

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASCEND ELEMENTS, INC.,

Petitioner,

v.

DUESENFELD GMBH,

Patent Owner.

IPR2024-00948

Patent 11,050,097

REMOTE DEPOSITION OF VANI DANTAM

Thursday, April 24, 2025

Reported by:

ERICA L. RUGGIERI, RPR, CSR, CLR

JOB NO: 7333627

Page 2 1 2 3 4 April 24, 2019 5 10:08 a.m. 6 7 Deposition of VANI DANTAM, held 8 remotely, with the witness located in 9 Chicago, pursuant to Notice, before Erica 10 L. Ruggieri, Registered Professional 11 Reporter and Notary Public of the State of 12 New York. 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 4 1 2 S T I P U L A T I O N S 3 4 IT IS HEREBY STIPULATED AND 5 AGREED, by and between the attorneys 6 for the respective parties herein, 7 that filing and sealing be and the 8 same are hereby waived. 9 IT IS FURTHER STIPULATED AND 10 AGREED that all objections, except 11 as to the form of the question, 12 shall be reserved to the time of the 13 trial. 14 IT IS FURTHER STIPULATED AND 15 AGREED that the within deposition may 16 be sworn to and signed before any 17 officer authorized to administer an 18 oath, with the same force and effect 19 as if signed and sworn to before the 20 Court. 21 22 23 24 25
Page 3 1 2 A P P E A R A N C E S: 3 4 GISH PLLC 5 Attorneys for Petitioners 6 41 Madison Avenue, Floor 31 7 New York, New York 10010 8 BY: JOSEF SCHENKER ESQ. 9 CONOR McDONOUGH, ESQ. 10 josef.schenker@gishpllc.com 11 conor.mcdonough@gishpllc.com 12 13 ROBBINS KAPLAN LLP 14 Attorney For Patent Owner 15 555 Twin Dolphin Drive, Suite 310 16 Redwood City, CA 94065 17 BY: STEVEN C. CARLSON, ESQ. 18 SCarlson@RobinsKaplan.com 19 20 21 22 23 24 25	Page 5 1 DANTAM 2 V A N I D A N T U M, called as 3 a witness, having been duly sworn 4 by a Notary Public, was examined 5 and testified as follows: 6 EXAMINATION BY 7 MR. SCHENKER: 8 Q. Good morning. Can you 9 please state your full name for the 10 record. 11 A. My full name is Vani Kumar 12 Dantam. 13 Q. Mr. Dantam, my name is 14 Joseph Schenker. I represent Ascend 15 Elements in this proceeding. I'll 16 be discussing some matters with you 17 relating to declarations that you 18 submitted in IPR 2024-00948 which is 19 an Independent Parties Review 20 Proceedings initiated by Ascend 21 Elements Incorporated; is that 22 correct, is that your understanding? 23 A. Yes, that is my 24 understanding. 25 Q. Now, this proceeding

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Page 6 1 DANTAM 2 relates to U.S. patent number 3 11,050,097. Is that your 4 understanding? 5 A. Yes, that is my 6 understanding. 7 Q. And if I refer it to as the 8 '097 patent do you understand what 9 that means? 10 A. Yes, I understand what it 11 means. 12 Q. Where are you currently 13 located? 14 A. Right now I am in Chicago. 15 Q. Where in Chicago? 16 A. In a conference room in one 17 of the office buildings downtown. 18 Q. Are you in the -- your 19 lawyer's office? 20 MR. CARLSON: It might help if 21 I clarify this. We are at the firm 22 of Leydig, L-E-Y-D-I-G, second name 23 Voit, V-O-I-T. There's a third 24 name I don't know. 25 Q. Mr. Dantam, you agree with	Page 8 1 DANTAM 2 electronic documents that I may show 3 you during this deposition will you 4 be using any other software 5 applications or electronic devices 6 during this deposition? 7 A. No, I will not be using. 8 Q. Other than the Zoom window 9 that you've got up here and the 10 exhibit share window do you have any 11 other software on your computer 12 right now? 13 A. My email, my office email, 14 is up right now because I accessed 15 it through my office email. 16 Q. Will you be referencing or 17 using your office email during this 18 deposition? 19 A. I will not be. 20 Q. Are you able to close that 21 during this deposition? 22 A. If I close it I will lose 23 you. All my Zoom, my conference, 24 everything is tied up to my email. 25 Q. Okay. Are you able to see
Page 7 1 DANTAM 2 that? 3 A. Yes, I do. 4 Q. Is anyone else in the room 5 with you now? 6 A. Just the attorney that is 7 representing us Steve Carlson. 8 Q. Is there anyone else in the 9 room? 10 A. No, nobody else. 11 Q. Do you have any papers with 12 you right now? 13 A. No. Just my computer. I'm 14 on my computer that's all. 15 Q. Are you on a personal 16 computer to access this 17 presentation? 18 A. It's my office computer. 19 Q. Your office computer so 20 it's a laptop? 21 A. Yes, a laptop. 22 Q. With an external monitor? 23 A. No. It's external laptop. 24 Q. Aside from the Veritext 25 deposition software and any	Page 9 1 DANTAM 2 your email while you are talking to 3 me on Zoom or do you need to switch 4 windows? 5 A. I cannot see my email when 6 I'm talking to you. 7 Q. Okay. I would ask that if 8 you navigate to your email at any 9 point during this deposition you 10 inform me. Is that something you 11 will do? 12 A. I will do that. 13 Q. Okay. Are you currently 14 employed? 15 A. Yes, I am. 16 Q. By whom? 17 A. Fractal Energy Storage 18 Consultants. 19 Q. And what is your position 20 there? 21 A. I'm the head of operations. 22 Q. Where are they based? 23 A. Austin, Texas. 24 Q. And your official title 25 there is head of operations?

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Page 10 1 DANTAM 2 A. Vice president operations. 3 Q. VP operations. Mr. Dantam, 4 have you ever been deposed before? 5 A. No. This is my first 6 deposition. 7 Q. And just to confirm, it is 8 Mr. Dantam, correct, not Dr. Dantam? 9 A. No, not Dr. Dantam, that's 10 correct. 11 Q. Mr. Dantam, I'd like to go 12 over some ground rules for today, 13 especially since this is your first 14 deposition. As we already said I'm 15 going to ask you questions and I 16 expect that you answer my questions. 17 Is that your understanding? 18 A. That is my understanding, 19 yes. 20 Q. Okay. And I ask that you 21 let me ask the full question and 22 I'll let you answer and we try not 23 to talk over each other for the sake 24 of the court reporter. Is that 25 okay?	Page 12 1 DANTAM 2 A. Would you repeat the last 3 few words, please. 4 Q. Are you on any medications 5 that could conceivably impact your 6 ability to testify today? 7 A. No, I am not on any 8 medication that would impact my 9 ability to testify today. 10 Q. Great. Now if I ask you a 11 question that's in any way confusing 12 or if you don't understand it, 13 please ask me for a clarification. 14 If you answer the question I will 15 understand that you understood my 16 question. Is that fair? 17 A. That is fair, yes. 18 Q. Now, we are going to try 19 and take a break approximately every 20 hour. If you need a break at any 21 time other than that, please let me 22 know but I will ask that you first 23 answer any pending questions. Is 24 that correct? 25 A. I understand that. Yes, I
Page 11 1 DANTAM 2 A. Perfectly that is okay, 3 yes. 4 Q. And you understand that a 5 court reporter is taking down your 6 testimony today, correct? 7 A. I understand that, yes. 8 Q. So you understand that 9 you've got to give me verbal answers 10 to all my questions; nodding your 11 head, shaking your head and uh-huhs 12 and um-hmms and let's call them 13 grunting sounds are not sufficient, 14 correct? 15 A. I understand, yes. 16 Q. Is there anything 17 preventing you from offering 18 truthful and accurate testimony here 19 today? 20 A. Nothing is preventing me 21 from offering truthful testimony 22 today. 23 Q. Are you on any medications 24 that could conceivably impact your 25 ability to testify today?	Page 13 1 DANTAM 2 agree. 3 Q. And you understand that 4 your attorney, Mr. Carlson, may be 5 lodging some objections draws of 6 this deposition; is that right? 7 A. Yes, I understand that. 8 Q. You understand that you 9 will have to answer the question 10 regardless of his objection unless 11 he instructs you not to answer; is 12 that correct? 13 A. That is correct, yes. 14 Q. Mr. Dantam, you are 15 retained by Duesenfeld in this 16 proceeding; is that correct? 17 A. That is correct, yes. 18 Q. When did Duesenfeld first 19 retain you? 20 A. Last year maybe June/July 21 time frame. 22 Q. That would be June or July 23 of 2024? 24 A. 24, that is correct, yes. 25 Q. What is your hourly rate?

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Page 14 1 DANTAM 2 A. As I represented through 3 Fractal Business Associates Energy 4 Consultants I am charging \$500 an 5 hour. 6 Q. And to clarify you are 7 charging Duesenfeld \$500 an hour for 8 your testimony, correct? 9 A. Yes, yes, that is correct. 10 That's the rate I am charge, yes. 11 Q. What is Fractal Energy 12 Associates Business Consultants? 13 A. We have three divisions and 14 we specialize in providing expert 15 guidance on any kind of energy 16 assets to utilities, to ISOs and to 17 RTOs around the world. And we also 18 have our own proprietary energy 19 management systems software that we 20 use to remotely monitor and assess 21 the state of health of worldwide 22 energy assets which amount to 12 23 gigawatt hours in capacity and also 24 are over 100 assets in terms of 25 number of assets worldwide.	Page 16 1 DANTAM 2 an asset together, are they using 3 right solar panels, right, 4 electronics, these are what we call 5 power conditioning systems, right, 6 communication software, right, 7 cybersecurity software, right, 8 battery chemistries. The 9 connectivities batteries properly. 10 Because we are the experts. 11 Q. Does your company provide 12 expertise in any battery recycling 13 guidance? 14 A. Yes. I am the expert 15 within the company who understands 16 materials and recycling processes, 17 yes. 18 Q. Sorry, let me rephrase that 19 question. So you provide services 20 to other companies in how to manage 21 those -- your customer's assets; is 22 that correct? 23 A. Yes. One of my specialties 24 is recycling, yes. 25 Q. So how your customers
Page 15 1 DANTAM 2 Q. What do you mean by assets? 3 A. The asset includes massive 4 energy storage containers, solar 5 installations, wind installations, 6 energy production, energy 7 transmission/distribution, energy 8 storage distributions. That's what 9 assets are. Energy storage assets 10 are batteries. 11 Q. Energy storage assets are 12 batteries. What kind of batteries? 13 A. Different varieties. 14 Lithium batteries, flow batteries. 15 Q. Sorry? 16 A. Flow. 17 Q. That's F-L-O-W? 18 A. Correct. 19 Q. You sell these batteries to 20 people or you provide -- 21 A. No, no, no. We provide 22 guidance. Customers, typically 23 clients come to us and ask us to 24 comment on if they are making the 25 right choices in terms of assembling	Page 17 1 DANTAM 2 should be recycling their batteries? 3 A. How they should be 4 disposing of and recycling, yes, at 5 the end of life. 6 Q. Okay. You mentioned, I 7 just want to go back to that 8 question, you mentioned ISOs and 9 RTOs around the world. What is an 10 ISO? 11 A. These are I will give you 12 an example. In the United States 13 our entire country is divided into 14 ten regional zones, RTO stands for 15 regional transmission organization. 16 ISO is independent systems 17 organization. They are used 18 interchangeably. 19 For example, California is 20 controlled by one ISO. It's called 21 CAISO. Where I live in Indiana it's 22 controlled by Midwest ISO. New York 23 is controlled by NISO, New York ISO. 24 Texas is controlled by ERCOT. So 25 there are -- other countries also

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Page 18 1 DANTAM 2 have organizations like this. 3 Previously they used to have 4 single organization but because of 5 cybersecurity threats we divided 6 into different zones. So if 7 something happens in one zone we 8 can -- we can control the spread of 9 the intrusion. 10 Q. Thank you. All right. 11 Going back to an earlier question 12 you had said here your hourly rate 13 was \$500 an hour. So you are 14 retained or -- let me, sorry, let me 15 ask that differently. 16 Are you directly retained by 17 Duesenfeld or did Duesenfeld retain 18 Fractal Energy Consultants? 19 A. I have to give you a bit of 20 an explanation. Last year when I 21 was retained I was directly retained 22 by Duesenfeld. And after I was 23 retained by Duesenfeld, Fractal 24 hired me. And so the consulting 25 business I have as an individual I	Page 20 1 DANTAM 2 has doubled? 3 A. Correct. Because that's 4 Fractal's hourly rate. 5 Q. Does Fractal usual provide 6 expert witness services or is this 7 an exception to their normal 8 consulting businesses? 9 A. We do provide expert 10 witness services, yes. 11 Q. But the expertise that 12 Fractal provides is also general 13 consulting and not necessarily 14 litigation-based? 15 A. Correct. 16 Q. Were you providing 17 consulting services prior to joining 18 Fractal that were not 19 litigation-based? 20 A. Yes. 21 Q. Is this the only proceeding 22 in which you represent Duesenfeld? 23 A. Yes, that is correct. 24 MR. CARLSON: Objection, vague 25 as to proceeding.
Page 19 1 DANTAM 2 took the business into Fractal. So 3 now Duesenfeld became me through 4 Fractal. 5 Q. When did you join Fractal? 6 A. In March this year. 7 Q. Okay. So from June through 8 July of 2024 you were directly 9 retained by Duesenfeld and then in 10 March -- 11 A. June through March of this 12 year. 13 Q. And then from June of 14 2004 -- 2024 through March of 2025 15 you were retained directly by 16 Duesenfeld and then in March of 2025 17 that retention switched to Fractal? 18 A. Correct. 19 Q. Okay. Before you joined 20 Fractal what was your hourly rate 21 for Duesenfeld? 22 A. I was charging Duesenfeld 23 \$250 an hour. 24 Q. Okay. So over the course 25 of this proceeding your hourly rate	Page 21 1 DANTAM 2 MR. SCHENKER: Fair enough. 3 Q. You understand that the 4 '097 patent was also challenged in a 5 separate IPR proceeding that was 6 initiated by a company called or 7 whose name begins with URT; is that 8 correct? 9 A. I understand that, yes. 10 Q. So you also represent 11 Duesenfeld in the proceedings 12 brought by URT, correct? 13 A. That is correct. 14 Q. You understand that these 15 are two separate proceedings that 16 both relate to the same patent? 17 A. I understand. 18 Q. Did you understand that 19 before today? 20 A. Yes, I understand. 21 Q. Sorry. My question was 22 whether you understood that these 23 were two separate proceedings before 24 this deposition began? 25 A. Yes, I understood before

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Page 22 1 DANTAM 2 this deposition began, two separate 3 items. 4 Q. Are there any other legal 5 proceedings in which you represent 6 Duesenfeld? 7 A. There are no other legal 8 proceedings in which I represent 9 Duesenfeld. 10 MR. CARLSON: Objection, vague 11 as to proceeding. 12 Q. Do you understand that 13 there's a co-pending district court 14 litigation between Ascend and 15 Duesenfeld? 16 A. No, I don't. 17 Q. Do you understand that 18 Duesenfeld sued Ascend for patent 19 infringement in district court? 20 A. I understand that, yes. 21 Q. Do you -- are you retained 22 by Duesenfeld as an expert witness 23 in the district court case as well? 24 A. Yes. I understand. 25 Q. Okay. So yes, you are	Page 24 1 DANTAM 2 A. When you say Europe other 3 than what you have described? 4 Q. So I believe there are 5 revocation proceedings in Europe as 6 well as some enforcement proceedings 7 by Duesenfeld? 8 A. I do not know any. 9 Q. You are not aware of 10 anything relating to Duesenfeld's 11 European patents, are you? 12 A. Other than the patent you 13 referenced and other than the second 14 declaration that I provided with 15 URT, I am not actively aware of any 16 of the stuff. 17 Q. Now, Mr. Dantam, you 18 submitted two declarations in this 19 IPR proceeding; is that correct? 20 A. That is correct. 21 MR. SCHENKER: I'm going to 22 mark this as Exhibit 2001 -- sorry. 23 Q. All right, you should see 24 in the marked exhibits folder 25 Exhibit 2001.
Page 23 1 DANTAM 2 retained in the district court case 3 as well as two IPRs? 4 A. Correct, yes, yes. 5 Q. Okay. When I say a legal 6 proceeding do you understand what 7 that means? 8 A. You said legal or illegal? 9 Q. Legal, legal proceeding. 10 A. Yes, yes, I understand. 11 Q. So an IPR proceeding is an 12 example of a legal proceeding. A 13 district court litigation is an 14 example of a legal proceeding. 15 A. I understand that is a 16 legal proceeding. 17 Q. Do you understand that 18 Duesenfeld is involved in actions in 19 the, I'll use the word action or 20 legal proceeding, if you don't 21 understand those please tell me, but 22 do you understand that Duesenfeld is 23 involved in actions or legal 24 proceedings in Europe relating to 25 its patent portfolio?	Page 25 1 DANTAM 2 (Exhibit 2001, Ascend 3 declaration, marked for 4 identification, as of this date.) 5 A. Yes, Exhibit 2001, I see 6 it. 7 Q. Exhibit 2001 is one of the 8 declarations you submitted in this 9 proceeding; is that correct? 10 A. You referring to the 11 declaration which is the Ascend 12 declaration, right? 13 Q. Sorry, for clarity sake 14 when I say for this proceeding I 15 mean the IPR brought by Ascend as 16 opposed to -- that's a fair point. 17 For clarity sake, if I refer 18 to the URT IPR will you understand 19 that refers to a separate 20 proceeding? 21 A. Correct, I understand that. 22 Q. And just for the sake of 23 our record, the other proceeding is 24 IPR 2024-00887 brought by URT 25 Umwelt-und Recyclingtechnik GmbH.

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Page 26 1 DANTAM 2 You understand that if I refer 3 to the URT IPR I am referring to 4 that other proceeding, that's 5 correct? 6 A. Yes, I understand. 7 Q. And if I refer to this 8 proceeding going forward you 9 understand that I'm talking about 10 the IPR that was initiated by 11 Ascend, correct? 12 A. I understand, correct. 13 Q. Okay. Turning again to 14 Exhibit 2001 that's your first 15 declaration from this proceeding; is 16 that correct? 17 A. That is correct. 18 Q. And Exhibit 2001, which you 19 submitted was complete and correct; 20 is that correct -- is that right? 21 A. That is correct. 22 Q. Why did you submit 23 Exhibit 2001? 24 MR. CARLSON: Objection, 25 vague. Calls for a narrative.	Page 28 1 DANTAM 2 Q. And what is your 3 understanding of the purpose of your 4 submitting that declaration? 5 MR. CARLSON: Objection, calls 6 for attorney-client privileged 7 information. I think I instruct 8 him not to answer, I mean... 9 Q. Are you following your 10 attorney's advice? 11 A. Yes, I follow my attorney's 12 advice. 13 MR. SCHENKER: Let's put in 14 for the record what's marked as 15 Exhibit 2022. 16 (Exhibit 2022, declaration 17 behalf of Ascend, marked for 18 identification, as of this date.) 19 Q. You should see it in the 20 marked exhibits folder. 21 A. Yes, I see that. 22 Q. And what is Exhibit 2022? 23 A. I don't know off the top of 24 my head, Mr. Schenker. 25 MR. CARLSON: One comment for
Page 27 1 DANTAM 2 Q. What was your purpose in -- 3 strike that last question, scratch 4 it. 5 What was your purpose in 6 submitting Exhibit 2001? 7 MR. CARLSON: Same objections. 8 A. I'm not following you 9 Mr. Schenker. 10 Q. You were asked to submit 11 Exhibit 2001 several months back; is 12 that correct? 13 A. Correct. 14 Q. Or many months back; is 15 that right? 16 A. Yeah, many months back. 17 Q. And Exhibit 2001 was 18 admitted before the board had 19 instituted IPR; is that correct? 20 A. I think so as I understand, 21 correct. 22 Q. And Duesenfeld had 23 requested that you offer opinions in 24 this declaration; is that correct? 25 A. Yes, that is correct.	Page 29 1 DANTAM 2 for the witness is there a way to 3 be full screen so if you play 4 around with the controls you can go 5 full screen? 6 A. Would you like -- can I 7 click on it, the exhibit? 8 Q. Yes. 9 A. Okay. It's opening. Yes, 10 this is my declaration. 11 Q. This is your second 12 declaration; is that correct? 13 A. This is the declaration 14 behalf of Ascend. 15 Q. Just to clarify, you had 16 testified that you submitted two 17 separate declarations in this Ascend 18 proceeding; is that right? 19 A. One declaration for Ascend, 20 another declaration for URT. 21 Q. I think you are 22 misunderstanding or -- I don't want 23 to put words in your mouth. 24 Exhibit 2001 is a declaration that 25 you submitted in this proceeding; is

Page 30 1 DANTAM 2 that correct? 3 A. Yes. Let me go click that 4 one. Give me a second, please. 5 It's trying to open. If I may, may 6 I ask my attorney a question please? 7 Q. So we ask the questions 8 here and you answer them. If 9 there's an ambiguity in the question 10 you can let me know and I can try 11 and clarify the question. 12 A. Okay. 13 Q. Do you have Exhibit 2001 14 open? 15 A. Yes. Both of them say -- 16 MR. CARLSON: May I indicate 17 to the witness how to make it go 18 full screen right now. So Vani if 19 you look at this down here it gives 20 you an option to go down all wait 21 it says full screen option. Enter 22 full screen and it should make life 23 easier for you. 24 THE WITNESS: Okay. Let me 25 see. I do not see that.	Page 32 1 DANTAM 2 50. 3 Q. Should be the last page of 4 the pdf. 5 A. Yeah, yeah, yeah, yeah. 6 Q. And on page 50 is that your 7 signature? 8 A. Yes, that is my signature 9 that is correct. 10 Q. It's dated August 24, 2024? 11 A. That is correct. 12 Q. There's no page number on 13 page 50; is that correct? 14 A. There is no page number on 15 page 50, correct. 16 Q. So you understand that 17 Exhibit 2001 is a declaration that 18 you submitted in this proceeding, 19 IPR 2024-00948 back in August of 20 2024; is that right? 21 A. That is correct, yes. 22 Q. Who wrote Exhibit 2001? 23 A. Majority of the technical 24 opinions I have written myself. 25 Q. Which technical opinions
Page 31 1 DANTAM 2 MR. CARLSON: You have to go 3 back to where you were -- 4 THE WITNESS: This is my Zoom. 5 MR. CARLSON: Yeah. Just open 6 one of those dots I'll show you. 7 Let it open. This might be a slow 8 process. 9 THE WITNESS: Okay. 10 A. Yeah, I have it on full 11 screen, Mr. Schenker. 12 Q. So looking at the cover 13 page of Exhibit 2001, you see that 14 is, says declaration of Vani Dantam 15 in case number IPR 024-00948; is 16 that correct? 17 A. Correct. 18 Q. And you are Vani Dantam, 19 correct? 20 A. I am Vani Dantam, yes. 21 Q. And if turn to the last 22 page of Exhibit 2001 which I believe 23 is page 50 of 50 of this pdf. Do 24 you see that? 25 A. Page 50. I'm going to page	Page 33 1 DANTAM 2 did you not write? 3 A. I would say almost all of 4 the technical opinions I do not 5 remember not writing any technical 6 opinions. 7 Q. I'm sorry, you said the 8 majority of the technical opinions 9 you wrote. And now you are saying 10 all of them? 11 A. Yes, the drafting, because 12 I'm not an attorney, I do not have 13 quote/unquote any expertise in 14 drafting legal verbiage. So after I 15 drafted the opinions my attorney 16 helped me edit those into what is 17 presented here. 18 Q. Okay. 19 A. Again, because of my lack 20 of legal expertise. 21 Q. Do you have any reason to 22 believe Exhibit 2001 is not complete 23 and direct? 24 A. No, I do not have any. 25 Q. And now, do you understand

Page 34 1 DANTAM 2 that this declaration was submitted 3 to the Patent Trial and Appeal 4 Board, the PTAB as it's called or 5 just the board, that this exhibit 6 was submitted to the board along 7 with Duesenfeld's what we call 8 Patent Owner Preliminary Response or 9 POPR? 10 A. Yes, I understand that. 11 Q. Do you understand what a 12 POPR is? 13 MR. CARLSON: Objection, 14 vague. I would say, Vani, don't 15 divulge any attorney communications 16 about, you know, that are not set 17 forth in your declaration itself. 18 THE WITNESS: Yeah, yeah. 19 Q. My question was whether you 20 understand what a POPL is? 21 A. You have to tell me what 22 POPR stands for, then I might be 23 able to comment. 24 Q. Fair enough. POPR stands 25 for Patent Owner Preliminary	Page 36 1 DANTAM 2 A. It is U.S. Patent and 3 Trademark Office before the Patent 4 Trial and Appeal Board, Ascend 5 Elements Incorporated, who is the 6 Petitioner, versus Duesenfeld GmbH, 7 patent owner, case number IPR 8 2024-00948 U.S. patent number 9 11,050,097 and it is my declaration. 10 Q. Have you seen Exhibit 2022 11 before? 12 A. Yes. 13 Q. Did you need to read that 14 whole preamble in order to identify 15 Exhibit 2022 as your declaration? 16 A. No. You asked me what it 17 is so I read it. 18 Q. Can you turn to page 84 of 19 Exhibit 2022? 20 A. Yeah. I'm going to 84. I 21 am on page 84, yes. 22 Q. And is that your signature 23 at the bottom of page 84? 24 A. Yes, it is my signature. 25 Q. And you signed Exhibit 2022
Page 35 1 DANTAM 2 Response, have you heard that term 3 before? 4 A. I have heard that term 5 before, yes. 6 Q. And do you understand what 7 a patent owner preliminary response 8 is? 9 MR. CARLSON: Objection, 10 vague. 11 A. Yeah, I -- again, I don't 12 know the details, yes. 13 Q. You don't know the details 14 of whether you understand what 15 patent owner preliminary response 16 is? 17 A. I do not know the details 18 of what patent owner preliminary 19 response contains. 20 Q. Can you turn to 21 Exhibit 2022. 22 A. Yes. I go back to 23 Exhibit 2022. Let me close this 24 out. Yes, I am on Exhibit 2022. 25 Q. What is Exhibit 2022?	Page 37 1 DANTAM 2 on February 14, 2025; is that right? 3 A. That is correct. 4 Q. And do you understand that 5 Exhibit 2022 was submitted to the 6 board with Duesenfeld's patent owner 7 response brief? 8 A. Yes, I understand that. 9 Q. Do you understand what a 10 patent owner response is? 11 MR. CARLSON: Objection, 12 vague. And, frankly, it's outside 13 the scope of the deposition -- the 14 deposition is limited to 15 cross-examining him on the scope of 16 his opinions not what he knows what 17 he thinks the patent owner response 18 is. 19 Q. You can answer, Mr. Dantam. 20 A. Yeah, I really do not know 21 what the patent owner response is. 22 Q. Okay. But just to be 23 clear, Duesenfeld retained you to 24 submit both of these declarations; 25 is that correct?

Page 38 1 DANTAM 2 A. That is correct, yes. 3 Q. Who wrote Exhibit 2022? 4 A. All of the technical 5 matters were drafted by me. 6 Q. When did you first become 7 familiar with Duesenfeld. 8 A. With who? Last year when I 9 was retained by them formally. 10 Q. So prior to June 2024, you 11 weren't aware of them? You weren't 12 familiar with the company? 13 A. I was not. 14 Q. Sticking with Exhibit 2022 15 if we call it your second 16 declaration would that be clear as 17 well? 18 A. Yes, that would be clear, 19 yes. 20 Q. I just want to make sure 21 that's clear because obviously as 22 you noted you submitted declarations 23 in another matter and we are not 24 discussing those at this time? 25 A. That is correct, yes.	Page 40 1 DANTAM 2 A. Correct. 3 Q. But other than that it is 4 complete? 5 A. That is correct, yes. 6 Q. Now, looking at the 7 second -- turning to what's labeled 8 page 90, so in the bottom right 9 corner of every page you see a page 10 number, there's page number, so 090. 11 A. 090. 84, 85, 86, 87, 88, 12 89 -- yeah. So are you referring to 13 appendix B? 14 Q. No. So this would be part 15 of appendix A still. 16 A. Okay. 17 Q. The top of the page says 18 professional experience -- 19 A. I see that, yes. 20 Q. Can you see in the bottom 21 right corner it's labeled Duesenfeld 22 2022-90? 23 A. Correct. 24 Q. So looking at your 25 professional experience you are an
Page 39 1 DANTAM 2 Q. So for the sake of the 3 record again Exhibit 2001 you 4 understand to be your first 5 declaration and Exhibit 2022 you 6 understand to be your second 7 declaration? 8 A. Yes, I understand that. 9 Q. Can you turn to the 10 appendix A of your second. That 11 should be the next page in the pdf. 12 A. Yes. 13 Q. What is appendix A? 14 A. It is my CV, my resum . 15 Q. And is your CV complete and 16 accurate? 17 A. It is -- I would consider 18 that incomplete considering it does 19 not have the details of my current 20 employment. 21 Q. Fair enough. So your 22 employment here is active through I 23 guess February of 2025 and therefore 24 is missing your current employment 25 at Fractal?	Page 41 1 DANTAM 2 advisor at Vanderbilt University; is 3 that correct? 4 A. Correct. I'm also a board 5 member at Vanderbilt University, 6 advisor and board member. 7 Q. Or second one is Robins & 8 Kaplan LLP? 9 A. Yes. 10 Q. Is that Mr. Carlson's firm? 11 A. Yes. 12 Q. Are you employed by 13 Mr. Carlson's firm? 14 A. No. 15 Q. So you are just listing a 16 litigation consulting as part of 17 your professional experience? 18 A. That is correct, yes. 19 Q. Other than litigation 20 consulting for Robins & Kaplan is 21 there any other litigation 22 consulting that's not listed on this 23 appendix? 24 A. No, there is no others. 25 Q. Is there any other

Page 42 1 DANTAM 2 intellectual property consulting 3 that you provided that's not listed 4 in this appendix? 5 A. No. There's no other 6 intellectual property consulting 7 that I'm doing at present. 8 Q. And if I'm understanding 9 correctly the only intellectual 10 property consulting that you are 11 doing is for Robins Kaplan on behalf 12 of Duesenfeld? 13 A. Yes, that is correct, that 14 is the only intellectual property 15 consulting I am doing? 16 Q. Turning to page 92 you see 17 it lists your education in the 18 middle of the page? 19 A. Yes, I see that. 20 Q. You have a bachelor's in 21 metallurgical engineering? 22 A. That is correct. 23 Q. And you have a masters in 24 mechanical engineering; is that 25 correct?	Page 44 1 DANTAM 2 Q. And between 1982 and 1988 3 were you working? 4 A. Yes, I was. 5 Q. Were you working in the 6 field of lithium ion batteries? 7 A. No. Lithium ion batteries 8 did not exist then. 9 Q. Were you working in 10 electrical engineering at that time? 11 A. Yes, I was. 12 Q. What were you doing in 13 electrical engineering? 14 A. Managing the energy systems 15 for the United States Navy and also 16 managing -- after I left the United 17 States Navy I was an engineer at 18 General Motors managing automotive 19 electrical systems and specific 20 products for General Motors that 21 provide electrical support on 22 automobiles, GM's automobiles and 23 also some of nonGeneral Motors 24 automobiles. 25 Q. What do you mean by
Page 43 1 DANTAM 2 A. That is correct, yes. 3 Q. And you do not have a 4 Ph.D., correct? 5 A. No, I do not have a Ph.D. 6 Q. But you do have an MBA with 7 a focus in finance and business, 8 correct? 9 A. International business, 10 yes. 11 Q. International business? 12 A. Yes, it's correct. 13 Q. You do not have a degree in 14 electrical engineering; is that 15 correct? 16 A. I do not have a degree in 17 electrical engineering, that is 18 correct. 19 Q. And what years did you get 20 your MBA? 21 A. 1988. 22 Q. But you got your masters in 23 1982; is that right? 24 A. That is correct, in 25 mechanical engineering.	Page 45 1 DANTAM 2 managing automotive electrical 3 systems? 4 A. It involves batteries for 5 use on automobiles, acid batteries 6 and batteries that we are 7 researching with which were nonled 8 acid which are used today on all of 9 our cars. And we were working on 10 nonled acid batteries, we were 11 developing. And I was also working 12 with alternators that go on cars and 13 trucks, heavy-duty trucks and 14 busses. And I was also working with 15 starter motors for different engines 16 and the materials that go into the 17 starter motors. I was working with 18 sensors that sense different 19 functions on automobiles. I'm using 20 the word automobiles as generic. It 21 involves trucks and busses too. And 22 I was working with controls. So 23 many, many things, yes. 24 Q. What were your day-to-day 25 responsibilities there?

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Page 46 1 DANTAM 2 A. Would you repeat that, 3 please. 4 Q. What were your day-to-day 5 responsibilities there? 6 A. Depending on the assignment 7 I had I started out as a test 8 development engineer. So I had to 9 understand how these products were 10 being developed and tested. And 11 then I became a product engineer at 12 which point I was designing the 13 products myself and controlling the 14 specifications of what these 15 products when they went into 16 production. And later I became 17 engineering manager. So I managed 18 fellow engineers who were doing 19 these things, so yeah. 20 Q. Thank you. You do not have 21 a degree in material science, do 22 you? 23 A. Not formally. My degree in 24 metallurgical engineering this was 25 in the late '70s. In those days	Page 48 1 DANTAM 2 industry in 2008; is that correct, 3 this was at Remy Electric? 4 A. Correct. 5 Q. So just so I'm clear, from 6 1987 when you got your Master's to 7 2008 you were working in other 8 fields, correct? 9 A. Yes. 10 Q. And your job at Remy 11 Electric was director of global 12 sales; is that right? 13 A. That is correct. 14 Q. As director of global sales 15 were you designing or developing 16 lithium ion batteries? 17 A. At the time lithium ion 18 batteries were in their infancy. I 19 knew what they did and how they are 20 different, how, you know, they were 21 better but I was not designing any 22 of those directly. I was 23 managing -- 24 Q. So the answer -- sorry, the 25 answer to my question was no, you
Page 47 1 DANTAM 2 materials engineering was just 3 coming in. So what was considered 4 metallurgical engineering at that 5 time later became materials 6 engineering. 7 Q. And you don't have a degree 8 in chemical engineering, do you? 9 A. No, I do not have a degree 10 in chemical engineering. 11 Q. In your Master's program 12 did you study specifically the 13 design of lithium ion batteries? 14 A. Lithium ion batteries did 15 not exist in those days. 16 Q. And in your Master's 17 program did you study specifically 18 the recycling of any batteries? 19 A. Specifically, no. However 20 in my undergraduate program I have 21 studied recycling of a lot of 22 different metals. One of the ways 23 to produce metals is recycling them. 24 Q. Now, you first started 25 working in the electric vehicle	Page 49 1 DANTAM 2 were not designing? 3 MR. CARLSON: Objection, 4 mischaracterizes the testimony. 5 Q. So the answer to my 6 question was no, you were not 7 designing or developing lithium ion 8 batteries; is that correct? 9 A. That is correct, yes. 10 Q. Can you turn to paragraph 11 nine of your declaration? 12 A. Yeah. 13 Q. You are discussing your 14 work at Remy Electric; is that 15 correct? 16 A. Yes. 17 MR. CARLSON: Sorry, which 18 page? 19 THE WITNESS: Paragraph nine. 20 MR. CARLSON: Oh, paragraph 21 nine. 22 THE WITNESS: Yeah. 23 Q. And for the most part where 24 possible with respect to your 25 declaration I will try to refer to

Page 50 1 DANTAM 2 it by paragraph number and not page 3 number because as you see here 4 paragraph nine is on a page that is 5 labeled three and six. 6 A. Correct. 7 Q. All right. So in the 8 second-to-last sentence of your 9 declaration, paragraph nine, you 10 say: "Through my work at Remy 11 Electric, I became familiar with the 12 performance characteristics of 13 different lithium ion batteries." 14 Do you see that? 15 A. Correct. 16 Q. What do you mean by 17 performance characteristics? 18 A. You design any battery in 19 two ways; how much energy you store 20 in the battery and how fast you can 21 deliver that energy and how fast you 22 can store that energy back. Those 23 are the performance characteristics. 24 And sometimes you also say what the 25 life of the battery is. Those are	Page 52 1 DANTAM 2 role again was in sales, business 3 development and marketing, correct? 4 A. That is correct. 5 Q. Okay. At EnerDel and Axion 6 Power you were not involved in the 7 recycling of lithium ion batteries, 8 correct? 9 A. Not directly at EnerDel. 10 At EnerDel I was involved with 11 recycling of plant waste because I 12 controlled application engineers who 13 developed different applications for 14 batteries for customers. 15 And if -- and also tested 16 those batteries. Then some of these 17 batteries failed. They came back to 18 us and then we were recycling them. 19 So that's how I was involved with 20 recycling, sending the failed 21 batteries to material recyclers. 22 Q. These failed batteries, 23 were these used electric vehicle 24 batteries? 25 A. Used electric vehicle
Page 51 1 DANTAM 2 the three main characteristics out 3 of which the capacity and the 4 amperage are the performance mainly. 5 Q. Now, at Remy Electric you 6 were not involved in the recycling 7 of lithium ion batteries; is that 8 correct? 9 A. Yes, that is correct. 10 Q. And at that time you were 11 not designing or developing any 12 recycling systems; is that correct? 13 A. Yes, that is correct. 14 Q. Now, your next role after 15 Remy Electric was at EnerDel; is 16 that right? 17 A. That is correct, yes. 18 Q. And there your job was in 19 sales and marketing; is that 20 correct? 21 A. Yes, that is correct. 22 Q. And then after your work at 23 EnerDel you then joined Axion Power? 24 A. Yes, that is correct. 25 Q. And at Axion Power your	Page 53 1 DANTAM 2 batteries. Used hybrid vehicle 3 batteries. And some of them were 4 used in energy storage systems for 5 utilities, yeah. 6 Q. And you said, so if I 7 understand correctly, EnerDel was 8 then sending broken or failed 9 batteries to battery recyclers, 10 correct? 11 A. Correct. 12 Q. So you were not yourself 13 involved in the recycling of 14 batteries? 15 A. I was not. 16 Q. And you were not yourself 17 involved in designing or developing 18 recycling systems, were you? 19 A. I was not involved, you are 20 correct. 21 Q. Okay. And at the time did 22 you have a technical knowledge of 23 how the battery recycling was taking 24 place? 25 A. Not direct technical

Page 54 1 DANTAM 2 knowledge but I understood what was 3 being done. 4 Q. Did you know whether those 5 battery recyclers were, for example, 6 shredding the batteries? 7 A. No. 8 Q. Are you aware of the 9 processes they were using to recycle 10 those batteries? 11 A. No. 12 Q. You are just aware of the 13 fact that other companies were 14 performing battery recycling at that 15 time, right? 16 A. Correct. 17 Q. And the same for Axion 18 Power, were you involved in 19 recycling of lithium batteries while 20 at Axion? 21 A. Axion was not involved in 22 the lithium ion production. They 23 were led carbon batteries. 24 Q. Were you involved in the 25 recycling of led carbon batteries at	Page 56 1 DANTAM 2 Gyr. How do you pronounce that? 3 A. Landis & Gyr. 4 Q. In 2015 you joined Landis & 5 Gyr? 6 A. Yes. 7 Q. And there you were the vice 8 president of North American sales; 9 is that right? 10 A. Correct. 11 Q. So you were again hired in 12 a sales capacity, correct? 13 A. Correct. 14 Q. Were you involved in 15 recycling lithium ion batteries 16 while at Landis & Gyr? 17 A. No, not directly. 18 Q. In paragraph 12 of your 19 declaration you talk about 20 recruiting special material 21 recyclers for plant waste? 22 A. Correct. 23 Q. What is that -- what is a 24 special material recycler? 25 A. Because Toshiba's batteries
Page 55 1 DANTAM 2 that time? 3 A. Yes. I was involved. 4 Again, from a third-party 5 perspective when we had failed 6 batteries that came back from the 7 field from customers we sent them 8 off to recyclers. 9 Q. Were you directly involved 10 in the recycling of those led carbon 11 batteries? 12 A. No, I was not. 13 Q. Are you aware of the 14 processes used to recycle those led 15 carbon batteries? 16 A. No, I'm not. 17 Q. So again, you are aware 18 that there are third-party companies 19 that were capable of and performing 20 battery recycling services but you 21 don't know how they were doing that; 22 is that correct? 23 A. Exactly, yes. You are 24 correct. 25 Q. In 2015 you joined Landis &	Page 57 1 DANTAM 2 are different from rest of the 3 lithium ion battery industry, the 4 batteries contain titanium. So you 5 need to -- we needed to educate the 6 recyclers, particularly if they 7 could handle titanium coming into 8 the system. So not everybody could 9 focus on that. So we needed some 10 specific set of skills. 11 Q. Okay. So were you 12 referring to a special material 13 recycler you are referring to a 14 third-party company that knows how 15 to recycle titanium? 16 A. Titanium as part of your 17 chemicals that are being used in 18 your lithium ion batteries, yes. 19 Q. Are you aware of how those 20 special material recyclers were 21 recycling the batteries that had 22 titanium in it? 23 A. All of these were from the 24 plant waste, Mr. Schenker, not from 25 the field. So they were really not

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Page 58 1 DANTAM 2 batteries per se. These were, you 3 know, production waste. And so I 4 cannot call them really battery 5 recycling. This is electrode and 6 plant waste recycling, No. One. 7 And No. Two, I was not 8 directly aware of how the plant 9 waste and electrodes were being 10 recycled. One of the 11 characteristics of Toshiba 12 batteries, they are the longest 13 lasting batteries. The theoretical 14 life of a Toshiba titanium battery 15 is over 45 years. So we had no 16 waste coming from the field, failed 17 batteries. So all we were recycling 18 was plant waste which was not 19 batteries. 20 Q. So, for example, they were 21 never activated with electrolyte and 22 used in batteries; is that right? 23 A. Correct, yeah. 24 Q. Looking at paragraph 13 of 25 your declaration. In 2019 you went	Page 60 1 DANTAM 2 Q. And so you were hired by 3 the two companies together so to 4 speak to help manage or run this 5 chief -- this project -- this joint 6 project? 7 A. That is correct, yes. 8 Q. Okay. Now, if I understand 9 in this role you were looking at 10 plant feasibility studies for the 11 production of semisolid state 12 lithium ion battery technologies; is 13 that right? 14 A. That is correct. 15 Q. And when you say that you 16 were looking for technologies that 17 were conducive to Indian ambient 18 technology conditions, what does 19 that mean? 20 A. You have to design a 21 battery that lasts in a given set of 22 ambient conditions. Indian ambient 23 conditions are totally different 24 from where we are let's say in 25 Chicago. The ambient temperatures
Page 59 1 DANTAM 2 to work for Lucas TVS and 24m 3 Technologies? 4 A. Correct. 5 Q. You were working for both 6 companies simultaneously? 7 A. Correct. 8 Q. Were the companies related? 9 A. No, they are not. 10 Q. And you were chief project 11 consultant for both companies, for 12 each company? 13 A. Correct, both companies. 14 Q. What is a chief project 15 consultant? 16 A. I had a specific project. 17 They made me responsible for the 18 entire project. 19 Q. So, sorry, let me clarify. 20 I guess maybe I'm misunderstanding. 21 Lucas TVS and 24m are two separate 22 companies. Were they involved in a 23 joint venture or some sort of joint 24 project at the time? 25 A. That is correct.	Page 61 1 DANTAM 2 are very high and the moisture 3 levels in that moisture are much 4 higher. So a battery that would 5 last for X number of years in 6 Chicago may not last same number of 7 years in India. Again, if you go to 8 south India it is much hotter and if 9 you go to north India it is not so 10 hot. So you have to design the 11 battery systems specific to -- so 12 you change what goes into the 13 battery depending on how to maintain 14 the performance characteristics 15 life. 16 Q. In this role -- so the 17 joint venture been Lucas TVS and 24m 18 was building a production facility 19 for lithium ion batteries, correct? 20 A. Correct. 21 Q. Were they -- was that joint 22 venture involved in the recycling of 23 used batteries? 24 A. Not directly but we had to 25 find people who would develop, who

Page 62 1 DANTAM 2 would recycle used batteries into 3 different things. You can develop 4 second life batteries or you can 5 recycle the batteries, yes. 6 Q. So in 2019 you were 7 investigating what companies were 8 already involved in recycling used 9 batteries? 10 A. Correct. 11 Q. Then after that you went to 12 NexTech Batteries in Carson, Nevada; 13 is that right? 14 A. Correct. 15 Q. You were COO there? 16 A. That is correct. 17 Q. Did your day-to-day 18 responsibilities there involve the 19 technical design or development of 20 recycling systems? 21 A. No, not again directly. I 22 controlled the engineering aspect of 23 the lithium sulfur batteries and we 24 had to find people who could recycle 25 our production waste because we did	Page 64 1 DANTAM 2 technical details of how Nevada 3 Technology Corporation performed 4 recycling? 5 A. No. We were a start-up 6 company. We did not have direct 7 recycling facility. 8 Q. Okay. So you were 9 contracting out your recycling 10 services to third-party recyclers? 11 A. Correct. 12 Q. And then paragraph 16. You 13 were the chief advisor to Lohum 14 Americas? 15 A. Correct. 16 Q. And Lohum Americas is a 17 provider, you say it's a provider of 18 advanced recycling technologies; is 19 that right? 20 A. Correct. 21 Q. Lohum Americas they do, in 22 fact, perform recycling services 23 themselves? 24 A. Not in the United States. 25 Lohum Americas is a division of
Page 63 1 DANTAM 2 not have a mass production 3 manufacturing facility. But we did 4 produce a decent amount of lab and 5 bio plant waste so we had to find 6 recyclers for that. 7 Q. So at NexTech Batteries you 8 used third-party recyclers as well? 9 A. That is correct. 10 Q. And then 2023 to 2024 you 11 were at the Nevada Technology 12 Corporation? 13 A. Correct. 14 Q. There you were the chief 15 technology officer? 16 A. That is correct. 17 Q. And Nevada Technology 18 Corporation, there they, that 19 company specializes in lithium ion 20 battery recycling, correct? 21 A. Yes, the core skills, one 22 of the core skills we had was 23 lithium ion battery recycling, 24 correct. 25 Q. Are you familiar with the	Page 65 1 DANTAM 2 Lohum India and so they do perform 3 recycling operations in India. 4 Q. Do they perform recycling 5 operations in Europe? 6 A. Not yet. I understand that 7 they have signed some agreements to 8 start performing recycling 9 operations in Europe. 10 Q. Do you know who they signed 11 those agreements with? 12 A. No, I do not. 13 Q. So just to sort of sum that 14 up. So I understand, since at least 15 I guess it was 2000 -- since you 16 started at Remy Electric in 2008 in 17 the kind of the battery field, if 18 you will, you were not directly 19 involved in the recycling of lithium 20 ion batteries or the design and 21 development of recycling systems but 22 you were largely contracting those 23 services out to third parties? 24 A. That is correct. 25 Q. You believe you developed

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Page 66 1 DANTAM 2 the expertise and the understanding 3 of the technology by your sales and 4 marketing roles during that time; is 5 that right? 6 A. Correct. Because I also 7 controlled, as the executive of 8 sales and marketing and development, 9 I controlled application engineering 10 which involved design of the 11 batteries that the company supplied 12 to our customers. 13 Q. You managed technical folks 14 who had an understanding of this and 15 you learned from that your 16 employee's understandings? 17 A. Correct. From that and 18 also from my training itself I was 19 directly capable of understanding 20 and providing guidance to my 21 engineers. 22 Q. And from your sales and 23 marketing roles you have an 24 understanding of the types of 25 documents and materials that a	Page 68 1 DANTAM 2 Q. Yes, that's the paragraph 3 we are looking at. 4 A. Correct. 5 Q. And paragraph 132 6 references Exhibit 2026. Do you see 7 that? 8 A. Yeah, yeah. I see a graph. 9 Q. What is Exhibit 2026? 10 MR. CARLSON: Could you share 11 the exhibit, please. 12 Q. Let me ask the question 13 this way. Do you see the graph in 14 the middle of paragraph 132? 15 A. Yes, I see the graph. 16 Q. And the graph is labeled 17 2026? 18 A. I see the graph labeled as 19 Exhibit 2026. 20 Q. And in parenthesis it tells 21 you the source of that exhibit? 22 A. Yes. 23 Q. What is the source of that 24 exhibit according to -- 25 MR. CARLSON: I object to
Page 67 1 DANTAM 2 person of skill in the art would 3 rely on and understand? 4 A. Yes, performance 5 specifications, from the 6 specification requirements in terms 7 of safety requirements, yes. 8 Q. So do me a favor, can you 9 turn to paragraph 132 of your 10 declaration. Do you have it? 11 A. Yeah, I have it. 12 Q. Paragraph 132 refers to 13 Exhibit 2026? 14 A. Correct. 15 Q. What is Exhibit 2026? 16 A. Wait a minute. You say 17 paragraph 132, right? 18 Q. Yes. 19 A. Yeah. This is Duesenfeld 20 Exhibit 2022-056 page 53. 21 Q. Correct. And paragraph 132 22 it says, "First, if the pressure 23 inside the Meador's system;" is that 24 right? 25 A. Yes.	Page 69 1 DANTAM 2 asking about the exhibit until you 3 put the exhibit in front of him. 4 MR. SCHENKER: I'm asking him 5 about his declaration. His 6 declaration puts in a 7 parenthetical. 8 A. In the parenthesis it's 9 engineeringtoolbox.com/water- 10 evacuation-pressure-temperature. 11 Q. What is the Engineering 12 Toolbox? 13 A. It's an online resource. 14 Q. It's an online engineering 15 resource? 16 A. Correct. 17 Q. And is it something you 18 relied on when forming your opinions 19 here? 20 A. For specifics, yes. 21 Q. Okay. And is this 22 something that someone of skill in 23 the art would have relied on in this 24 field? 25 A. If they know about this,

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Page 70 1 DANTAM 2 yes. 3 Q. If they know about the 4 Engineering Toolbox they would rely 5 on it? 6 A. Correct. 7 Q. Do you have any reason to 8 believe that the information is not 9 reliable? 10 A. No, I do not have any 11 reason. 12 Q. Were you aware of the 13 Engineering Toolbox from your own 14 work in the -- in this space? 15 A. Yes, I have used it before, 16 yes. 17 MR. SCHENKER: Why don't we 18 take a break here. 19 (Whereupon, there is a recess 20 in the proceedings.) 21 Q. Mr. Dantam, during the 22 break did you talk to anybody about 23 your testimony today? 24 A. Nobody else other than my 25 own attorney here.	Page 72 1 DANTAM 2 A. Pretty fair. It's -- yeah. 3 Q. Mr. Dantam, before the 4 break we were looking at your 5 background in the industry. Do you 6 recall we talked about your work as 7 chief advisor to Lohum Americas? 8 A. Right. 9 Q. What was your role as chief 10 advisor? 11 A. In terms of how to 12 establish supply channels for 13 lithium ion batteries and also is 14 really recycling, does it mean 15 extracting the materials from the 16 batteries or can we develop second 17 life batteries from these batteries 18 that are coming back. So a variety 19 of things because a lot of them were 20 just getting started. 21 Q. So let's take that in 22 pieces. What do you mean by 23 establishing subway [sic] channels? 24 A. There are suppliers, 25 brokers that would supply batteries.
Page 71 1 DANTAM 2 Q. And what did you discuss 3 with your attorney about today's 4 testimony? 5 A. It's attorney-client 6 privilege. I really can't disclose. 7 Q. You understand that while 8 you are on the record the 9 attorney-client privilege doesn't 10 protect communications between you 11 and your attorney related to this 12 deposition? 13 MR. CARLSON: You can answer 14 generally. 15 A. Yes. I was not aware of 16 it. 17 Q. Okay. So what were you 18 discussing with your attorney during 19 the break? 20 A. Just in a general sense how 21 the questioning and how the 22 deposition went. That's all. 23 Q. And what is the general 24 sense of how the deposition is 25 going?	Page 73 1 DANTAM 2 So this material, raw material 3 that's coming into Lohum, into the 4 company. I am under confidentiality 5 agreement with Lohum that is still 6 valid so I cannot disclose the names 7 of any of these companies and I 8 cannot disclose pricing of any of 9 these materials coming in and I 10 cannot disclose the technology 11 procedures, et cetera, that Lohum 12 employs because I am still under the 13 NDA that I signed with Lohum. 14 Q. Understood. And just to 15 clarify for my own sake, maybe I 16 misheard you as did the transcript. 17 So the first thing you said your 18 role as chief advisor one of -- the 19 first responsibility you had 20 identified was in terms of how to 21 establish supply channels, is that 22 what you meant to say? 23 A. Correct. 24 Q. Great. I had heard subway 25 channels.

Page 74 1 DANTAM 2 A. No, no, no. Supply. Raw 3 material supply. 4 Q. And then you mentioned 5 extracting the materials from the 6 batteries or whether to develop 7 second life batteries from those 8 batteries, whether to recharge the 9 batteries or -- 10 A. Not -- yeah. 11 MR. CARLSON: Let him finish. 12 A. Go ahead go ahead. 13 Q. Sorry. What do you mean by 14 develop second life batteries? 15 A. It specifically means when 16 a battery comes to you it still has 17 some juice left in it. And is it 18 okay to recycle it or can I 19 disassemble it and reassemble the 20 cells back in to combine the cells 21 from different batteries and 22 reassemble them into another battery 23 that I can sell. And that's what we 24 call a second life battery. 25 Q. As opposed to trying to	Page 76 1 DANTAM 2 declaration, so that's Exhibit 2022. 3 A. Correct. 4 Q. And this declaration 5 concerns the '097 patent, correct? 6 A. That is correct. 7 Q. And you have an 8 understanding of what the '097 9 patent teaches and claims? 10 A. Yes, I do. 11 Q. And you have an 12 understanding of what the '097 13 patent purports to have invented? 14 A. Yes, I do. 15 Q. Okay. Now, the '097 patent 16 did not invent lithium ion 17 batteries; is that correct? 18 A. That is correct. 19 Q. And the '097 did not invent 20 the idea of recycling batteries, 21 correct? 22 A. That is correct, yes. 23 Q. The '097 patent didn't 24 invent the comminution of batteries, 25 correct?
Page 75 1 DANTAM 2 just retrieve the raw materials from 3 the battery? 4 A. Correct. 5 Q. As chief advisor for Lohum 6 were you directly involved in the 7 recycling technologies that were 8 used? 9 A. Yes, I was. 10 Q. And you say in your 11 declaration there you used 12 principals of hydrometallurgy? 13 A. That is correct. 14 Q. What is hydrometallurgy? 15 A. It's processing the 16 materials, battery materials, using 17 aqueous solutions of different 18 chemicals and then processing these 19 solutions that have dissolved 20 battery chemicals and extracting 21 specific chemicals because it is 22 based on these aqueous solutions we 23 call it hydrometallurgy. 24 Q. So, Mr. Dantam, we are 25 discussing here your second	Page 77 1 DANTAM 2 A. That is correct. 3 Q. And comminution you 4 understand to be shredding or 5 crushing or breaking apart; is that 6 right? 7 A. I understand that, yes. 8 Q. Now, the '097 also did not 9 invent the fact that batteries and 10 recycled battery material need to be 11 shipped to other locations; is that 12 right? 13 A. Yes, that is correct. 14 Q. And the '097 patent was not 15 the first to recognize that 16 recycling of lithium ion batteries 17 could release dangerous toxic gases; 18 is that correct? 19 A. I believe the question is 20 very generic and vague. I do not 21 agree with what you are saying. 22 Can you be specific, please. 23 Q. So before the invention of 24 the '097 patent is it your opinion 25 that nobody knew -- nobody

Page 78 1 DANTAM 2 recognized that recycling lithium 3 ion batteries could result in the 4 release of toxic gases? 5 A. Again, you are being very 6 generic because it depends on the 7 context. 8 Q. In what context did the 9 '097 patent recognize before anyone 10 else that recycling lithium ion 11 batteries includes a release of 12 toxic gases? 13 A. What specific toxic gases 14 are you referring to? 15 Q. Hydrogen fluoride for 16 example or HS. Do you understand 17 what hydrogen fluoride is? 18 A. I do. 19 Q. And you understand that HF 20 is short for hydrogen fluoride? 21 A. Qua. 22 Q. And you understand that 23 hydrogen fluoride can be released 24 during the recycling of an lithium 25 ion battery?	Page 80 1 DANTAM 2 What do you mean by drying the 3 battery? 4 Q. The '097 patent did not 5 invent the idea of drying shredded 6 batteries, did it? 7 A. Correct. 8 Q. And the '097 patent did not 9 invent the idea of evaporating 10 electrolytes from a lithium ion 11 battery, correct? 12 A. Again, it depends on the 13 context. 14 Q. Is there some context in 15 which the '097 patent was the first 16 invention to evaporate electrolyte 17 from a lithium ion battery? 18 MR. CARLSON: Objection, 19 vague. 20 A. Again, I'm not -- again, it 21 depends on the context. I'm not 22 following you, Mr. Schenker. 23 Q. In what context would the 24 '097 patent have invented the idea 25 of evaporating electrolyte?
Page 79 1 DANTAM 2 A. I understand hydrogen 3 fluoride could be released during 4 that of the systems of lithium ion 5 batteries. 6 Q. That's a known scientific 7 fact, correct? 8 A. Yes, that is a known 9 scientific fact. 10 Q. And that scientific fact 11 was not first discovered by the 12 '097 patent inventors, was it? 13 A. It was not, correct. 14 Q. And the '097 patent is not 15 the first invention to recognize 16 that HF is hazardous to humans, 17 correct? 18 A. That is correct, correct. 19 Q. The '097 did not invent the 20 idea of drying batteries, correct? 21 A. Did not -- idea of what? 22 Q. The idea of drying 23 batteries. 24 A. Again, I'm not following 25 you. You don't dry the battery.	Page 81 1 DANTAM 2 MR. CARLSON: Objection, 3 vague. 4 A. I'm not able to follow 5 specifically what you are referring 6 to. 7 Q. What about my question do 8 you not understand? 9 A. You are saying '097 patent 10 is not the first to come up with the 11 idea of evaporation. It's just not 12 evaporation. There are many things 13 involved there. So I'm looking for 14 a specific, you know, more 15 specific -- I'm asking you to be 16 more specific about when you say 17 evaporation, what do you mean? When 18 and where? 19 Q. What do you understand 20 evaporation to mean? 21 A. Something that is in a 22 liquid form, becomes vapor. 23 Q. Did the '097 patent invent 24 the idea that a liquid form could 25 become vapor?

Page 82 1 DANTAM 2 A. No. The liquid form could 3 become vapor, that is a well-known 4 scientific fact. 5 Q. Okay. And was it already 6 well-known that electrolyte could 7 exist in liquid form? 8 A. In the batteries, yes. 9 Inside the battery, yes. 10 Q. And was it already known 11 prior to the '097 that you could 12 evaporate the electrolyte in the 13 battery? 14 A. Yes, it was known you could 15 evaporate the electrolyte. 16 Q. And -- 17 A. Not in the battery but 18 outside the battery. 19 Q. So I apologize I talked 20 over you. So it was known that you 21 could evaporate the electrolyte from 22 the battery, is that accurate? 23 A. You could evaporate the 24 electrolyte from the battery when 25 the battery is open.	Page 84 1 DANTAM 2 Q. And the '097 patent is not 3 the first invention to evaporate 4 electrolyte through low temperature 5 drying; is that correct? 6 MR. CARLSON: Objection, 7 vague. 8 A. Again, not specific enough. 9 Because low temperature is very 10 generic. 11 Q. What does low temperature 12 mean to you? 13 A. It depends on the context. 14 Q. In the context of 15 evaporating electrolyte what does 16 low temperature mean? 17 MR. CARLSON: Objection, 18 vague. 19 A. Again, not specific enough 20 in the context of batteries. 21 Q. Okay. The '097 patent was 22 not the first invention to evaporate 23 electrolyte through a drying process 24 at 80 degrees or lower; is that 25 correct?
Page 83 1 DANTAM 2 Q. Thank you. 3 A. Yeah. 4 Q. And it was known that you 5 could evaporate the electrolyte 6 through using a drying process; is 7 that correct? 8 MR. CARLSON: Objection, 9 vague. 10 A. Again, not specific enough, 11 Mr. Schenker. I'm not understanding 12 the question. 13 Q. You previously testified 14 that the '097 did not invent the 15 idea of trying batteries, correct? 16 A. Drying. 17 Q. Shredded batteries. 18 A. Shredded batteries, 19 correct. 20 Q. And nor did the '097 invent 21 the scientific principal that drying 22 a shredded battery would result 23 intro light being evaporated; is 24 that correct? 25 A. Correct.	Page 85 1 DANTAM 2 A. With the reference material 3 provided for me to review I do not 4 believe so, Mr. Schenker. Again, 5 it's just not the temperature, there 6 are many other conditions, yes. 7 Q. And just to clarify and -- 8 sorry, scratch that. 9 Okay. So based on the 10 reference materials provided for you 11 to review, what reference materials 12 are you talking about? 13 A. The reference materials of 14 prior art that was provided to me 15 and also the '097 patent. I cannot 16 answer the question specific to 17 temperature. There are many other 18 conditions that you have to look at 19 when you say low -- that's why it 20 depends on the context. 21 Q. Okay. So if I understand 22 your last answer correctly, there's 23 other conditions you might have to 24 look at but there were prior art 25 references before the '097 patent

Page 86 1 DANTAM 2 that disclosed evaporating 3 electrolyte at 80 degrees or lower, 4 correct? 5 MR. CARLSON: Mischaracterizes 6 the testimony. Objection. 7 A. No, I do not agree with 8 that. Again you cannot just point 9 to a temperature, that's all I'm 10 saying. 11 Q. I understand there's other 12 factors as well but in terms of 13 temperature the '097 patent is not 14 the first one to go down to 15 80 degrees for evaporating 16 electrolyte, correct? 17 A. You have to be specific. 18 Tell me which one you are referring 19 to. 20 Q. Let's move on from there 21 for the moment. The '097 patent did 22 not invent the scientific principal 23 that the boiling point of liquids 24 could be lowered by lowering the 25 atmospheric pressure, correct?	Page 88 1 DANTAM 2 Q. What do you mean? 3 A. Is the drying complete? 4 How much of the electrolyte is left? 5 Is it safe? So for it to be 6 inactive there are metrics, yes. 7 Q. What do you mean by is the 8 drying complete? 9 A. Have you extracted 10 sufficient amount of electrolyte. 11 Q. Sufficient amount of 12 electrolyte for what? 13 A. For drying. 14 Q. So material is inactivated 15 when drying is complete which means 16 you've extracted sufficient amount 17 of electrolyte for drying? 18 MR. CARLSON: Objection, calls 19 for a legal conclusion. Can I have 20 the question read back, please. 21 (Record read.) 22 A. Yes, it depends on the 23 specifications you establish. 24 Q. Depends on the 25 specifications who establishes?
Page 87 1 DANTAM 2 A. That's correct. 3 Q. And the '097 patent did not 4 invent the scientific principal that 5 dry battery material is 6 electrochemically inactive, correct? 7 MR. CARLSON: Can I have the 8 question read back, the whole 9 question, please. 10 (Record read.) 11 MR. CARLSON: Objection. 12 A. Again, it depends on the 13 context. 14 Q. In what context did the 15 '097 invent the scientific 16 principal? 17 A. When you are saying drying 18 you have to be specific. What 19 degree of drying you are trying to 20 achieve because to -- for a person 21 to determine if the material is 22 inactive or not you have to be 23 specific on the drying conditions 24 and how -- what you are shooting 25 for.	Page 89 1 DANTAM 2 MR. CARLSON: Objection. 3 Calls for a legal conclusion. 4 Objection, vague. 5 A. The entity that is 6 performing the drying. 7 Q. So the entity that is 8 performing the drying establishes 9 specifications for when drying is 10 complete? 11 A. I would think so, yes. 12 Q. Okay. Mr. Dantam, do you 13 agree that it was already known 14 prior to the invention of the '097 15 patent that liquids evaporate at 16 lower temperatures under partial 17 vacuum pressure; is that correct? 18 A. That is correct, yes. 19 Q. Mr. Dantam, can you turn to 20 paragraph 24 of your declaration, 21 that's section four, Relevant Legal 22 Principals. 23 A. Okay. Yes, I'm looking at 24 it. 25 Q. And from paragraphs 24

Page 90 1 DANTAM 2 through 38, those are the 3 relevant -- those are what you call 4 the relevant legal principals that 5 you applied? 6 A. Correct. 24 through which 7 paragraph, Mr. Schenker? 8 Q. 38. 9 A. 38, yes. 10 Q. And did you apply these 11 principals? 12 A. I believe so, yes. 13 Q. Were there any other legal 14 principals that you were informed of 15 but you did not list in this 16 section? 17 A. I do not think so. 18 Q. Do you agree that a prior 19 art reference renders a claim 20 invalid if all the elements of the 21 claim are disclosed explicitly or 22 inherently in that reference? 23 MR. CARLSON: Objection. 24 Calls for a legal conclusion. 25 A. Can you explain the	Page 92 1 DANTAM 2 you are not a lawyer, correct? 3 A. Correct. 4 Q. But you've been asked to 5 opine on the validity or invalidity 6 of the '097, correct? 7 A. Correct. 8 Q. And in rendering those 9 opinions you had to understand 10 certain legal principals, correct? 11 A. Correct. 12 Q. And so I want to make sure 13 I understand or I want to make sure 14 I am informed of your understanding 15 of those legal principals to -- so 16 the board may assess whether you 17 applied the correct principals and 18 applied them correctly; is that 19 fair? 20 A. That is fair, yes. 21 Q. Okay. So this first 22 question, let me rephrase it or let 23 me ask it again actually. Is it 24 your understanding that a prior art 25 reference renders a claim invalid if
Page 91 1 DANTAM 2 question again, please. 3 Q. Sorry. Let me rephrase the 4 question. That's a fair objection. 5 Is it your understanding that 6 a prior art reference renders a 7 claim invalid if all the elements of 8 the claim are disclosed explicitly 9 or inherently in that reference? 10 MR. CARLSON: Objection. 11 Calls for a legal conclusion. 12 A. Again, it depends on the 13 context. What you are saying it 14 sounds very generic so I -- again, 15 I'm going to say depends on the 16 context. 17 Q. In what context would that 18 change? 19 MR. CARLSON: Objection, calls 20 for a legal conclusion. He's not a 21 lawyer. 22 A. Yeah, it's -- the context 23 depends on the specifics of the 24 steps and the order of the steps. 25 Q. Mr. Dantam, I understand	Page 93 1 DANTAM 2 at the -- if all the elements of the 3 claim are disclosed explicitly or 4 inherently in that reference? 5 MR. CARLSON: Objection, calls 6 for a legal conclusion. 7 A. Again, my answer is going 8 to be it depends on how the prior 9 art mentions whatever they are 10 trying to claim, the specifics of 11 those claims. 12 Q. Okay. Can you turn to 13 paragraph 31 of your declaration. 14 A. Okay. Yeah. 15 Q. Do you understand that 16 anticipation is a form of 17 invalidity? 18 A. Anticipation is a -- yeah, 19 I understand. 20 Q. So you understand that if a 21 reference anticipates a claim then 22 the reference renders that claim 23 invalid? 24 A. Yes, I understand that. 25 Q. And you understand that the

Page 94 1 DANTAM 2 prior art reference would anticipate 3 a claim and thus render it invalid 4 if all the elements of the claim are 5 undisclosed in that prior art 6 reference either explicitly or 7 inherently? 8 A. I understand that. Again, 9 you have to be specific about the 10 claim in terms of what the 11 anticipation is, yeah. 12 Q. So just to be clear, when 13 you laid out your understanding of 14 anticipation in paragraph 31, you 15 didn't mention anything about it 16 changing your understanding of the 17 law changing based on context; is 18 that right? 19 A. Correct, understand. 20 Q. But now in your deposition 21 you are saying your understanding of 22 the law might change under different 23 context? 24 A. The law doesn't change but 25 the prior art may tell me what the	Page 96 1 DANTAM 2 not. I'm trying to understand -- 3 I'm trying to gauge and measure your 4 understanding of the legal 5 principals you applied. Did the 6 legal principals you applied change 7 depending on the context? 8 A. No, they do not. 9 Q. Okay. Now, I read from 10 paragraph 31 of your declaration and 11 you agree with what you wrote in 12 paragraph 31 of your declaration? 13 A. I agree. 14 Q. Okay. When I asked you 15 that same question without reading 16 it out of paragraph 31 of your 17 declaration your answer was it 18 depends on the context, correct? 19 A. Correct. 20 Q. Okay. Does your 21 understanding of the law change 22 depending on the context? 23 A. No, it does not change. 24 Q. So I'm going to ask you 25 again some questions to get to your
Page 95 1 DANTAM 2 anticipation is, so yeah. 3 Q. So my question is your 4 understanding of the law and your 5 answer depends on the context? 6 MR. CARLSON: Is there a 7 question pending? 8 Q. So again, does your 9 understanding of the law change in 10 different contexts? 11 A. When I'm looking at a prior 12 art claim if the prior art, you 13 know, what the anticipation is, 14 anticipation is not total 15 information. It is something 16 that -- if the anticipation is 17 specific enough to tell me this is 18 what we are anticipating I 19 understand. 20 Q. Do you understand I'm 21 asking about your understanding of 22 the law, right? 23 A. Yeah. 24 Q. I'm not asking if a 25 particular reference anticipates or	Page 97 1 DANTAM 2 understanding of the law and I would 3 imagine that your understanding of 4 the law is consistent and not 5 changing depending on the context; 6 is that right? 7 A. That's right. 8 MR. CARLSON: Objection, 9 mischaracterizes the testimony. 10 Q. So I'm going to ask this 11 question again. Do you agree that a 12 prior art reference renders a claim 13 invalid if all the elements of the 14 claim are disclosed explicitly or 15 inherently in that reference? 16 A. I understand. 17 Q. Do you understand that a 18 second reference may be used to 19 interpret or shed light on the 20 meaning of an anticipating 21 reference? 22 A. I understand. 23 Q. That's yes, you do 24 understand that? 25 A. Yes, I do. Yes, I do

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Page 98 1 DANTAM 2 understand that. 3 Q. Is it your understanding 4 that a prior art reference is 5 relevant for all that it teaches to 6 those of ordinary skill in the art? 7 MR. CARLSON: Objection. 8 Where is this in the declaration? 9 Are you referring to his 10 declaration? 11 MR. SCHENKER: Counselor, I 12 would ask that you not instruct the 13 witness. I would ask that you 14 not -- 15 A. I do not understand the 16 question, Mr. Schenker. 17 Q. Okay. In rendering your 18 opinions in this declaration were 19 you given an understanding as to 20 whether a prior art reference is 21 relevant for all that it teaches? 22 MR. CARLSON: Objection, 23 vague. Objection, calls for a 24 legal conclusion. 25 A. Can you repeat the last	Page 100 1 DANTAM 2 Q. So to be clear, it's your 3 understanding of the law that you 4 applied in rendering your opinions 5 here that if a prior art reference 6 includes multiple embodiments each 7 of those embodiments is considered 8 to be within the prior art? 9 MR. CARLSON: Objection. 10 Calls for a legal conclusion. He's 11 not a lawyer. 12 MR. SCHENKER: Counselor, he's 13 not. He's testifying as to his 14 understanding and what he applied. 15 So I ask that you stop injecting 16 these objections that you know to 17 be wrong. 18 MR. CARLSON: I don't agree 19 with that characterization at all. 20 A. I'm having trouble 21 following you, Mr. Schenker, because 22 if the embodiments are part of the 23 prior art, they are part of the 24 prior art, and, yeah. 25 Q. Thank you. You understand
Page 99 1 DANTAM 2 part of the question again, please. 3 Q. Sure. In rendering your 4 opinions in this declaration were 5 you given an understanding as to 6 whether a prior reference -- prior 7 art reference is relevant for all 8 that it teaches? 9 MR. CARLSON: Objection, 10 vague. 11 A. Prior art reference is 12 relevant to all that it teaches, 13 right, that's what you are saying? 14 Q. Yes. 15 A. What do you mean all that 16 it teaches? 17 Q. So, for example, if the 18 prior art reference includes two 19 embodiments, are both embodiments 20 considered to be in the prior art? 21 MR. CARLSON: Objection, calls 22 for a legal conclusion. 23 A. If they are part of the 24 prior art, the embodiments, they are 25 part of the prior art.	Page 101 1 DANTAM 2 that a prior art reference can 3 include multiple embodiments, 4 correct? 5 A. Yeah, I understand, yeah. 6 Q. And a prior art reference 7 could include multiple preferred 8 embodiments, correct? 9 A. Multiple preferred 10 embodiments? 11 Q. Multiple preferred 12 embodiments. 13 MR. CARLSON: Calls for a 14 legal conclusion. 15 A. What do you mean "preferred 16 embodiments"? 17 Q. Have you heard of the term 18 preferred embodiment in -- 19 A. If you are prioritizing 20 them in terms of the importance, 21 relative importance of the 22 embodiments. 23 Q. Sorry, let me finish my 24 question before you answer. Have 25 you heard the term preferred

Page 102 1 DANTAM 2 embodiment in the course of your 3 work in patent litigation? 4 A. I have. 5 Q. Do you have an 6 understanding of what a preferred 7 embodiment is? 8 A. It depended on the context 9 I was dealing with. That's why I 10 was trying to get a clarification 11 from you. 12 Q. So that's -- I want to make 13 sure I understand. You think 14 whether an embodiment is a preferred 15 embodiment depends on the context? 16 A. Yeah. How are you 17 establishing the preference? 18 Q. Okay. If a prior art 19 reference says you preferably paint 20 the side of the house red, do you 21 understand painting it red is an 22 embodiment? 23 A. Correct. 24 Q. But it's not the only 25 embodiment?	Page 104 1 DANTAM 2 Q. Do you have an 3 understanding of the legal consent 4 of obviousness? 5 A. Yes, I do. 6 Q. And is it your 7 understanding that a combination of 8 known elements is likely to be 9 obvious when it yields predictable 10 results? 11 MR. CARLSON: Objection, calls 12 for a legal conclusion. 13 A. Can you repeat that -- 14 explain that to me, please. 15 Q. Is it your understanding 16 that a combination of known elements 17 is likely to be obvious when it 18 yields predictable results? 19 A. A combination of what? 20 Q. Known elements. 21 MR. CARLSON: Objection. 22 Calls for a legal conclusion. 23 A. Combination of known 24 elements seems predictable results. 25 If you are defining your obviousness
Page 103 1 DANTAM 2 A. That is correct. 3 Q. If a prior art reference 4 says you preferably paint the side 5 of the house red instead of black, 6 do you understand that both red and 7 black are considered to be disclosed 8 embodiments? 9 A. They are disclosed 10 embodiments, correct. 11 Q. And one is preferred and 12 one is not preferred, correct? 13 A. It's less preferred. 14 Q. Less preferred, fair. 15 Thank you. 16 And so each of these, 17 embodiments you would agree then, is 18 considered to be within the scope of 19 the prior art, correct? 20 MR. CARLSON: Objection, 21 vague. Calls for a hypothetical. 22 Speculation. 23 A. When you are describing the 24 embodiments sometimes I have seen 25 multiple embodiments.	Page 105 1 DANTAM 2 as such I can understand, yes. 3 Q. Is that an understanding of 4 obviousness that was applied in 5 looking at the prior art in this 6 case? 7 A. Yes, I have applied that, 8 yes. 9 Q. Are you familiar with the 10 patent law concept of "teaching 11 away"? 12 A. When you say teaching away, 13 is away one word or two words? 14 Q. One word. 15 A. Okay. Teaching away, 16 right? 17 Q. Yes. 18 A. No, I understand. 19 Q. Are you familiar with that 20 concept? 21 A. Yes. 22 Q. What is your understanding 23 of that concept? 24 A. When you are teaching away 25 that means you are guiding away,

Page 106 1 DANTAM 2 separating, you are separating. 3 Q. Do you put your 4 understanding of the legal concept 5 in your declaration? 6 A. Yes, I have. 7 Q. Where did you put that 8 understanding? 9 A. I don't know. You have to 10 be specific to me. 11 Q. You said your understanding 12 of the law was contained in 13 paragraphs 24 through 38. Turn to 14 paragraph 24. 15 A. Right. I'm going back to 16 paragraph -- yes. 17 Q. Do you describe your 18 understanding of teaching away in 19 paragraph 24? 20 A. Let me read the paragraph. 21 "I'm not an attorney and I will 22 offer no opinions of law. For the 23 purposes of this declaration I have 24 been informed of certain aspects of 25 the law that are relevant to my	Page 108 1 DANTAM 2 Q. Okay. Does paragraph 25 3 set forth your understanding of the 4 concept of teaching away? 5 A. I understand that the 6 ordinary and customary meaning of 7 the claim term is the meaning that 8 the term would have a POSITA at the 9 time of invention. 10 I'm having difficulty 11 following you, how teaching away 12 would apply to the claim 13 construction. 14 Q. So that was not my 15 question. My question was where in 16 your declaration do you tell us what 17 you understand teaching away to 18 mean? 19 In fact, you don't tell us 20 anywhere in your declaration, do 21 you? 22 A. It's a long declaration so 23 I don't remember off the top of my 24 head but I'm finding it difficult to 25 follow.
Page 107 1 DANTAM 2 analysis and opinions. I have 3 applied these legal principals in 4 rendering my opinions below." And 5 so when you are teaching away -- 6 now, would you repeat the question 7 again, please. 8 Q. Does paragraph 24 from 9 Exhibit 2022 provide your 10 understanding of the legal concept 11 teaching away? 12 A. For certain aspects of the 13 law that are relevant to my analysis 14 and opinions. I don't know how the 15 question you are asking me applies 16 to this paragraph, Mr. Schenker. 17 Q. Let me ask the question 18 differently. Does the word teaching 19 away or teach away appear in 20 paragraph 24? 21 A. I don't see it. 22 Q. So paragraph 24 does not 23 set forth your understanding of that 24 concept, correct? 25 A. Correct.	Page 109 1 DANTAM 2 Q. You're finding it difficult 3 to follow whether or not you 4 included information in your 5 declaration -- 6 A. No, when you are saying -- 7 MR. CARLSON: Let him finish. 8 Q. Are you finding it 9 difficult to follow whether you 10 included information in your 11 declaration? 12 A. What specifically you are 13 asking for, Mr. Schenker. 14 Q. I'm asking specifically for 15 what your understanding of teaching 16 away is. 17 A. I understand when you are 18 teaching away. You are basically 19 guiding away. And -- 20 Q. Did you set that 21 understanding out anywhere in your 22 declaration? 23 A. If the prior art is 24 teaching away from the claims that 25 '097 patent is making, is that what

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Page 110 1 DANTAM 2 you are asking? 3 Q. No. 4 A. Okay. 5 MR. CARLSON: Let's go to the 6 declaration and read it from the 7 top to the bottom. Let's read it 8 out loud. 9 Q. My question, before reading 10 it top on the bottom, if you want to 11 take your time to do that, my 12 question or let me frame the 13 question: In section four of your 14 declaration you set out what you 15 call relevant legal principals and 16 you give, for example, your 17 understanding of the rules of claim 18 construction. 19 A. Correct. 20 Q. That's in paragraphs 25, 21 26, 27, 28, 29 and 30. You give -- 22 A. Correct. 23 Q. You tell us, for example, 24 your understanding of what 25 anticipation means in paragraphs 31,	Page 112 1 DANTAM 2 say that's what I'm understanding. 3 Q. I did not define teaching 4 away. I asked what your 5 understanding of that phrase is. So 6 if that -- what is your 7 understanding of that phrase? 8 A. When somebody says it is 9 teaching away means that I have a 10 different way of doing it from what 11 the claim is. 12 Q. Okay. And you applied that 13 understanding of teaching away in 14 rendering your opinions in this 15 declaration; is that correct? 16 A. Correct. 17 Q. Going back to section 4(a) 18 at -- starting at paragraph 25. 19 A. Okay. I'm going back to 20 paragraph 25, yes. 21 Q. Here you are setting forth 22 your understanding of the laws of 23 the rules of claim construction; is 24 that correct? 25 A. Correct.
Page 111 1 DANTAM 2 32 and 33. 3 A. Correct. 4 Q. You tell us your 5 understanding of some parts of the 6 law relevant to obviousness in 7 paragraphs 34, 35, 36, 37 and 38, 8 correct? 9 A. Correct. 10 Q. There is no heading here 11 for teaching away, is there? 12 A. There is no heading here, 13 that is correct. 14 Q. And none of these 15 paragraphs tell me, the reader of 16 your declaration, what you 17 understood teaching away to mean 18 when you wrote your declaration; is 19 that correct? 20 A. That is correct. 21 Q. You are telling me here 22 today that your understanding of 23 teaching away is when the prior art 24 guides away; is that correct? 25 A. Based on what I heard you	Page 113 1 DANTAM 2 Q. Who provided these 3 principals to you? 4 A. My attorney. 5 Q. That's Mr. Carlson? 6 A. That is correct. 7 Q. And did you follow these 8 principals when opining on the '097 9 patent? 10 A. Yes, I have. 11 Q. Were you asked to opine on 12 the current construction of any 13 terms -- sorry, excuse me. Were you 14 asked to opine on the correct 15 construction of any terms? 16 A. Opine on the correct 17 construction of any terms. What do 18 you mean a correct construction? 19 Q. Were you asked to opine on 20 how to construe any claim terms of 21 the '097 patent? 22 A. How to construe. I 23 can't -- the claims are what they 24 are. I mean how can I construe the 25 terms?

Page 114 1 DANTAM 2 Q. Do you understand what 3 claim construction is? 4 A. I understand what claim 5 construction is, I understand that, 6 yes. 7 Q. Can you tell me your 8 understanding of what claim 9 construction is? 10 A. The inventor has 11 constructed the claims and do I 12 understand the meaning of it and 13 that, so. 14 Q. And do you understand that 15 sometimes in a legal proceeding the 16 parties could dispute the correct 17 meaning of a term? 18 A. Yes, you can dispute. 19 Q. And do you understand that 20 the board gave its interpretation of 21 the meaning of this patent? 22 A. I understand. 23 Q. Were you asked to opine on 24 the correct meaning of any of those 25 terms?	Page 116 1 DANTAM 2 did you put your agreement or 3 disagreement with the board's 4 proposed constructions? 5 MR. CARLSON: Why don't you 6 take your time and go through them. 7 A. Yeah, I have to go back and 8 look at it, Mr. Schenker, because 9 I'm speaking from memory here. 10 In 75, paragraph 75, I'm 11 agreeing with the Board's 12 determination. 76 I'm agreeing. 13 Q. Let's just stick with 14 paragraph 75 for now. 15 A. Okay. 16 Q. Paragraph 75 does not 17 discuss the construction of any 18 term, does it? 19 A. Let me read paragraph 75, 20 please. It does not specifically 21 talk about terms, you are right. 22 Q. Do me a favor and turn to 23 your Table of Contents. 24 A. Yes. 25 Q. Your Table of Contents is I
Page 115 1 DANTAM 2 A. Yes. 3 Q. Which terms were you asked 4 to opine on? 5 A. I don't remember off the 6 top of my head. I have to go back 7 and look at the explanations. 8 Q. Where do you set out your 9 understanding of the correct 10 construction of the terms of the 11 '097 patent? 12 A. There were some cases where 13 I agreed with the interpretation 14 that was offered to me and then some 15 cases I did not agree. So, again, I 16 do not remember off the top of my 17 head but I remember what I did in 18 terms of process. 19 Q. So you were offered 20 interpretation and some of them you 21 agreed with and some of them you did 22 not agree with? 23 A. In terms of what the board 24 has suggested, yes. 25 Q. Where in your declaration	Page 117 1 DANTAM 2 believe two pages long. If you can 3 take a moment, look at your table of 4 contents and tell me do any of these 5 headings suggest that you have 6 addressed the claim construction of 7 any particular term? 8 A. I'm looking at the 9 combination of section seven -- 10 section six and section seven, where 11 if the claims you are talking about. 12 Let's look at section six, which is 13 analysis of Hanisch '419 and the 14 combination of Hanisch '419 with, 15 then again, ground one, or we have 16 Hanisch. And Hanisch '419 does not 17 teach all limitations of '097 claim 18 one either alone or in view of a 19 POSITA. 20 So you go through four 21 different what it does not teach. 22 So when you are saying 23 construction if you are claiming 24 this is what it is teaching I'm 25 disagreeing with the claim.

Page 118 1 DANTAM 2 And same way, I'm looking in 3 section 7, you look at Hanisch '419 4 with one, two, three, four other 5 prior arts. So I'm opining that 6 what it does not teach. 7 So if you are saying what the 8 board is offering I do not see that 9 here but I remember having gone 10 through and drafted it. In some 11 cases I agreed with what the board 12 opined and then in some cases I did 13 not. I can go back and find the 14 but. 15 Q. So I'd like to distinguish 16 it and I'd like to make sure you 17 understand the difference between 18 claim construction and applying 19 constructions or applying the prior 20 art to a claim. Do you understand 21 that -- do you have an understanding 22 of whether those are the same or 23 different concepts? What's your 24 understanding of the concept of 25 claim construction?	Page 120 1 DANTAM 2 construe the term or it might define 3 it in a particular way, right? 4 A. I understand that, yes. 5 Q. And that process is called 6 claim construction, correct? 7 A. When the board is defining 8 a claim in a certain way you are 9 saying that is claim construction, 10 did I hear you correctly? 11 Q. That's my understanding. 12 Is that your understanding of claim 13 construction? 14 MR. CARLSON: Objection, 15 vague. Calls for a legal 16 conclusion. Calls for a narrative. 17 A. I don't understand it what 18 you are saying is it sounds like the 19 board is opining on the claim. 20 Q. Do you understand that 21 ultimately the board will have to 22 define terms in the claim if they 23 are disputed? 24 A. If the inventor's claims 25 are being disputed?
Page 119 1 DANTAM 2 MR. CARLSON: Objection. 3 Calls for a narrative. 4 A. When you say -- are you 5 specifically saying claim 6 construction by the inventor? 7 Q. When you say claim 8 construction by the inventor do you 9 mean lexicography? 10 MR. CARLSON: Objection, 11 vague. 12 A. Again, I don't know. I 13 have not heard this particular word 14 you mentioned. 15 Q. So you are not familiar 16 with the term lexicography? 17 A. Lexicography, I am. I 18 didn't hear that, yeah. 19 Q. Have you heard -- do you 20 understand the idea of the term 21 having a plain and ordinary meaning? 22 A. Plain and ordinary meaning, 23 yes, I understand. 24 Q. You understand sometimes 25 the court or the board might	Page 121 1 DANTAM 2 Q. If the definition of terms 3 are being disputed. Let me clarify 4 that. 5 A. The definition of the terms 6 of a claim are being disputed is 7 that what you are saying, right? 8 Q. So my question is in the 9 event that a definition of a term is 10 in a claim is disputed the board 11 will ultimately have to define what 12 that term means for the sake of this 13 proceeding? 14 A. I understand. 15 Q. Is that your understanding 16 in applying this meaning in 17 rendering this declaration? 18 A. That is my understanding. 19 Q. When putting together and 20 rendering the declaration were you 21 asked to offer opinions on what the 22 correct definitions of the terms -- 23 what the correct definition is for 24 any terms within these claims? 25 A. When you say a correct

Page 122 1 DANTAM 2 definition? Would you repeat that 3 again, please? 4 Q. Were you asked to offer 5 your opinions on how to correctly 6 define any terms in the '097 patent 7 claims? 8 A. I'm not in a position to 9 define the terms. I'm opining on 10 what the claims are saying. 11 Q. So you are not able to 12 define any terms of the patent? 13 MR. CARLSON: Mischaracterizes 14 the testimony. Objection. 15 A. You are making a very 16 generic statement, Mr. Schenker. 17 Q. So my question was -- 18 A. You just said in terms of 19 the claim. But now I'm not in a 20 position to define any terms. 21 That's an extremely generic 22 statement. 23 Q. Can you turn to paragraph 24 62 of your declaration. 25 A. Yeah.	Page 124 1 DANTAM 2 A. Again, this is, you know, a 3 long process and so when I'm reading 4 this particular claim I understand 5 the claim. 6 Q. Okay. In forming your 7 opinions in this declaration did you 8 rely on any definitions that were 9 provided to you? 10 A. Of course, yes. 11 Q. What definitions were you 12 relying on that were provided to 13 you? 14 A. In terms of when I -- there 15 were specifics that I asked for, am 16 I understanding this correctly when 17 I'm interpreting the claims because 18 I wanted to make sure I was 19 understanding things correctly 20 before I opined. 21 Q. Did you put in your 22 declaration in anyplace the terms 23 you had asked for definitions and 24 what definitions you were given? 25 A. No, I have not.
Page 123 1 DANTAM 2 Q. Okay. Paragraph 62 of your 3 declaration sets forth claim one of 4 the '097 patent; is that correct? 5 A. Correct. 6 Q. This includes all the claim 7 terms of claim one of the '097 8 patent, correct? 9 A. That is correct. 10 Q. Were you asked to offer 11 your opinion on what any of these 12 claim terms, what they mean? 13 A. Not what they mean but I 14 was asked to opine about the claim 15 itself. So the terms have been 16 defined by the inventor. 17 Q. Were you given definitions 18 to apply in your analysis? 19 A. Of the terms? 20 Q. Yes. 21 A. Depends on the term. If I 22 didn't understand a term I asked to 23 understand and I was provided that. 24 Q. So what definitions did you 25 ask about and were you provided?	Page 125 1 DANTAM 2 Q. So when the board reads 3 your declaration do they know what 4 definitions you applied? 5 MR. CARLSON: Objection. Lack 6 of foundation. Calls for 7 speculation. 8 A. You are interpreting it 9 like you are seeing it. Again, I 10 don't know what, you know, what the 11 board would think because I never 12 talked to any of them. 13 Q. So I'd like to ask you, I'm 14 reading your declaration now and I 15 haven't seen you put forth your 16 understanding or your definition 17 of -- 18 A. Correct. 19 Q. -- terms. 20 A. Yes, that is correct. 21 MR. SCHENKER: Counsel, let's 22 take a break here. 23 MR. CARLSON: Okay. 24 (Whereupon, there is a recess 25 in the proceedings.)

Page 126 1 DANTAM 2 Q. Mr. Dantam, during the 3 break did you talk to anyone about 4 the -- your testimony today? 5 A. My attorney, Steve Carlson. 6 Q. And what did you discuss 7 with Mr. Carlson about your 8 testimony today? 9 A. Nothing specific. Just how 10 the flow is going and that's all. 11 Q. Anything beyond how the 12 flow is going? 13 A. No. 14 Q. Anything about the 15 substance of your testimony? 16 A. No. 17 Q. Anything about how to 18 respond to questions? 19 A. No. 20 Q. Before the break, we were 21 discussing your understanding of 22 claim construction in the claims of 23 the '097 patent; is that correct? 24 A. Correct. 25 Q. And you had testified that	Page 128 1 DANTAM 2 A. Paragraph 62, right? 3 Q. Yes. It's the last line of 4 the page not the last line on the 5 claim. 6 A. Okay, okay. 7 Q. What construction did you 8 apply for the term "drying"? 9 MR. CARLSON: Objection, 10 vague. 11 A. You just can't take that 12 word itself because there's a lot of 13 description in the patent about what 14 the drying means. So I have applied 15 everything that refers to that 16 particular word "drying." 17 Q. So you did not apply a 18 particular construction to the term 19 drying when rendering your opinion 20 in this declaration? 21 MR. CARLSON: Objection. 22 Mischaracterizes the testimony. 23 Calls for a legal conclusion. 24 A. No, no. I disagree with 25 you, Mr. Schenker.
Page 127 1 DANTAM 2 you did not put anywhere in your 3 declaration the terms you had asked 4 for definitions of, correct? 5 A. Correct. 6 Q. And I noted that when I 7 read your declaration I hadn't seen 8 you put forth your understanding of 9 the definition of any terms of the 10 '097 patent; is that correct? 11 A. Correct. 12 Q. And, in fact, it's correct 13 that you have not put forth your 14 understanding of the definition of 15 any of those terms? 16 A. Correct. 17 Q. Looking at the last line 18 on -- so we were looking at 19 paragraph 62 of your declaration, 20 Exhibit 2022. 21 A. Okay. 22 Q. And the last line on page 23 23 wherein the inactivating step is 24 performed by drying the comminuted 25 material.	Page 129 1 DANTAM 2 Q. So you did apply a 3 particular definition for the word, 4 the term drying when rendering your 5 opinions in this declaration; is 6 that correct? 7 A. Correct. 8 Q. And what is that particular 9 definition that you applied? 10 MR. CARLSON: Objection. 11 Calls for a legal conclusion. 12 MR. SCHENKER: Counselor, I'm 13 asking him what he applied in his 14 analysis when he's rendering his 15 opinion as an expert. I'm asking 16 you not to object like that. 17 A. When you are saying -- 18 would you repeat the question again, 19 please. 20 Q. My question is 21 understanding what you applied when 22 you rendered your opinions in this 23 case. You understand you are here 24 as an expert; is that correct? 25 A. Correct, correct.

Page 130 1 DANTAM 2 Q. You understand that you are 3 offering opinions to the board; is 4 that correct? 5 A. Correct. 6 Q. And you understand you have 7 a responsibility to tell the board 8 the basis for your opinions? 9 MR. CARLSON: Objection, 10 mischaracterizes the law. 11 Mischaracterizes -- 12 Q. Do you believe, Mr. Dantam, 13 do you believe you have a 14 responsibility to tell the board the 15 basis for your opinions? 16 A. I do believe that I have 17 the responsibility to tell the board 18 the basis for my opinions if the 19 basis is as I understand it what the 20 claims are saying. Yes, I suppose I 21 need to say that, yes. 22 Q. Do you believe you provided 23 the board with the basis of your 24 opinion? 25 A. I believe so.	Page 132 1 DANTAM 2 applied what? 3 Q. A preliminary construction 4 for the term "inactivating." 5 A. I believe so. 6 Q. Do you have an 7 understanding of what that 8 preliminary construction is? 9 A. As far as drying inactive, 10 you are saying preliminary 11 construction of the word inactive, 12 right? 13 Q. Yes. 14 A. The way the patent 15 describes it I understand it. 16 Q. My question was whether you 17 understand the board's construction 18 or the board's preliminary 19 construction of that term? 20 A. I don't think so. 21 Inactivation is very specific word 22 for me and... 23 Q. What does inactivation very 24 specifically mean to you? 25 A. It's safe.
Page 131 1 DANTAM 2 Q. Did you provide the board 3 with your understanding of the term 4 drying that you applied when 5 rendering your opinion? 6 A. My understanding of the 7 drying in rendering my opinion comes 8 from -- 9 Q. That was not my question. 10 Sorry, I apologize for cutting you 11 off. My question was whether you 12 provided your understanding to the 13 board in offering your opinions? 14 A. I think this particular 15 declaration I do not specifically 16 say anywhere what my understanding 17 of drying means. My understanding 18 of drying here comes specifically 19 from how the patent describes what 20 the end result should be for drying. 21 Q. Are you aware that the 22 board applied a preliminary 23 construction for the term 24 "inactivating"? 25 A. Am I aware the board	Page 133 1 DANTAM 2 MR. CARLSON: Objection, calls 3 for a legal conclusion. 4 Q. You say it's safe? 5 A. Yeah, the material is safe 6 to be handled. 7 Q. And that's the construction 8 that you apply when rendering your 9 opinions in this declaration? 10 A. That is correct. 11 Q. Do you agree that battery 12 material is inactivated if there is 13 no further electrical risk involved 14 in subsequent steps? 15 MR. CARLSON: Objection, calls 16 for a legal conclusion. 17 A. You are being vague, 18 Mr. Schenker. 19 Q. You said the word safe and 20 I wanted to make sure I understand 21 what you mean by safe. So if 22 there's no further electrical risk 23 in handling a battery does that mean 24 it's now safe? 25 MR. CARLSON: Objection, calls

Page 134 1 DANTAM 2 for legal conclusion. Also, 3 incomplete hypothetical. 4 A. We are dealing with 5 material here that's not a battery. 6 Q. If there's no longer any 7 electrical risk with that material 8 does that mean the battery is safe? 9 MR. CARLSON: Objection, calls 10 for a legal conclusion. 11 A. Again, you are being very 12 vague. We are starting with 13 batteries. Where is the battery 14 coming from? 15 Q. If there's no longer any 16 electrical risk with battery 17 material does that make the battery 18 safe? 19 MR. CARLSON: Objection, calls 20 for a legal conclusion. Let me 21 object. Calls for a legal 22 conclusion. It's also an 23 incomplete hypothetical and it's 24 also vague as to the questioning. 25 A. I agree with what my	Page 136 1 DANTAM 2 A. Is the material unsafe to 3 be handled and transported. 4 Q. And that's the definition 5 of inactivated that you applied in 6 rendering your opinions here, 7 correct? 8 A. That is correct. 9 Q. Okay, thank you. So 10 looking at the material that's 11 being -- battery material that -- 12 shredded battery material that's 13 being dried, is it your 14 understanding that as long as some 15 electrolyte light remains the 16 battery is still activated? 17 MR. CARLSON: Objection, 18 vague. Objection, calls for a 19 legal conclusion. 20 A. You are again confusing me, 21 Mr. Schenker. We are not dealing 22 with batteries. The battery is not 23 inactive. We are talking about 24 materials. 25 Q. Okay. So let me rephrase
Page 135 1 DANTAM 2 attorney, Mr. Carlson, is saying. 3 There are many aspects you have to 4 consider. One of the aspects is no 5 electrical risk. 6 Q. I believe you testified 7 earlier that shredded battery 8 material would be inactivated after 9 drying is complete; is that correct? 10 A. You have to define the 11 conditions what complete means. 12 Q. So can you define those 13 conditions? 14 MR. CARLSON: Objection, calls 15 for a legal conclusion. Objection, 16 vague and incomplete hypothetical. 17 A. All I was going to say is I 18 am not defining. The inventor is 19 defining. 20 Q. Does the inventor define 21 inactivating? 22 A. I believe the patent says 23 that, yes. 24 Q. How does the patent define 25 inactivating in your opinion?	Page 137 1 DANTAM 2 that question. Is it your 3 understanding that as long as some 4 electrolyte materials -- scratch 5 that. 6 Is it your understanding that 7 when drying shredded battery 8 material as long as some electrolyte 9 remains the battery material is 10 still activated? 11 MR. CARLSON: Objection, 12 mischaracterizes the testimony. 13 Calls for a legal conclusion. 14 A. You have to be specific 15 because the specifications call for 16 measurement of what is left in terms 17 of inside the battery material 18 after, quote/unquote, completion of 19 the drying. And so as long as you 20 meet the specifications, yes. 21 Again, the end result is is it safe 22 to be handled and transported. 23 Q. So we agree that dry 24 battery material is safe to be 25 handled?

Page 138 1 DANTAM 2 MR. CARLSON: Objection, 3 incomplete hypothetical. 4 Incomplete, vague. Incomplete. 5 Calls for a legal conclusion. You 6 can answer. 7 A. It is. I find that 8 statement vague and confusing, 9 Mr. Schenker. 10 Q. Can you turn to paragraph 11 71 of your declaration. 12 A. Yes. 13 Q. We are still in 14 Exhibit 2022. Sorry, paragraph 49. 15 A. Yeah. 16 Q. In paragraph 49 you talk 17 about a fundamental problem, as you 18 say, with the recycling process, 19 difficulty of transporting batteries 20 to a central facility for 21 processing. Do you see that? 22 A. I see that. 23 Q. Why is central processing 24 necessary? 25 MR. CARLSON: Objection.	Page 140 1 DANTAM 2 (Record read.) 3 MR. CARLSON: Objection, 4 mischaracterizes the document. 5 A. It's like if I say I'm 6 going to the bathroom to relieve 7 myself just like you are asking me 8 why do you need the bathroom. I 9 don't understand the question. The 10 statement is very clear. I need a 11 facility to process the batteries so 12 I have to ship the batteries to the 13 facility. 14 Q. Is there a logistical 15 problem of getting these batteries 16 to a facility? 17 A. Yes, there are many 18 problems, one of them is the 19 logistical problem. 20 Q. In paragraph 49 when you 21 are discussing the transportation of 22 batteries to a central facility are 23 you talking about whole batteries or 24 shredded batteries? 25 A. I refer to whole batteries
Page 139 1 DANTAM 2 A. Again -- 3 MR. CARLSON: One second. I 4 think you mischaracterized the 5 document. 6 A. It's part of recycling, 7 right? 8 Q. What is part of recycling? 9 A. I have to transport the 10 batteries to a facility for 11 processing. 12 Q. Okay. 13 A. So I don't -- what do you 14 mean why do I need a recycling 15 facility? 16 Q. Well, in your declaration 17 you talk about transporting the 18 batteries to a central facility for 19 processing. 20 A. Correct. 21 Q. Why would one need to 22 transport the batteries to a central 23 facility for processing? 24 MR. CARLSON: Can I have the 25 question read back, please.	Page 141 1 DANTAM 2 and processed batteries, 3 particularly shared batteries. 4 Q. What do you mean by 5 processed batteries? 6 A. Let's say I have a huge 7 container, battery container, that 8 is being used in a solar facility. 9 I can't ship the container so I have 10 to disassemble it into smaller 11 pieces that can be transported 12 because the container is so heavy. 13 And if I have let's say watch cells 14 or computer batteries then I have to 15 put a whole bunch of them together 16 in a safe way in a package so it 17 depends on -- that's what creates 18 the difficulty. 19 Q. And so this includes -- so 20 you could be -- you could be 21 shipping or transporting processed 22 batteries to a central facility or 23 you could be transporting whole 24 batteries to a central facility or 25 you could be transporting shredded

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Page 142 1 DANTAM 2 but not inactivated batteries to a 3 central facility? 4 MR. CARLSON: Objection, 5 vague. Compound. 6 A. I disagree with your 7 statement, Mr. Schenker, because the 8 problem is created by the size and 9 shape of the batteries. 10 Q. What problem? 11 A. If you are asking about, 12 you know, difficulty in 13 transporting. 14 Q. So in paragraph -- I'm just 15 trying to understand your 16 declaration. Paragraph 49 you wrote 17 this, correct? 18 A. Correct. 19 Q. And you understand what you 20 intended by paragraph 49? 21 A. Yes, yes. 22 MR. CARLSON: Let him ask his 23 question. 24 Q. So when you talk about a 25 fundamental problem what is the	Page 144 1 DANTAM 2 different kind of prismatic cells. 3 So typically you can say what 4 we call a hub and spoke model, you 5 have a lot of shipping points where 6 people drop their batteries off or 7 collect the batteries and you put 8 them together. Before you do that 9 you go through steps to make sure 10 they are okay to be shipped and so 11 that's what creates the difficulty. 12 It's not a one size fits all. 13 Q. What do you need to do to 14 make sure they are okay to be 15 shipped? 16 A. It depends on the battery. 17 Q. In paragraphs 49 and 50 18 frankly are you talking about both 19 shredded batteries and whole 20 batteries; is that correct? 21 A. Correct. 22 Q. So even with whole 23 batteries you would agree there's a 24 need to inactivate batteries prior 25 to transportation?
Page 143 1 DANTAM 2 fundamental problem? 3 A. The difficulty of 4 transporting the batteries to a 5 facility for processing, central 6 facility. 7 Q. And what do you mean by the 8 difficulty of transporting batteries 9 to a central facility for 10 processing, what is difficult about 11 it? 12 A. The difficulty comes from 13 the size and shape and the status of 14 the batteries, the state of the 15 batteries. 16 Q. What do you mean by the 17 state of the batteries? 18 A. Some batteries may be 19 damaged, some batteries may be 20 partially discharged, some batteries 21 may have some power left in them. 22 And some batteries may have pouch 23 cells, you know, pressurized pouch 24 cells. If they are not in good 25 health quote/unquote. They may be	Page 145 1 DANTAM 2 MR. CARLSON: Objection, 3 vague. Objection, incomplete 4 hypothetical. 5 A. That's a very generic 6 statement, Mr. Schenker. 7 Q. Can you look at the last 8 sentence of paragraph 50 where you 9 say, "There was a need to inactivate 10 the batteries prior to 11 transportation"? 12 A. Correct. That's why I put 13 it in quotations. 14 Q. So that is your language 15 though in paragraph 50? 16 A. Correct, correct. 17 Q. So that when you and your 18 counsel, counselor, objected to as 19 vague and incomplete hypothetical 20 was your own language in paragraph 21 50, correct? 22 MR. CARLSON: Objection. You 23 can go ahead. You can go ahead and 24 answer. There's an implication. 25 A. When I'm saying

Page 146 1 DANTAM 2 specifically here inactivate, in 3 quotations, the batteries prior to 4 transportation I want them to be 5 electrically neutral. That's what 6 inactivation is. Because it's a 7 whole battery. 8 Q. So in the context of 9 paragraph 50 you understand 10 inactivate to mean electrically 11 neutral? 12 MR. CARLSON: Objection, 13 mischaracterizes the testimony. 14 And calls for a legal conclusion. 15 Incomplete hypothetical. 16 Mischaracterizes the testimony. 17 Q. Mr. Dantam, I'd like to 18 understand what you meant when you 19 wrote in the last sentence of 20 paragraph 50, "Thus, there was a 21 need to 'inactivate' the batteries 22 prior to transportation." 23 A. I understand what I mean in 24 the context of what is described in 25 paragraph 50. I will read it. "The	Page 148 1 DANTAM 2 shipping, what state it is in. 3 Q. So the word inactivate 4 would differ based on the battery 5 that you are using and what state it 6 is in? 7 MR. CARLSON: Mischaracterizes 8 the testimony. Objection, calls 9 for a legal conclusion. 10 A. It depends on the -- how -- 11 inactivation is different based on 12 what shape the battery is in. 13 That's why I put that word in 14 quotations. 15 Q. Thank you. Mr. Dantam, I 16 have marked Exhibit 1004. 17 (Exhibit 1004, Hanisch '419 18 patent, marked for identification, 19 as of this date.) 20 A. I see the Hanisch. 21 Q. This is the Hanisch patent 22 No. 9,780,419. 23 A. Yes, I am opening it. 24 Q. Throughout the course of 25 this proceeding I think we have
Page 147 1 DANTAM 2 transportation problem is heightened 3 by the toxic nature of the used 4 batteries whether shredded or old. 5 (Exhibit 2003, 2). However, if 6 electrolytic cells are damaged, 7 chemical compounds with high 8 environmental and health hazards can 9 develop from the electrolyte in 10 interaction with the electrodes, the 11 housing and/or the ambient air. 12 Similar hazards can emanate from 13 aged electrolytic cells. Thus, 14 there was a need to 'inactivate' the 15 batteries prior to transportation." 16 So I am referring to both 17 damaged or shredded or old batteries 18 so you have to inactivate before 19 shipping. 20 Q. When you used the word 21 inactivate in the last sentence of 22 the paragraph 50 what did you 23 understand it to mean there? 24 A. Depends on the kind of 25 battery you are using, you are	Page 149 1 DANTAM 2 called it Hanisch and Hanisch '419. 3 Do you understand those to be 4 referring to this document? I 5 apologize in advance I may leak into 6 calling it Hanisch. That's the way 7 I sort of read it. If I say Hanisch 8 and you say Hanisch you understand 9 we are talking about the same thing, 10 correct? 11 A. Correct. 12 Q. And you understand that 13 Hanisch is one of the prior art 14 references, one of the primary prior 15 art references relied on in Ascend's 16 petition, correct? 17 A. I understand. 18 Q. And you are familiar with 19 Hanisch? 20 A. Yes. 21 Q. Can you turn to figure one 22 of Hanisch? 23 A. Yes. I'm looking at it. 24 Q. And are you able to see 25 figure one clearly?

Page 150 1 DANTAM 2 A. Yes. 3 MR. CARLSON: One second. For 4 the record, do you want to make it 5 a clear screen? 6 Q. Looking at figure one of 7 Hanisch. You see the box labeled 8 12? 9 A. Box labeled 12. 10 Q. In the top left corner. 11 MR. CARLSON: There's 12 somewhere -- it popped up for me. 13 A. In the left hand corner. 14 Q. Top left corner. 15 A. In the panel. View 16 controls. Yeah, I see it. 17 Q. Is it your understanding 18 that is the cell crush device in 19 Hanisch? 20 A. Yes. It's the battery 21 crushing device. 22 Q. So that would be used to 23 comminute the battery? 24 A. Yes, comminute the 25 batteries.	Page 152 1 DANTAM 2 A. Correct. 3 Q. And that's the pyrolysis 4 or decomposition content; is that 5 correct? 6 A. That's correct. 7 Q. Focusing on the oven, 44, 8 you agree that this oven may be 9 operated either under inert gas or 10 under vacuum; is that correct? 11 A. The pattern suggests that 12 but I do not see the evidence of 13 vacuum in the picture. 14 Q. So the patent disclosure 15 said it could be done either inert 16 gas or vacuum but you just don't see 17 an example of a vacuum in this 18 figure? 19 A. Yes. 20 Q. You understand that the 21 disclosures of this patent are not 22 limited to what's in the figure but 23 also included in the specification, 24 correct? 25 A. It's possible.
Page 151 1 DANTAM 2 Q. And then underneath 12 is a 3 box labeled 28, do you see that? 4 A. Correct. 5 Q. And that's the predryer. 6 A. That is correct. 7 Q. And there is a pipe 8 connecting the -- pipe 30 connecting 9 the shredder and the predryer; is 10 that right? 11 A. Yes. It actually has two 12 pipes coming into it, one is pipe 30 13 and another is also in the 14 electrolyte separator tank, the 15 sludge separation container, which 16 is 26 and it is separating the 17 electrolyte that is coming from the 18 shredder and the sludge and it is 19 putting the sludge into the 20 predryer. So there are two sludge 21 channels into the predryer. 22 Q. Now, going along later in 23 the process do you see a box labeled 24 44 underneath it, it says oven 400 25 degrees to 600 degrees?	Page 153 1 DANTAM 2 Q. I'm sorry, what's possible? 3 A. What the patent is 4 suggesting. 5 Q. What is possible, what do 6 you mean what is possible? 7 A. The oven can be operated 8 under inert gas and on vacuum. 9 Q. Okay. And figure one 10 doesn't show you, also doesn't show 11 you any seals around the oven, 44, 12 correct? 13 A. Any seals around 44? 14 Q. Correct? 15 A. Correct. It's a continuous 16 process. 17 Q. In order for the oven 44 to 18 be operated under vacuum would you 19 expect there to be some sort of a 20 seal or air lock? 21 A. Yes. And it also is very 22 difficult to be operated under a 23 vacuum and is a continuous process. 24 Q. Understood. But you could 25 expect that if it is being run under

Page 154 1 DANTAM 2 a vacuum that there would be some 3 sort of seal or air lock as 4 disclosed in figure one? 5 A. Correct. Then you cannot 6 call it a continuous process. 7 Q. So if you put seals and air 8 locks in there then it's no longer a 9 continuous process? 10 MR. CARLSON: Objection, 11 mischaracterizes his testimony. 12 Vague. 13 A. It's difficult to carry on 14 a continuous process. 15 Q. Would you characterize it 16 as a batch process if it's not 17 continuous? 18 MR. CARLSON: Objection. 19 Incomplete hypothetical. 20 A. What some people refer to 21 as a continual process an expert may 22 look at it and say, no, this is not. 23 So you have to know the conditions 24 really for me to specifically say 25 you have to provide me more detail.	Page 156 1 DANTAM 2 asked you would you characterize it 3 as a batch process if it's not 4 continuous and you said what some 5 people refer to as continuous 6 process an expert may look at it and 7 say no, this is not. 8 So my question is whether 9 continuous process means different 10 things to different people? 11 A. You have to tell me the 12 conditions specifically, 13 Mr. Schenker, such as, you know, how 14 the air locks are operating and what 15 the seals are and if there is an 16 interruption in the material flow 17 so a person of skill will interpret 18 it correctly. 19 Q. So my question is about the 20 understanding of the definition of 21 the term continuous. 22 A. Correct. 23 Q. Is there a single 24 definition for that or does that 25 definition, could it mean different
Page 155 1 DANTAM 2 Q. What does continuous 3 process mean to you? 4 A. There is no stoppage in the 5 flow of material. 6 Q. What do you mean by no 7 stoppage? 8 A. The material is flowing 9 uninterrupted. 10 Q. And if you had an air lock 11 then that would be considered a 12 stoppage? 13 MR. CARLSON: Objection, 14 incomplete hypothetical. 15 A. Again, you have to tell me 16 details about the air lock and what 17 the air lock is doing. 18 Q. Do I understand you 19 correctly that some air locks can be 20 put in that would still result in a 21 continuous system and other air 22 locks would result in a batch 23 system? 24 A. Yes. Possible. 25 Q. You answered earlier I	Page 157 1 DANTAM 2 things in different contexts? 3 A. It's a single definition, 4 uninterrupted material flow. 5 Q. Okay. Discontinuous means 6 different things in different 7 contexts? 8 MR. CARLSON: Objection, 9 vague. 10 A. Again, if you are referring 11 to this process itself as I defined 12 it before it's a material flow 13 without obstruction. 14 Q. It's your opinion that 15 continuous has a uniform meaning 16 within this field? 17 MR. CARLSON: Objection, 18 vague. 19 A. I believe so. I mean 20 continuous means again without 21 interruption, undisturbed, 22 uninterrupted flow. 23 Q. So if I understand when you 24 are saying Hanisch is, this figure 25 one, is a continuous system, it's

Page 158 1 DANTAM 2 because when you feed material into 3 the shredder it moves continuously 4 without being stopped as it gets to 5 each subsequent step in the process? 6 A. Yes, it is being processed 7 continuously. 8 Q. Looking at the comminution 9 device or the shredder, sorry, 10 figure one. Is it your opinion that 11 that shredder has only operated at 12 an over pressure? 13 A. Yes. 14 Q. Is it possible for that 15 shredder to be operated in a vacuum? 16 A. It would be dangerous. 17 Q. Is it possible? 18 A. Yeah, you can operate it 19 but as an expert I would not 20 recommend it because it's dangerous. 21 Q. So it's possible that the 22 shredder is run under a vacuum but 23 you just would not recommend it? 24 A. No. I said it's dangerous, 25 extremely dangerous.	Page 160 1 DANTAM 2 MR. CARLSON: Objection, 3 incomplete hypothetical. 4 A. Again, if the operator 5 choose to operate it they can do 6 that. But again I would not 7 recommend it. 8 Q. I understand on your 9 recommendation. I'm not asking 10 about your recommendations. I'm 11 asking about -- 12 A. It's possible. 13 Q. Okay, it's possible. So in 14 the scenario where the operator 15 chooses to run the shredder under 16 vacuum then the predryer also would 17 be under vacuum? 18 A. If it is a continuous 19 process, yes. 20 Q. Now, we mentioned the pipes 21 that were going between -- the pipes 22 that were going between the shredder 23 and the predryer. 24 A. Yeah. 25 Q. Are you familiar with a
Page 159 1 DANTAM 2 Q. If you were to run the -- 3 or let me understand actually. So 4 then in your opinion then the 5 predryer is also run in over 6 pressure because there's nothing but 7 a pipe between the shredder and the 8 predryer and, therefore, if the 9 shredder is at an over pressure then 10 the predryer also must be in over 11 pressure? 12 A. Yes. 13 Q. Under that same logic if 14 the shredder is under vacuum would 15 the predryer also be under the 16 vacuum? 17 A. No. 18 Q. Why not? 19 A. Because it would be very 20 dangerous for the slider to be under 21 vacuum. 22 Q. The question was assuming 23 the shredder is under vacuum does 24 that mean the predryer is also under 25 vacuum?	Page 161 1 DANTAM 2 progressive cavity pump? 3 A. A progressive cavity pump? 4 I am familiar with. 5 Q. Is that a type of pipe that 6 could run between two containers? 7 A. It's a pump. 8 Q. It's a pump? 9 A. But it's not a pipe. What 10 do you mean pipe? 11 Q. Turn to column three of the 12 Hanisch. 13 A. Column three, yes, I'm 14 looking at column three. 15 Q. At around line six it says, 16 "In particular, the heating up takes 17 place under inert gas or in a 18 vacuum." Do you see that? 19 A. In particular the heating 20 up takes place under inert gas or in 21 a vacuum, correct. 22 Q. And a very simple question 23 on that sentence. Is it your 24 understanding that inert gas and 25 vacuum are two distinct embodiments?

Page 162 1 DANTAM 2 A. That is correct. 3 MR. SCHENKER: I think we are 4 probably at a stopping point here. 5 It's 12:30 by you folks. 6 Off the record. 7 (Whereupon, there is a recess 8 in the proceedings.) 9 Q. Mr. Dantam, during the last 10 break did you talk to anyone about 11 your testimony today? 12 A. No, just my attorney. 13 Q. What did you discuss with 14 your attorney about today's 15 testimony? 16 A. Nothing in particular. 17 That we are going to finish in 18 another hour and then we talked 19 matters unrelated to the testimony. 20 Q. Anything else about the 21 testimony beyond wanting to finish 22 within the hour? 23 A. No. 24 Q. Anything about the 25 questions asked or answers given so	Page 164 1 DANTAM 2 A. The specific numbers I am 3 not aware of actually how many 4 minutes because it's controlled by 5 the amount of material you are 6 putting in. 7 Q. What, if anything, did you 8 do to determine whether shredded 9 material coming out of Duesenfeld's 10 dryer is inactivated? 11 A. It is safe to be 12 transported. 13 Q. And what, if anything, did 14 you do to determine whether the 15 battery material to be recycled was 16 inactivated or not inactivated prior 17 to entering the dryer? 18 A. Would you repeat the 19 question again, please. 20 Q. What, if anything, did you 21 do to determine whether the battery 22 material to be recycled was 23 activated or inactivated prior to 24 being dried? 25 A. I did not do anything. I
Page 163 1 DANTAM 2 far? 3 A. No. 4 Q. Anything about the 5 objections rendered so far? 6 A. No, no, we have not talked 7 about any of the objections. 8 Q. Mr. Dantam, have you ever 9 been to Duesenfeld's Wendeburg 10 plant? 11 A. Have not been there. 12 Q. So you have not performed 13 any tests at the plant, correct? 14 A. I have not. 15 Q. Did you have knowledge on 16 how long Duesenfeld dries material at 17 its Wendeburg plant? 18 A. Approximately. Number of 19 years, yes. 20 Q. Do you have knowledge on 21 approximately how long comminuted 22 material remains in the dryer at 23 Wendeburg? 24 A. In the dryer? 25 Q. Yes.	Page 165 1 DANTAM 2 mean... 3 Q. Okay. Did you talk to 4 Ms. Grote from Duesenfeld in forming 5 your opinions in the declaration? 6 A. In the presence of my 7 counsel, yes. 8 Q. Did you rely on any 9 information from Ms. Grote in 10 forming your opinions in this 11 declaration? 12 A. Not really. There's some 13 data sheets that were provided to 14 me. I don't know if they came from 15 Ms. Grote or somebody else. So 16 specifically speaking my answer is I 17 don't know. 18 Q. How many times did you talk 19 to Ms. Grote? 20 A. Maybe couple of times. 21 Q. When did you talk to 22 Ms. Grote? 23 A. I don't remember exactly, 24 Mr. Schenker. Just was online calls 25 sometime maybe late last year.

Page 166 1 DANTAM 2 Q. What was the purpose of 3 your conversations with Ms. Grote? 4 MR. CARLSON: Don't divulge 5 the content of any communications 6 with counsel. You can generally 7 testify to this. 8 A. Yeah. Again, the 9 communication was done in presence 10 of my counsel so. 11 Q. Generally what were 12 those -- what was, as your counsel 13 said you can generally testify. 14 Generally what were your 15 conversations with regards to? 16 A. I mean we looked at the 17 timetable of different events, you 18 know, who is doing what, when. 19 Q. Now, you mentioned there 20 were -- you mentioned earlier that 21 you submitted declarations brought 22 by URT, in the URT IPR, correct? 23 A. That is correct. 24 Q. And I will represent to you 25 that in your materials considered in	Page 168 1 DANTAM 2 cetera, et cetera. So that was 3 related to URT. 4 Q. During the course of this 5 deposition did anyone else besides 6 Mr. Carlson enter the room? 7 A. No, no one. 8 Q. And during the course of 9 this deposition did Mr. Carlson 10 provide any nonverbal assistance to 11 you during any questions or answers? 12 A. No, he has not. 13 MR. SCHENKER: No further 14 questions. 15 MR. CARLSON: I have no 16 questions. 17 THE COURT REPORTER: Counsel 18 regular delivery? 19 MR. SCHENKER: Expedited. 20 MR. CARLSON: No rush on our 21 side. We will take the final when 22 it's ready. 23 THE COURT REPORTER: Do you 24 need a rough? 25 MR. SCHENKER: Yes, please.
Page 167 1 DANTAM 2 that declaration you mention an 3 interview with Ms. Grote. 4 A. Correct. 5 Q. Did you separately 6 interview Ms. Grote in the ITC 7 proceeding? 8 A. Separately interview 9 Ms. Grote? 10 Q. Right. Separately 11 interview her. 12 A. I don't remember that, 13 Mr. Schenker. 14 Q. I'm just noting you didn't 15 put interview with Ms. Grote into 16 your materials considered for this 17 declaration and I want to make sure 18 I understand why. 19 A. Yeah, yeah. 20 Q. Is there any reason why it 21 was left out of this one? 22 A. Again, URT is an equipment 23 manufacturer and so, specifically, 24 we were discussing about the 25 instrument panel data ratings, et	Page 169 1 DANTAM 2 MR. CARLSON: I don't. 3 THE COURT REPORTER: Off the 4 record. 5 (Time noted: 2:15 p.m.) 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

43 (Pages 166 - 169)

Page 170 1 2 STATE OF NEW YORK) 3) :ss 4 COUNTY OF NEW YORK) 5 6 I, VANI DANTAM, the witness 7 herein, having read the foregoing 8 testimony of the pages of this 9 deposition, do hereby certify it to be a 10 true and correct transcript, subject to 11 the corrections, if any, shown on the 12 attached page. 13 14 _____ 15 VANI DANTAM 16 17 18 19 Sworn and subscribed to before me, 20 this _____ day of _____, 2025. 21 _____ 22 Notary Public 23 24 25	Page 172 1 2 ----- I N D E X ----- 3 WITNESS PAGE 4 VANI DANTAM 5 By: Mr. Schenker 5 6 7 ----- EXHIBITS ----- 8 DEPOSITION FOR I.D. 9 Exhibit 2001, Ascend declaration 25 10 Exhibit 2022, declaration behalf 28 11 of Ascend 12 Exhibit 1004, Hanisch '419 148 13 patent 14 15 *** EXHIBITS ATTACHED *** 16 17 18 19 20 21 22 23 24 25
Page 171 1 2 STATE OF NEW YORK) 3 ss.: 4 COUNTY OF NEW YORK) 5 6 I, ERICA L. RUGGIERI, RPR and a 7 Notary Public within and for the State 8 of New York, do hereby certify: 9 That I reported the proceedings 10 in the within-entitled matter, and 11 that the within transcript is a true 12 record of such proceedings. 13 I further certify that I am not 14 related by blood or marriage, to any 15 of the parties in this matter and 16 that I am in no way interested in the 17 outcome of this matter. 18 IN WITNESS WHEREOF, I have 19 hereunto set my hand this 30th day of 20 April, 2025. 21 22  23 ERICA L. RUGGIERI, RPR, CSR, CLR 24 25	Page 173 1 2 INSTRUCTIONS TO WITNESS 3 4 Please read your deposition over 5 carefully and make any necessary 6 corrections. You should state the reason 7 in the appropriate space on the errata 8 sheet for any corrections that are made. 9 After doing so, please sign the 10 errata sheet and date it. 11 You are signing same subject to 12 the changes you have noted on the errata 13 sheet, which will be attached to your 14 deposition. 15 It is imperative that you return 16 the original errata sheet to the deposing 17 attorney within thirty (30) days of 18 receipt of the deposition transcript by 19 you. If you fail to do so, the deposition 20 transcript may be deemed to be accurate 21 and may be used in court. 22 23 24 25

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4	DATE OF DEPOSITION: 4/24/2025			
5	WITNESSES' NAME: Vani Dantam			
6	PAGE	LINE (S)	CHANGE	REASON
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