17 they are submitted by paper submission or
18 microfiche and not uploaded to our electronic
19 theses and dissertation site like we have today.

20 Q I see. We've been going for about an
21 hour. Should we take a short break, if that's
22 okay with everyone? Ms. Morris, would you -- is

1 that fine with you? We can take a ten-minute
2 break?

3 A That's fine with me.

4 MR. SALIBA: Counsel?

5 MR. RAHMEIER: Yeah. Ten minutes.

6 MS. SHOMAKER: That works.

7 MR. RAHMEIER: Ten minutes is good.

8 MS. SHOMAKER: All right. I was going to
9 say, I'd advise you -- we can go off the record.

10 (A recess was taken.)

11 BY MR. SALIBA:

12 Q Miss Morris, before the break I was asking
13 you about the "first made available for sale"
14 statement in your declaration in the second table
15 on page 3 of Exhibit 4. Do you recall?

16 A Yes.

17 Q Now since you joined in 2018 is it correct
18 that you don't have any personal knowledge of the
19 type of sale procedure that ProQuest implemented
20 in 2003?

21 MR. RAHMEIER: Objection to the form of
22 the question.

1 A I'm sorry. I don't understand what you
2 mean by sale procedure in 2003. It hasn't changed
3 from today. Can you rephrase the question?

4 Q Do you know how the sales transaction
5 would have occurred? Do you have personal
6 knowledge as to how the sales transaction would
7 have occurred in 2003?

8 A Okay. May I ask what sales transaction
9 specifically that you're speaking of?

10 Q If someone were to wish to purchase a
11 dissertation.

12 A If someone wished to purchase a
13 dissertation in 2003, they could do so in multiple
14 ways. They could obtain one of our order forms
15 and submit it to us by sending it to
16 dispub@proquest.com, or they can send us an e-mail
17 directly and request assistance with ordering it,
18 or they could call our 800 number to place an
19 order over the phone with a credit card, or they
20 could go to the website, PQDT, and within that
21 database search for this title and click on a
22 button in that site that says "order a copy."

1 Q And your knowledge as to that, that
2 procedure in 2003 is based on what?

3 A Training that I've had regarding works
4 published at that time.

5 Q Attached to your declaration, in both your
6 first and second declaration you attached a
7 document; correct, following page 4?

8 A Correct. I attached a copy of the full
9 text theses, a PDF copy.

10 Q And is it correct that nothing in that
11 attachment bears a date of March 4, 2003?

12 MR. RAHMEIER: Object to the form of the
13 question.

14 A I'm sorry. I can't answer that. I did
15 not review the document. There was no reason to
16 do that. I handle many documents every day.

17 Q Well, if you just look at the first few
18 pages leading up -- if you look through the first
19 few pages leading up to page, record for the
20 abstract, do you see anything bearing that date?

21 A Not that I notice at this time.

22 Q Your declaration refers to the term

1 Record, with a capital R. Can you explain what
2 that is?

3 A It's equivalent to a record that is found
4 in a library when you go to look up a book, and
5 not having the physical book right at hand you
6 would be able to in a system or even in the old
7 card system retrieve that record by searching for
8 it. The same with this document. There was a
9 record of it, and that was published -- there is a
10 record of it that has been published to our PQDT
11 database because it was published on the date that
12 is said in that document.

13 Q And the content of the record in paragraph
14 3 of your declaration you indicated includes
15 abstract, index record and citation information
16 including title, author, name, degree granting
17 institution and degree date; is that correct?

18 A That's correct.

19 Q What's an index record?

20 A It's a system of cataloging. It's
21 something so that when a user searches, for
22 example, they can search and find that

1 information. There are key words and other things
2 that go along with that record. It's a common
3 term. You're free to look it up. It's a common
4 term that researchers and users of different
5 databases even at universities are familiar with.

6 Q And that's created by ProQuest?

7 A It's created by ProQuest based on the
8 information that is derived from the document and
9 the materials that the author and/or university
10 provide to us.

11 Q Your declaration does not establish what
12 abstract of the Wang thesis was placed in the
13 database on March 4, 2003; is that correct?

14 MR. RAHMEIER: Objection to the form.

15 A I don't understand your question. I'm
16 sorry.

17 Q Well, your declaration, from my reading,
18 does not indicate, does not attach an abstract
19 that was available in the record on March 3 -- I'm
20 sorry -- March 4, 2003, does it?

21 MR. RAHMEIER: Same objection.

22 A I would have to look at the document.

1 Q Which document are you talking?

2 A The one that you're speaking of.

3 Q Exhibit 4?

4 A The one that you're saying that there is
5 no attachment of an abstract, it doesn't reference
6 which one that is. I'm not sure what your
7 question is.

8 Q So in 2003 you indicate there was a record
9 for this dissertation, and you indicated that the
10 record includes certain information, and you refer
11 to an abstract, but you don't attach the abstract
12 that was in the record in 2003; is that correct?

13 A First may I ask, is the abstract in the
14 document itself, in the theses document itself?

15 Q What's the question?

16 A Is the abstract in the theses document
17 itself?

18 Q Well, see, the question I have for you is
19 you refer to an abstract of the record that's in
20 the record. I don't know -- I don't see any
21 abstract that you've identified that was in the
22 record in your declaration.

1 A The abstract that gets published to our
2 platform is from the document. It matches
3 verbatim what is in the document.

4 Q And you're certain about that?

5 A That's how I've been trained, and as far
6 as I know, when I assist customers, from that time
7 frame and even earlier it's usually consistent
8 with that.

9 Q Did you review the actual abstract that
10 was available in the record in 2003?

11 A No. It was not necessary, and I do not
12 have time given the amount of customers that we
13 work with every day to review the content of every
14 dissertation or theses that we work with.

15 Q I understand. But with respect to the
16 statements made in your declaration you do not
17 know today as you sit here what the content of the
18 abstract in 2003 that was part of the record, you
19 do not know its content?

20 MR. RAHMEIER: Objection to form.

21 Q Is that correct?

22 A Based on my training it should match the

1 abstract that's in the document. That's the best
2 of my ability that I can answer this question.

3 Q But you don't know for sure?

4 MR. RAHMEIER: Same objection.

5 Q You -- let me just repeat my earlier
6 question to confirm. You have not looked at an
7 abstract that was in the record from 2003 for this
8 thesis, have you?

9 MR. RAHMEIER: Same objection.

10 A I glanced at the abstract when I looked at
11 the information, but no, I did not study the
12 content or make a comparison or try to figure out
13 when the abstract itself became -- was actually a
14 part of the record as you're inquiring about
15 because it all happens at the same time when the
16 work was published. That abstract is usually a
17 part of the record on the same date of publishing
18 which was March 4th, 2003, and that is consistent
19 in our system.

20 Q You said "usually." That's not always the
21 case?

22 A I can't tell you it's always the case or

1 not because I've not reviewed every dissertation
2 or theses to make a comparison. So I can't say
3 that.

4 Q Do you know if there were word limits,
5 restrictions for the abstract that goes in -- goes
6 with the record?

7 A No.

8 Q And you don't know if there were limits
9 back in 2003?

10 A No, I do not.

11 Q Could you turn to paragraph 7 of your
12 declaration. It says, "At the time of the
13 dissertation's publication the record and full PDF
14 of the dissertation was added to PQDT as specified
15 below."

16 Is that an accurate statement?

17 A It is.

18 Q When you say "at the time of the
19 dissertation's publication," are you referring to
20 September 6, 2010?

21 A So what I'm --

22 MS. SHOMAKER: Objection to form.

1 A -- saying is, the record of the full --
2 the record was available. The second chart with
3 the first date, that matches the date and the full
4 text PDF was available. That last line in the
5 second chart, that matches the date. Both are
6 correct based on what's in our system.

7 Q Okay. I'm going to go to the Exhibit 5
8 which shows the redline versions, and you can
9 check against by comparing Exhibits 3 and 4, but
10 in paragraph 9, the language "full text of the
11 dissertation" was struck.

12 Do you understand that -- you stated
13 earlier, you testified earlier that you did not
14 make that change, but let me ask you again. Do
15 you agree with that change?

16 A Are we looking at -- I think you said
17 number 9?

18 Q Number 9 where this language "full text of
19 the," was stricken from the paragraph.

20 A Right. The full text was not available on
21 NPQDT until September 6, 2010. So that would not
22 be fitting here.

1 Q Are you aware of any request by anyone to
2 purchase the dissertation?

3 A No, I am not.

4 Q Do you have an understanding as why the
5 full text was loaded in 2010?

6 A No, I do not, but there are many reasons
7 that it would have been loaded.

8 Q Such as?

9 A If there is a sale, it would have been
10 digitized and the PDF created. If the library who
11 has a subscription to PQDT sees that this title is
12 in their system and they want their patron to have
13 access to it, they will contact us and ask us to
14 digitize it, and we'll usually comply, and a sale
15 isn't necessary because they do have a
16 subscription to PQDT.

17 If someone contacts us, the author, the
18 school, a representative of the school or some
19 other body that's interested in this research,
20 they may request that we digitize it and make it
21 available so that they can access it online
22 without having to even purchase a copy or perhaps

1 even going through the -- I'm sorry. The lights
2 went out -- going through PQDT subscription
3 service to purchase a copy.

4 So there's many different reasons that it
5 would all of a sudden become available when it
6 wasn't initially. I don't know why this
7 particular one did, if that's what you're asking.

8 Q Thank you. Do you know who at ProQuest
9 would have compiled the record in 2003 for this
10 dissertation?

11 A Unfortunately, like this document and you
12 suggested, there's no way that I could know that
13 information because it was in 2003, and I was not
14 employed at ProQuest at that time.

15 Q Referring to Exhibit 5 again, the redline
16 copy, if you look at paragraph 12, the word
17 "record" was inserted. Do you see that?

18 A I do see the word "record."

19 Q So previously it had referred to -- well,
20 let me just read the paragraph. It says: "As of
21 March 4, 2003, PQDT could be searched
22 electronically for the record of the

1 dissertation." So that's, for example, the
2 dissertation record, the term "record" there was
3 inserted, "could be found in PQDT by searching for
4 words and phrases from the title."

5 Do you see that?

6 A Yes.

7 Q So the search capability based on that
8 paragraph only indicates words from the phrase --
9 words or phrases from the title; is that correct?

10 A That's correct.

11 Q So whatever the abstract was at that time
12 in the record, it doesn't indicate that it was
13 searchable; correct, back in March 4, 2003?

14 A If you're speaking of paragraph 12, there
15 is nothing stated in it about the abstract being
16 searchable.

17 Q And do you have any personal knowledge as
18 to whether the abstract was searchable in 2003, on
19 March 4th of 2003?

20 A I do not have any personal knowledge.

21 Q Okay. Paragraph 14, the term "possibly"
22 was inserted. Do you see that?

1 A Yes.

2 Q And I'll read paragraph 14 so we have it
3 on the record. "At the time of the dissertation's
4 publication on 3/4/2023 the record of the
5 dissertation was made available directly from
6 ProQuest in electronic format and online via third
7 party vendors, possibly including dialogue as part
8 of the abstract database which was made available
9 via such vendors in the ordinary course of
10 business."

11 Now, again, you did not write this
12 paragraph; correct?

13 A Only the doc -- only the page 3 charts did
14 I provide information for. All other text was not
15 written by me.

16 Q So do you have any personal knowledge as
17 to what third party vendors were doing with
18 respect to dissertation publications in 2003?

19 A No, I do not. And there's no benefit in
20 me knowing really because it doesn't help me to do
21 the job that I was hired to do today.

22 Q Okay. Now, paragraph 15, it states: "The

1 attached print copy of the dissertation is a true
2 and complete copy of the record and the full
3 dissertation as originally published and kept by
4 ProQuest in the ordinary course of business."

5 Do you see that?

6 A Yes.

7 Q But we've already established that the
8 record and the dissertation were not published at
9 the same time; correct?

10 A This is not --

11 MS. SHOMAKER: Object to form.

12 A -- regarding that. This is regarding the
13 document accompanying the affidavit that I
14 provided to the customer that requested it.

15 Q Can you explain? I don't understand.

16 A When a customer ordered or makes an
17 affidavit request like this one, they
18 automatically are provided with a copy of the full
19 text document.

20 Q That resides today in the database?

21 A That's correct.

22 Q Now, I don't know if you've checked but

1 the thesis has a copyright notice, as you would
2 expect, and my question is, is it your
3 understanding that a copyright notice does not
4 signify that the document was published or
5 publicly accessible on the date --

6 MS. SHOMAKER: Objection to form and -- oh
7 sorry. Continue.

8 Q -- on the date of the copyright notice?

9 MR. RAHMEIER: Objection to the --

10 MS. SHOMAKER: Object to form and scope.

11 A So the answer is, no, I did not check for
12 a copyright notice, nor was it relevant to provide
13 the affidavit service that was requested, and it
14 has no bearing on the service that I provided to
15 the customer. So it's not information that I,
16 that would be relevant to my job when assisting
17 customers unless there's an inquiry about it at
18 the time.

19 MR. SALIBA: Let's go off the record for
20 five minutes.

21 (A recess was taken.)

22 BY MR. SALIBA:

1 Q Miss Morris, earlier I was asking you
2 about sales procedure at ProQuest, and you gave me
3 an answer involving how the sales procedure takes
4 place. You could use credit card, et cetera, and
5 that answer is based on your knowledge of the
6 sales procedures today; correct?

7 A Correct. My knowledge and experience,
8 hands-on experience with it.

9 Q But as far as your knowledge about sales
10 procedures in 2003, you don't know the precise
11 procedure that was in place back then, do you?

12 A I do. We have to keep a record of that,
13 and when customers contact us to find out
14 historical information, even authors, when they
15 want to know what their sales look like, we have
16 to provide them with that information. So I have
17 to know where to get that information and what I'm
18 looking at and what was available to answer their
19 questions.

20 Q So when you say what was available, what
21 documents were available or what material was
22 available, is that --

1 A How many sales and in what format: PDF,
2 print copy, hard cover, soft cover.

3 Q I see. But as far as the -- let me give
4 you an example. Online -- do you know whether in
5 2003 online credit -- ProQuest had online credit
6 card transaction capability?

7 A Yes. We have records in our sales system
8 to support this.

9 Q And you were -- when you say you have
10 records, have you reviewed those records? You
11 weren't there; correct?

12 MR. RAHMEIER: Objection.

13 A I have not had to review them because I
14 assist customers who place orders at that time and
15 sometimes earlier, and I've had to provide
16 information or even obtain an invoice to send to
17 provide them for their records as requested.

18 Q Do you know what software was used to
19 process credit card payments back in 2003?

20 A No.

21 Q You stated that because this document was
22 not digitized at the time that it was on

1 microfilm; is that correct?

2 MR. RAHMEIER: Objection. Form.

3 Q Is that correct?

4 A We accepted submissions, either paper
5 submission or microform [sic]. I don't know
6 exactly how this one came in but it wasn't
7 digital.

8 Q If you look at page 5 of Exhibit 5,
9 Information to Users, is that a ProQuest
10 statement?

11 A It appears to be standard text that I've
12 seen.

13 Q And the first sentence says, "This
14 manuscript has been reproduced from the microfilm
15 master." Do you see that?

16 A Okay. Then it is correct. I'm sorry. I
17 didn't read anything in this document. So what
18 you're sharing with me today is the first time
19 that I'm seeing actual content from this document.
20 It's irrelevant to how I do my job day to day.

21 Q Ms. Morris, those are the questions I have
22 for you at this time, subject to any recross. I'm

1 going to hand the witness over to counsel.

2 EXAMINATION BY COUNSEL FOR THE PETITIONER
3 BY MS. SHOMAKER:

4 Q Miss Morris, I just have a few quick
5 questions for you. If you could go back to
6 Exhibit No. 4, please, and I want to look at
7 paragraph number 11, and here in paragraph 11 it
8 states that the abstract of the dissertation was
9 available digitally on PQDT as part of the record
10 for the dissertation. Do you see that?

11 A I do.

12 Q And is it your understanding that the
13 abstract that was provided as part of the record
14 for the dissertation was text-searchable as of
15 March 4th, 2003?

16 A I'm sorry. What's your question again?

17 Q Is it your understanding that the abstract
18 that's provided as part of the record for the
19 dissertation was text-searchable as of March 4th,
20 2003?

21 A Yes.

22 Q And have you provided a declaration

1 similar to Exhibit 4 before?

2 A I'm not sure what you're asking. Are you
3 speaking of in this, for this purpose or for other
4 customers?

5 Q For other customers.

6 A Yes.

7 Q Do you know approximately how many?

8 A No, I do not.

9 Q Do those other declarations typically
10 follow the same format that we see in Exhibit No.
11 4?

12 MR. SALIBA: Objection. Scope.

13 A As far as I know, they typically do.

14 Q And I just have one last question. Do you
15 personally have any stake or interest in the
16 outcome of this proceeding?

17 A I have zero. I had to be subpoenaed to
18 come here, so there you go.

19 Q I understand. Thank you. I have no
20 further questions.

21 MR. SALIBA: I just want to confer with my
22 colleague for one minute. I don't think I'll have

1 any further questions, but if you permit me that
2 one-minute break.

3 MR. RAHMEIER: Okay.

4 MS. SHOMAKER: We can go off the record.

5 (A discussion was held off the record.)

6 MR. SALIBA: I have no further questions,
7 Ms. Morris. Thank you very much for attending
8 today's deposition. I appreciate your time.

9 MS. SHOMAKER: We're good to go off?

10 MR. SALIBA: Yeah.

11 THE REPORTER: I'll take transcript orders
12 from counsel, please.

13 MR. SALIBA: The rough ascii as soon as
14 possible. I assume that can be in the next day or
15 so. And what's the regular turnaround?

16 THE REPORTER: It's usually eight business
17 days unless otherwise requested, so anything
18 really.

19 MR. SALIBA: Yeah. We need it next week.
20 Wednesday or Thursday.

21 THE REPORTER: That's fine. Ms. Shomaker?

22 MS. SHOMAKER: We'll do a rough as soon as

1 possible and then just regular service for the
2 final.

3 THE REPORTER: Mr. Rahmeier, I assume you
4 don't need a transcript?

5 MR. RAHMEIER: No. If I change my mind,
6 I'll let you know, but no.

7 REMOTE TECHNICIAN: Counsel that's
8 ordering transcripts, you would like the exits
9 attached; correct?

10 MR. SALIBA: Yes. Please.

11 REMOTE TECHNICIAN: Excellent. Thank you.

12 (Off the record at 11:56 a.m.)
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1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC

2
3 I, JANET A. HAMILTON, Registered Diplomate
4 Reporter and Notary Public within and for the
5 State of Maryland, do hereby certify:

6 That LaTONYA MORRIS, the witness whose
7 deposition if hereinbefore set forth, was duly
8 sworn by me before the commencement of such
9 deposition and that such deposition was taken
10 before me and is a true record of the testimony
11 given by such witness.

12 I further certify that the adverse party, THE
13 REGENTS OF THE UNIVERSITY OF CALIFORNIA, was
14 represented by counsel at the deposition.

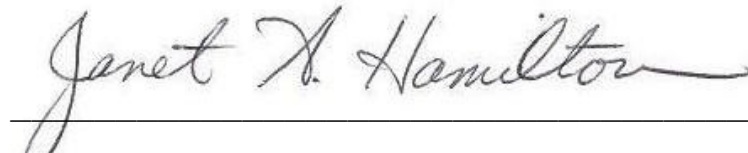
15 I further certify that the deposition of
16 LaTONYA MORRIS occurred remotely via
17 videoconference via Zoom platform on Thursday,
18 January 23, 2025, commencing at 10:06 a.m. to
19 11:56 a.m.

20 I further certify the inspection, reading and
21 signing of said deposition was not discussed with
22 the witness.

1 I further certify that I am not related to any
2 of the parties to this action by blood or
3 marriage, I am not employed by or an attorney to
4 any of the parties to this action, and that I am
5 in no way interested, financially or otherwise, in
6 the outcome of this matter.

7
8 IN WITNESS WHEREOF, I have hereunto set my hand
9 this 28th day of January, 2025.

10
11 My commission expires: February 4, 2028

12
13 
14 _____

15 NOTARY PUBLIC IN AND FOR THE
16 STATE OF MARYLAND

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