

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

RØDE MICROPHONES, LLC AND	)	Case No.
FREEDMAN ELECTRONICS PTY	)	IPR2025-00230
LTD,	)	
Petitioner	)	Patent
Vs.	)	7,711,443
ZAXCOM, INC.,	)	
Patent Owner.	)	Page 1-62

REMOTE VIDEOTAPED DEPOSITION OF JEFFREY S. WEXLER
TAKEN ON
MONDAY, NOVEMBER 10, 2025

Reported By:
BRENDA R. COUNTZ, RPR-CRR
CSR NO. 12563
Job No. J13699568

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Remote Videotaped Deposition of
JEFFREY S. WEXLER taken via Zoom or
teleconference in Los Angeles, California, on
Monday, November 10th, 2025, Before Brenda R.
Countz, CSR No. 12563.

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2 (All Counsel and Participants Present
3 Via Zoom And/Or Teleconference.)
4

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I N D E X

WITNESS	EXAMINATION BY	PAGE
JEFFREY S. WEXLER		
	Mr. Rotteveel	5
	Ms. Chipperson	52

E X H I B I T S

NO.	DESCRIPTION	PAGE
Exhibit 1	Declaration of Jeffrey S. Wexler previously marked as Exhibit 2126	40

LOS ANGELES, CA - MONDAY, NOVEMBER 10, 2025

9:05 A.M.

JEFFREY S. WEXLER,
having Been First Duly Sworn, was
Examined and Testified As Follows:

EXAMINATION

BY MR. ROTTEVEEL:

Q. Good morning, Mr. Wexler. How are you
today?

A. I'm doing okay.

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

A. Full legal name is Jeffrey S. Wexler.

Q. And what's your address?

A. 1027 Grant Street, Santa Monica,
California 90405.

Q. Is that your primary residence?

A. Yes, it is.

Q. Have you ever been deposed before?

A. Yes, I have.

Q. How many times have you been deposed
before?

A. Once.

1 Q. And what was the context of that
2 deposition?

3 A. It was part of some legal choice with
4 the company Electrosonic.

5 Q. And was that in a prior IPR proceeding?

6 A. It was actually in person in some legal
7 office in Santa Monica.

8 Q. Do you understand that you are under
9 oath today?

10 A. Yes.

11 Q. So the procedure is that I'll ask you
12 questions and the court reporter will record my
13 questions as well as your answers.

14 Do you understand that?

15 A. Yes.

16 Q. If you don't understand a question,
17 please let me know and I will try to clarify that
18 question.

19 Do you understand?

20 A. Sure.

21 Q. So please try to give verbal answers
22 such as yes or no instead of nods or gestures or
23 saying things like um-hum so the court reporter
24 is able to record your answers.

25 Do you understand?

09:07:48AM

09:08:04AM

09:08:15AM

09:08:27AM

09:08:40AM

1 A. Certainly, yes, I will.

2 Q. So if you provide an answer to one of
3 my questions, I will assume that unless you
4 indicate otherwise, that your answer is complete.

5 Do you understand?

09:08:55AM

6 A. That my answer is what?

7 Q. So if you answer one of my questions,
8 unless you indicate otherwise I'll assume that
9 your answer is complete.

10 A. Complete?

09:09:10AM

11 Q. Yes, a complete answer.

12 A. That was the word I didn't know. Yes.

13 Q. Also, if you could wait for me to ask
14 my full question before you give your answer and
15 I will also wait to go to the next question until
16 after you give your full answer, just because
17 it's difficult for the court reporter to write
18 down when we're talking at the same time.

09:09:25AM

19 Does that make sense?

20 A. Yes, it does.

09:09:39AM

21 Q. And you may answer a question and later
22 on may think of something that you want to add to
23 your previous answer or you may want to correct
24 or clarify your previous answer. If that
25 happens, just let me know and we'll give you a

09:09:55AM

1 chance to either add to or correct your earlier
2 response.

3 Do you understand?

4 A. Okay, yes.

5 Q. Mr. Wexler, if at any time you need a
6 break during this deposition, please let me know.
7 But if I just asked you a question, I'll ask that
8 you finish your answer and then we will work out
9 what to do about a break.

09:10:09AM

10 Is that okay?

09:10:22AM

11 A. Yes.

12 Q. And do you understand that during
13 breaks you are not to discuss the subject matter
14 of this deposition with anyone?

15 A. Yes.

09:10:34AM

16 Q. And how are you feeling generally
17 today, physically?

18 A. Health-wise, not well. I'm not feeling
19 well today.

20 Q. Okay. Well, is there anything stopping
21 you from understanding and answering my questions
22 today?

09:10:47AM

23 A. No. No.

24 Q. Are you taking any medications or drugs
25 that might make it difficult for you to answer my

09:10:58AM

1 questions today?

2 A. No.

3 Q. Is there any other reason you might not
4 be able to understand my questions and answer
5 them truthfully and completely today?

09:11:08AM

6 A. Not that I know of, no.

7 Q. So what room within your residence are
8 you currently in right now?

9 A. I'm in the dining room.

10 Q. Is anyone else in the room with you
11 right now?

09:11:31AM

12 A. No.

13 Q. Is anyone else in your residence at
14 all?

15 A. No.

09:11:40AM

16 Q. Are there any electronic devices in the
17 room with you other than the computer you're
18 using for this deposition?

19 A. The cordless landline telephone. And
20 what else is there? That's it.

09:12:06AM

21 Q. Okay, so there's no phones or other
22 computers other than the one you are using for
23 this deposition?

24 A. No, in this room, there's the one
25 computer and one handset for a cordless phone.

09:12:20AM

1 Q. Okay, no cell phones?

2 A. Yes, I have a cell phone.

3 Q. Is it in the room with you?

4 A. Yes, it's on my body.

5 Q. Okay. Do you mind turning off your
6 cell phone during this deposition?

7 A. No. I've got to remember how to turn
8 it off.

9 Q. Is it an iPhone?

10 A. Yup, it's off.

11 Q. Okay, so are there any other electronic
12 devices in the room now that you can communicate
13 with the outside world?

14 A. No.

15 Q. Do you have e-mail software on your
16 computer?

17 A. Yes.

18 Q. Can you turn off the ability to receive
19 e-mail messages during this portion of the
20 deposition or can you X out of the e-mail browser
21 on your computer during the course of the
22 deposition?

23 A. I can quit the mail application.

24 Q. Yes, can you please do that? And if
25 you need to, you can look at your cell phone or

09:12:34AM

09:12:57AM

09:13:10AM

09:13:24AM

09:13:46AM

1 e-mail during any breaks that we may have.

2 Do you understand?

3 A. Say again?

4 Q. During any breaks we have of the
5 deposition, you can look at your text messages or
6 e-mail messages.

09:13:55AM

7 A. Okay.

8 Q. Do you have any other software on your
9 computer that allows you to communicate with the
10 outside world during this deposition?

09:14:09AM

11 A. Yes. I have a number of applications
12 on the computer which communicate with the
13 outside world.

14 Q. What I mean by that is do you -- are
15 you able to receive text messages on your
16 computer?

09:14:32AM

17 A. Yes.

18 Q. Could you close out of the ability or
19 whatever application you have up?

20 A. I can quit Messages.

09:14:42AM

21 Q. Yes, could you please do that during
22 the course of this deposition?

23 A. Okay. That's done.

24 Q. Now, are you represented by counsel
25 here today?

09:15:02AM

1 A. I don't know the answer to that.

2 Q. Do you have any agreement with
3 Ms. Chipperson, who is here on the deposition?
4 Do you have any agreement that she will be
5 representing you as counsel today?

09:15:19AM

6 A. My only agreement was that I would show
7 up here for the deposition. I don't know what
8 agreement that would refer to.

9 Q. Mr. Wexler, is Ms. Chipperson your
10 attorney?

09:15:43AM

11 A. No.

12 Q. Did you do anything to prepare for the
13 deposition today?

14 A. No.

15 Q. Did you read your declaration that you
16 wrote prior to this deposition?

09:16:00AM

17 A. No.

18 Q. Did you meet with Ms. Chipperson prior
19 to this deposition?

20 A. Meet with -- we had a conversation.

09:16:12AM

21 Q. How did you have that conversation?

22 A. On the telephone.

23 Q. When did you have that conversation on
24 the telephone?

25 A. I don't remember if it was yesterday or

09:16:38AM

1 the day before.

2 Q. What did you and Ms. Chipperson discuss
3 in that telephone conversation?

4 MS. CHIPPERSON: Objection,
5 attorney-client work product. I'm instructing
6 the witness not to answer anything related to
7 what we discussed.

8 MR. ROTTEVEEL: What is your basis for
9 saying that this is work product, Ms. Chipperson?

10 MS. CHIPPERSON: It is preparation for
11 the IPR for this deposition.

12 MR. ROTTEVEEL: I don't believe that
13 prevents Mr. Wexler from disclosing your
14 conversation, since you are not representing him
15 today. It's not privileged in any way.

16 MS. CHIPPERSON: I didn't say it's
17 privileged, I said it's work product. And
18 anything about my mental impressions, strategy or
19 legal theories is not available for him to
20 discuss.

21 MR. ROTTEVEEL: Well, that would only
22 be true if any of that was confidential
23 information but we are not dealing with
24 confidential information today.

25 MS. CHIPPERSON: I disagree. He can

1 talk about his own facts, his own thoughts, but
2 not the substance of our conversations.

3 MR. ROTTEVEEL: Well, I disagree on
4 that.

5 BY MR. ROTTEVEEL:

6 Q. Mr. Wexler, what did you discuss with
7 Ms. Chipperson on your telephone conversation?

8 MS. CHIPPERSON: Objection, I direct
9 the witness not to answer.

10 MR. ROTTEVEEL: Mr. Wexler, please
11 don't follow her instruction. You can answer my
12 question and I can repeat the question.

13 MS. CHIPPERSON: If we need to, I think
14 we can call the Board or reach out to the PTAB to
15 get this resolved.

16 BY MR. ROTTEVEEL:

17 Q. Mr. Wexler, I please request that you
18 answer my question.

19 What did you discuss with
20 Ms. Chipperson on your call?

21 MS. CHIPPERSON: Again, I'm instructing
22 him not to answer.

23 MR. FISHER: Counsel, if you want to
24 have a call with the PTAB, we can do that. I'm
25 confident that whoever we reach will agree that a

09:17:59AM

09:18:11AM

09:18:21AM

09:18:34AM

09:18:44AM

1 nonconfidential discussion that you had with this
2 witness, who is not your client, is fair game and
3 is not work product and is not privileged.

4 So if you feel like calling the Board
5 and trying to argue that it is, that's fine with
6 us.

7 MS. CHIPPERSON: That's fine. And
8 which one of you is conducting this deposition?

9 MR. FISHER: Mr. Rotteveel is
10 conducting the deposition. I'm not asking the
11 witness any questions. You and I, counsel, are
12 having a legal discussion which has nothing to do
13 with asking questions of the witness.

14 So again, it's your choice what you
15 want to do with respect to the Board. I will let
16 Mr. Rotteveel continue with the examination.

17 MS. CHIPPERSON: For the purposes of
18 time, I will allow the witness to answer and we
19 will direct this to the Board prior to the next
20 deposition.

21 BY MR. ROTTEVEEL:

22 Q. So Mr. Wexler, I will reask my
23 question.

24 In your telephone conversation with
25 Ms. Chipperson in preparation for this

09:18:59AM

09:19:11AM

09:19:29AM

09:19:46AM

09:20:01AM

1 deposition, what did you discuss with
2 Ms. Chipperson?

3 A. Primarily what the phone call meant for
4 me was that she was explaining what depositions
5 are, because I've only had the one other
6 experience, and what to expect in terms of
7 procedure.

09:20:17AM

8 And it's already gone way beyond
9 whatever I could have ever imagined in terms of
10 complexity, all of the back and forth. And it
11 was more and less letting me know what the lay of
12 the land is, that you will be questioned.

09:20:36AM

13 She said she might challenge a question
14 and counsel me to not answer and that was about
15 it. And obviously I'm under oath to make all of
16 my statements as concise as possible and truthful
17 and that was it.

09:21:07AM

18 Q. Do you remember anything else from your
19 discussions with Ms. Chipperson?

20 A. Not specifically.

09:21:37AM

21 Q. Did you review any documents in
22 preparation for this deposition?

23 A. No.

24 Q. Did anyone ask you to collect any
25 documents for this deposition?

09:21:44AM

1 A. Correct documents? No, I had no
2 connection with any documentation. It was merely
3 a voice call.

4 Q. Okay. Sorry, my question was not to
5 correct any documents.

09:22:01AM

6 Did you collect any documents for this
7 deposition?

8 A. Collect? No.

9 Q. So how did you first hear about this
10 case?

09:22:17AM

11 A. I'm not even sure exactly what this
12 case is, but I did hear in the general context
13 from Glenn Sanders that there was litigation of
14 some sort going on between Zaxcom and one or
15 other companies.

09:22:51AM

16 Q. When did this conversation with Glenn
17 Sanders occur?

18 A. It seems like a few months ago. I'm
19 not sure.

20 Q. What else did you discuss with Glenn
21 Sanders on that phone call?

09:23:10AM

22 A. I don't recall any specifics.

23 Q. You didn't discuss anything else about
24 this case?

25 MS. CHIPPERSON: Object to form, asked

09:23:35AM

1 and answered.

2 BY MR. ROTTEVEEL:

3 Q. Mr. Wexler, you can answer.

4 A. Ask the question again, please.

5 Q. So first of all, Mr. Wexler, if
6 Ms. Chipperson objects, that's just to get the
7 answer on the record. And so if Ms. Chipperson
8 objects, you can still answer my question.

9 Do you understand?

10 A. Yes.

11 Q. She's just getting the objections on
12 the record.

13 So in your discussions a few months ago
14 with Glenn Sanders, what else did you discuss in
15 that conversation?

16 A. Well, I think we probably talked about
17 the weather. I remember talking about what
18 Glenn's plans were in the future in terms of
19 attending various social events that were going
20 to be coming up.

21 What else did we talk about? We talked
22 about my health, because Glenn was concerned
23 about my health. I had told him that I was
24 having some difficulties and so I got a little
25 bit of medical advice from him.

1 And what else? Yeah, just kind of
2 normal chitchat.

3 Q. How long have you known Glenn Sanders?

4 A. Well, that's the one bit of research I
5 tried to do for this deposition. I believe that
6 probably I met him in person in I think around
7 1997.

8 Q. How did you meet Glenn Sanders around
9 1997?

10 A. At Coffey Sound, which was one of our
11 sound houses here in L.A. He brought in the
12 first Deva recorder to run a little demonstration
13 for fellow sound mixers and I was made aware of
14 that meeting.

15 So I was invited and so I went and
16 watched Glenn present this machine.

17 Q. So was that your first encounter with a
18 Zaxcom product?

19 A. No.

20 Q. When did you start using Zaxcom
21 equipment?

22 A. Well, that's a different question.
23 Which question do you want me to answer?

24 Q. When did you first start using Zaxcom
25 equipment?

1 A. I think I wrote that date down.

2 I believe it would be 2001. I have to
3 look at my resume. I remember the movie that I
4 was on but I'm not sure exactly which movie I
5 first used -- oh, a Zaxcom product in general?
6 Yeah, it would have been the first Deva which I
7 used in -- gosh, my browser is closed now.
8 Whatever year I did The Siege.

09:27:46AM

9 Well, the Deva had only been out a
10 matter of months before I used it on a movie and
11 that would have been my first time using it.

09:28:21AM

12 Q. Can you spell Deva for the record?

13 A. D-E-V-A.

14 Q. So around 2001 did you and Glenn
15 Sanders often talk about products that he was
16 developing?

09:28:50AM

17 MS. CHIPPERSON: Object to form.

18 THE WITNESS: I think I probably talked
19 about products all along the way because I was
20 going to answer one of your other questions,
21 which you seemed to abandon when you asked me my
22 first connection with Zaxcom, was seeing the
23 original Deva at the AES show on display, not yet
24 a functioning unit, and I think I probably met
25 Glenn Sanders then.

09:29:19AM

09:29:47AM

1 I discussed development of gear with
2 Glenn Sanders and probably with most of the other
3 manufacturers that I've dealt with since I
4 started my career in 1970.

5 BY MR. ROTTEVEEL:

09:30:17AM

6 Q. Okay, so around 2001 to 2004, you would
7 be discussing the development of Zaxcom products
8 with Mr. Sanders?

9 MS. CHIPPERSON: Object to form.

10 THE WITNESS: It's quite possible.

09:30:30AM

11 BY MR. ROTTEVEEL:

12 Q. Was this just verbal discussions?

13 MS. CHIPPERSON: Object to form.

14 THE WITNESS: What would be the other
15 form? I don't understand the question.

09:30:45AM

16 BY MR. ROTTEVEEL:

17 Q. Did you have any e-mail correspondence
18 with Mr. Sanders regarding products in
19 development around this time?

20 A. I don't think so.

09:31:02AM

21 Q. Did you have any discussions with
22 Mr. Sanders on any websites around this time?

23 MS. CHIPPERSON: Object to form.

24 THE WITNESS: I may very easily have
25 been part of ongoing group discussions on various

09:31:24AM

1 websites that Glenn Sanders was also
2 participating in.

3 BY MR. ROTTEVEEL:

4 Q. Can you name me some of those websites?

5 A. Yeah. Well, I guess the most obvious
6 one would be like Facebook. You know, I've been
7 involved in conversations on Facebook with other
8 people that are posting there and replying there
9 and I believe that Glenn was part of some of
10 those discussions.

11 Q. What about around 2001, any websites
12 where you and Glenn would be discussing Zaxcom
13 products?

14 A. I don't remember specifically.

15 MS. CHIPPERSON: Object to form.

16 THE WITNESS: Sorry, Rita, what?

17 MS. CHIPPERSON: Object to form.

18 THE WITNESS: I don't remember
19 specifically any specific timeframe.

20 BY MR. ROTTEVEEL:

21 Q. Are you familiar with a website called
22 Ramps?

23 A. Yes, I'm very familiar with it.

24 Q. What discussions about Zaxcom products
25 had occurred around 2001 on Ramps?

1 MS. CHIPPERSON: Objection, this goes
2 beyond the scope of his declaration.

3 BY MR. ROTTEVEEL:

4 Q. Mr. Wexler, you can answer.

5 A. I will go with that objection in that
6 it opens up a whole history of stuff that doesn't
7 relate to anything that we're doing in this
8 deposition, in my opinion.

09:33:10AM

9 Q. Mr. Wexler, did you and Mr. Sanders
10 discuss Zaxcom products on the website Ramps?

09:33:33AM

11 MS. CHIPPERSON: Objection, it goes
12 beyond the scope of his declaration.

13 MR. ROTTEVEEL: Mr. Wexler, you should
14 still answer even if Ms. Chipperson has an
15 objection.

09:33:54AM

16 THE WITNESS: Ramps was around for
17 several years and I did participate in Ramps a
18 lot. So I'm sure somewhere along the way there
19 were discussions that involved both myself and
20 Glenn Sanders.

09:34:08AM

21 That's about as clear an answer as I
22 can give.

23 BY MR. ROTTEVEEL:

24 Q. Do you know the URL for Ramps?

25 MS. CHIPPERSON: Objection, goes beyond

09:34:19AM

1 the scope of this declaration.

2 THE WITNESS: I don't remember. I
3 haven't attempted to even look at Ramps in the
4 last ten years or more.

5 BY MR. ROTTEVEEL:

6 Q. Do you remember anything about the URL
7 for Ramps?

09:34:39AM

8 MS. CHIPPERSON: Objection, asked and
9 answered, form, goes beyond the scope of his
10 declaration.

09:34:50AM

11 THE WITNESS: It's irrelevant, in my
12 mind. It was probably just bookmarked in my
13 browser.

14 BY MR. ROTTEVEEL:

15 Q. How many times have you spoken with
16 Mr. Sanders over the past year?

09:35:09AM

17 MS. CHIPPERSON: Objection, goes beyond
18 the scope of the declaration.

19 THE WITNESS: I agree. I have no way
20 of giving an answer to that.

09:35:23AM

21 MR. ROTTEVEEL: Mr. Wexler, you are to
22 still answer and Ms. Chipperson is just getting
23 the objections on the record.

24 THE WITNESS: I know, but I mean no way
25 could -- I mean I could come up with a number but

09:35:42AM

1 I can't verify that it's even close one way or
2 the other. I mean I don't know.

3 BY MR. ROTTEVEEL:

4 Q. Is it more than ten discussions?

5 A. Oh, I'm sure I've had --

6 MS. CHIPPERSON: Object to form.

7 THE WITNESS: I'm sure I've had more
8 than ten discussions, yeah.

9 BY MR. ROTTEVEEL:

10 Q. Would it be more than 20 discussions?

11 MS. CHIPPERSON: Objection, goes beyond
12 the scope of the witness's declaration.

13 THE WITNESS: I can't answer that,
14 honestly. I don't know. There's no way -- I
15 don't track it. It's not like contacting my
16 doctor, you know. I don't know.

17 I had numerous conversations. He's a
18 friend, you know. I can't...

19 BY MR. ROTTEVEEL:

20 Q. Have you attended many social events
21 with Mr. Sanders?

22 MS. CHIPPERSON: Objection, assumes
23 facts not in evidence.

24 THE WITNESS: You'd have to define
25 "many" and then we are back again to try to come

09:35:56AM

09:36:05AM

09:36:25AM

09:36:55AM

09:37:03AM

1 up with a number that makes sense.

2 BY MR. ROTTEVEEL:

3 Q. Have you attended any social events
4 with Mr. Sanders?

5 A. Yes.

6 Q. What types of social events?

7 MS. CHIPPERSON: Objection, it goes
8 beyond the scope of the declaration.

9 THE WITNESS: Well, one would be an
10 event that's held almost every year for the last
11 several years in Atlanta which is a get-together
12 of primarily production sound people.

13 And I've also socialized with Glenn
14 Sanders at NAB conventions, at Pizza Friday at
15 Trew Audio in L.A., which again is just a social
16 get-together of fellow sound people.

17 BY MR. ROTTEVEEL:

18 Q. Who contacted you about providing a
19 declaration?

20 A. Who what?

21 Q. Who contacted you about providing a
22 declaration in this case?

23 A. I don't know which person exactly but
24 it was through whatever legal company Rita works
25 with or for. I don't know the full name, but it

09:37:12AM

09:37:37AM

09:38:13AM

09:38:30AM

09:38:50AM

1 was via e-mail.

2 Q. I'm sorry, go ahead.

3 A. No, that was it.

4 Q. Can you tell me about the process of
5 constructing the declaration for this case?

6 MS. CHIPPERSON: Object to form.

7 THE WITNESS: I don't understand the
8 question.

9 BY MR. ROTTEVEEL:

10 Q. Did you write the first draft of the
11 declaration in this case?

12 A. Did I write -- I don't know what you
13 are referring to.

14 Q. Do you understand that you provided a
15 declaration for this case?

16 MS. CHIPPERSON: Objection, vague.

17 THE WITNESS: Well, again, I said I'm
18 not sure exactly what this case is. I haven't
19 currently written anything related to this case.

20 BY MR. ROTTEVEEL:

21 Q. Did you write a declaration for the
22 prior Lectrosonics case?

23 MS. CHIPPERSON: Object to form.

24 THE WITNESS: I believe so.

25 BY MR. ROTTEVEEL:

1 Q. Did you write the first draft of the
2 declaration in that case?

3 MS. CHIPPERSON: Object to form.

4 THE WITNESS: I don't know what a draft
5 is. I can't answer that.

6 BY MR. ROTTEVEEL:

7 Q. So in the prior Lectrosonics case --

8 A. Okay.

9 Q. -- you agreed to help out in that case,
10 correct?

11 MS. CHIPPERSON: Object to form,
12 assumes facts not in evidence.

13 THE WITNESS: Define "help out."

14 BY MR. ROTTEVEEL:

15 Q. You agreed to provide a declaration in
16 that case, correct?

17 A. Yes, I did.

18 Q. And were you the one that drafted that
19 declaration?

20 MS. CHIPPERSON: Object to form.

21 THE WITNESS: Anything that I wrote
22 that was attributed to my writing I'm fairly
23 confident was my writing, if that's what you are
24 asking.

25 BY MR. ROTTEVEEL:

1 Q. Okay, and did you write anything new
2 for this case?

3 MS. CHIPPERSON: Object to form, vague.

4 THE WITNESS: No.

5 BY MR. ROTTEVEEL:

09:42:12AM

6 Q. Do you have any agreements with Zaxcom
7 regarding your work in this case?

8 A. Define "agreements."

9 Q. Are you being paid by Zaxcom for any of
10 your work in this case?

09:42:24AM

11 A. No.

12 Q. Are you being paid by Glenn Sanders for
13 any of your work in this case?

14 A. No.

15 Q. Mr. Wexler, you state in your
16 declaration that you've owned and used almost
17 every piece of professional sound recording
18 equipment in your career, correct?

09:42:58AM

19 A. Yes.

20 Q. And was trying out new professional
21 sound recording equipment something you did
22 throughout your career?

09:43:12AM

23 MS. CHIPPERSON: Object to form.

24 THE WITNESS: Say again.

25 BY MR. ROTTEVEEL:

09:43:25AM

1 Q. Is trying out new professional sound
2 recording equipment something you have done
3 throughout your career?

4 A. Yes.

5 Q. Do you also spend time reading patents
6 and patent applications relating to sound
7 recording equipment?

8 MS. CHIPPERSON: Objection. This is
9 outside the scope of the declaration.

10 THE WITNESS: I think over the years
11 from the beginning of my career, I have, in fact,
12 read a few patents and also researched the
13 history of patented technology, just because it
14 interested me. I'm saying -- this is actually
15 even prior to my career.

16 So yeah, I've had minimal experience
17 with -- and no personal experience with patents,
18 but I have historical interest in patents.

19 BY MR. ROTTEVEEL:

20 Q. Can you name any specific patents that
21 you have read?

22 MS. CHIPPERSON: Objection, outside the
23 scope of this declaration.

24 THE WITNESS: I agree with Rita.

25 MS. CHIPPERSON: Calls for a

09:43:43AM

09:43:58AM

09:44:25AM

09:44:50AM

09:45:02AM

1 hypothetical.

2 (Reporter clarification.)

3 BY MR. ROTTEVEEL:

4 Q. Mr. Wexler, you are to answer my
5 question over Ms. Chipperson's objection. She's
6 just getting it on the record.

09:45:14AM

7 A. Okay, but I agree with Rita that it's
8 outside the parameters of this deposition, what
9 my personal history or interests are.

10 Q. Mr. Wexler, yes or no, do you remember
11 any specific patents or patent applications that
12 you have read?

09:45:38AM

13 A. Yes.

14 MS. CHIPPERSOON: Objection to form.

15 THE WITNESS: Yes.

09:45:54AM

16 BY MR. ROTTEVEEL:

17 Q. So you mentioned in your declaration
18 that Zaxcom developed a transmitter with local
19 recording capabilities, correct?

20 A. Say again?

09:46:05AM

21 Q. You mentioned that Zaxcom developed a
22 transmitter with local recording capabilities,
23 correct?

24 MS. CHIPPERSOON: Object to form.

25 THE WITNESS: Yes.

09:46:15AM

1 BY MR. ROTTEVEEL:

2 Q. And you referred to this local
3 recording by the transmitter as a backup
4 recording, correct?

5 MS. CHIPPERSON: Object to form.

6 THE WITNESS: Yes.

7 BY MR. ROTTEVEEL:

8 Q. And you state that you would never want
9 to be without this function, correct?

10 A. Yes.

11 Q. Was the ability of a transmitter to
12 have local recording capabilities a game-changer?

13 MS. CHIPPERSON: Object to form.

14 THE WITNESS: Yes. However, I'm not a
15 big fan of that particular phrase, game-changer.

16 I can say for me personally it had a
17 profound effect on my work.

18 BY MR. ROTTEVEEL:

19 Q. Had it ever occurred to you that you
20 might need local recording capabilities?

21 MS. CHIPPERSON: Object to form.

22 THE WITNESS: I don't understand the
23 question.

24 BY MR. ROTTEVEEL:

25 Q. Prior to using Zaxcom's product, the

09:46:29AM

09:46:46AM

09:47:14AM

09:47:39AM

09:47:48AM

1 TRX900, had it ever occurred to you that you
2 might need local recording capabilities?

3 MS. CHIPPERSON: Object to form.

4 THE WITNESS: It's a larger discussion,
5 your phrase "local recording." I can't give you
6 a sensible answer to that.

09:48:16AM

7 BY MR. ROTTEVEEL:

8 Q. How do you understand the phrase local
9 recording capabilities?

10 A. Local recording. Well, in its loosest
11 form I would say a local recording is a recording
12 that is made with me and whatever is being
13 recorded are in the same locale.

09:48:37AM

14 I don't know. It escapes me what the
15 question actually means.

09:49:11AM

16 Q. How would you describe the recording
17 that is on the user of the transmitter?

18 MS. CHIPPERSON: Object to form, vague.

19 THE WITNESS: How would I describe it?

20 BY MR. ROTTEVEEL:

09:49:39AM

21 Q. What name would you give it?

22 A. The recording.

23 Q. Is that the backup recording?

24 A. You tell me. Are you asking me -- when
25 I record someone's dialog on a movie, let's say,

09:49:56AM

1 that is what's referred to as the production
2 dialog recording, meaning that which was recorded
3 in realtime on the day, with the actor, and that
4 becomes the element -- that's my professional
5 responsibility.

09:50:26AM

6 Q. So that there is a
7 transmitter -- strike that.

8 When you're working on a movie, a user
9 wears the transmitter on their body, correct?

10 A. At times.

09:50:46AM

11 Q. So in the instances when a user has the
12 transmitter on their person, is there a recording
13 that is made locally on the transmitter itself
14 that is not sent to the receiver?

15 MS. CHIPPERSON: Object to form,
16 compound.

09:51:07AM

17 THE WITNESS: Are you asking how a
18 transmitter with local record capability does its
19 thing or -- do you want a technical answer or --
20 BY MR. ROTTEVEEL:

09:51:41AM

21 Q. You mention a backup recording in your
22 declaration, correct?

23 A. Yes, you said that already.

24 Q. What do you mean by a backup recording?

25 A. What I mean is the actor is speaking

09:51:55AM

1 and I'm recording that in two different places.
2 If there's a potential failure at either one of
3 them, I would have what we refer to as a backup
4 recording, meaning that without a backup you
5 would be forced to ask for another take so that
6 you get another chance to record that line of
7 dialog, which is our professional responsibility.

09:52:40AM

8 And with the backup, there is no
9 necessity to ask for another take.

10 Q. So is there a recording in the device
11 worn by the user of the transmitter?

09:53:06AM

12 MS. CHIPPERSON: Object to form, vague.

13 BY MR. ROTTEVEEL:

14 Q. Let me rephrase.

15 Is there a recording in the device worn
16 by the user?

09:53:22AM

17 MS. CHIPPERSON: Object to form, vague.

18 THE WITNESS: In what device worn by
19 the actor?

20 BY MR. ROTTEVEEL:

09:53:33AM

21 Q. The transmitter.

22 MS. CHIPPERSON: The same objections.

23 THE WITNESS: With the Zaxcom
24 transmitter -- I don't remember the exact model
25 number -- but with the Zaxcom transmitter there

09:53:50AM

1 is a local recording that is in the transmitter.

2 BY MR. ROTTEVEEL:

3 Q. And what terms would you use to
4 distinguish the local recording from the
5 recording that is sent to the receiver?

09:54:12AM

6 MS. CHIPPERSON: Objection, assumes
7 facts not in evidence.

8 THE WITNESS: Did I answer something
9 wrong?

10 BY MR. ROTTEVEEL:

09:54:45AM

11 Q. So you would agree that the recording
12 that is stored within the device worn by the user
13 is the local recording?

14 MS. CHIPPERSON: Objection, asked and
15 answered, form.

09:54:55AM

16 BY MR. ROTTEVEEL:

17 Q. Mr. Wexler, do you have an answer?

18 A. I don't -- it seems like we are asking
19 the same question again. I mean, ask the
20 question again. I don't know what you're
21 referring to.

09:55:24AM

22 Again, we're using the word "local" but
23 I don't -- I'm not --

24 Q. What would you call the recording that
25 is sent digitally from the transmitter to the

09:55:43AM

1 receiver?

2 MS. CHIPPERSON: Objection, assumes
3 facts not in evidence, form.

4 THE WITNESS: I would call it the
5 signal, the program material.

09:56:04AM

6 BY MR. ROTTEVEEL:

7 Q. So do you agree that there's a
8 difference between the signal, the program
9 material as you called it, that's sent to the
10 receiver, and the local recording stored on the
11 transmitter?

09:56:19AM

12 A. No. No, I didn't say that.

13 Q. You would not agree that those are two
14 different recordings?

15 A. What difference are you referring to?

09:56:36AM

16 Q. I'm just --

17 MS. CHIPPERSON: Objection, vague,
18 asked and answered; mischaracterizes his prior
19 testimony.

20 BY MR. ROTTEVEEL:

09:57:13AM

21 Q. Mr. Wexler, you referred to digital RF
22 transmission in your declaration, yes?

23 A. Yes.

24 Q. Does RF stand for radio frequency
25 transmission?

09:57:26AM

1 A. Yes.

2 Q. Prior to Zaxcom, did any companies have
3 systems that used digital radio frequency
4 transmission for motion pictures?

5 A. Not to my knowledge.

6 Q. How common is digital RF transmission
7 in the use of motion pictures today?

8 MS. CHIPPERSON: Object to form,
9 compound.

10 THE WITNESS: In terms of my
11 understanding of the industry these days, I would
12 say it's about half and half; analog
13 transmission, historically, and digital
14 transmission. Both are still very much in use.
15 BY MR. ROTTEVEEL:

16 Q. You mention in your declaration that
17 the digital RF transmission in Zaxcom's product,
18 quote: "Went a long way in solving some of the
19 problems associated with frequency allocation."

20 Can you explain what you meant by that?

21 A. You have to say it again.

22 Q. You mention in your declaration that
23 the digital radio frequency transmission in
24 Zaxcom's product, "Went a long way in solving
25 some of the problems associated with frequency

1 allocation."

2 What did you mean by that?

3 MS. CHIPPERSON: Objection,
4 mischaracterizes -- sorry, assumes facts not in
5 evidence. Form, also.

09:59:11AM

6 THE WITNESS: Can I just make a comment
7 that I don't think --

8 (Brief interruption.)

9 I've got to get this person to stop.

10 I'm in a deposition, I've got to call
11 you later.

09:59:31AM

12 I don't think it's part of this
13 deposition for me to give you a technical lesson
14 about digital transmission versus analog
15 transmission. It seems like that's outside the
16 scope of this particular deposition.

09:59:57AM

17 But I don't know. I could try. I'm
18 not the most technical person but I do understand
19 both worlds.

20 MR. ROTTEVEEL: Mr. Wexler, do you see
21 the document on your screen?

10:00:22AM

22 THE WITNESS: I see a document, yes.

23 MR. ROTTEVEEL: I'll introduce this as
24 Wexler Exhibit 1.

25 BY MR. ROTTEVEEL:

10:00:33AM

1 Q. Do you recognize this as your
2 declaration in this case?

3 A. Not yet. I see at the bottom it says,
4 "Declaration of Jeffrey S. Wexler" but I've never
5 seen this particular form, personally.

10:00:51AM

6 (Wexler Exhibit 1, Declaration of
7 Jeffrey S. Wexler previously
8 marked as Exhibit 2126, was marked
9 for identification.)

10 MS. CHIPPERSON: I'm going to object to
11 the exhibit.

10:01:19AM

12 MR. ROTTEVEEL: I'm going to refer to
13 this as IPR Exhibit 2126.

14 BY MR. ROTTEVEEL:

15 Q. Mr. Wexler, do you see paragraph
16 numbered five here on your screen?

10:02:12AM

17 A. No. I just see a title page and I
18 don't see anything to advance to another page. I
19 see exhibit -- Wexler Exhibit 1 and again it
20 looks like a title page.

10:02:37AM

21 Do you want me to try to scroll down?
22 I've never seen this document so I don't know
23 what -- okay, scrolling down I see: "I, Jeffrey
24 S. Wexler, have been asked by counsel for" --

25 Q. Mr. Wexler, do you mind scrolling down

10:03:04AM

1 to paragraph five?

2 A. Okay, going to paragraph five. Okay,
3 yeah. I'm at five.

4 Q. Okay. Do you see that you said:
5 "Zaxcom produced the first wireless systems
6 designed specifically for our usage in sound for
7 picture that utilized digital RF transmission.
8 This went a long way in solving some of the
9 problems associated with frequency allocation."

10:03:18AM

10 What did you mean by, "This went a long
11 way in solving some of the problems associated
12 with frequency allocation"?

10:03:35AM

13 A. What I mean is the digital transmission
14 provides the possibility of putting more channels
15 within limited bandwidth area than analog;
16 reliably putting it in so that we could actually
17 use more transmitter units in the same location
18 space in terms of frequencies closer together,
19 without intermodulation and various other
20 artifacts that go with analog transmission.

10:03:59AM

21 Q. Are there any other advantages?

22 A. Yes, there are numerous advantages but
23 you asked about frequency allocation.

24 Q. What are those other advantages with
25 respect to digital RF transmission?

10:04:36AM

10:04:56AM

1 A. Is the question digital transmission
2 versus or compared to analog, or digital
3 transmission on its own?

4 Again, we're into discussing -- I'm not
5 here to give you an education on digital
6 transmission.

10:05:27AM

7 Q. So let's just start with what are the
8 other advantages with respect to just digital RF
9 transmission?

10 MS. CHIPPERSON: Object to form, vague.

10:05:41AM

11 THE WITNESS: There's a higher level of
12 predictability of transmission of the signal with
13 digital because of the nature of digital audio
14 than there is with analog. That's one advantage.

15 It's outside the scope of this
16 deposition for me to try, again, to give you a
17 lesson in the advantages of digital transmission
18 over analog.

10:06:14AM

19 MR. ROTTEVEEL: How about we take a
20 15-minute break? It's 1:06 p.m. How about we
21 reconvene around 1:20 p.m.?

10:06:33AM

22 Is that okay with counsel?

23 MS. CHIPPERSON: Yes, that sounds fine.

24 (Break taken.)

25 MR. ROTTEVEEL: So I'm putting

10:23:21AM

1 Exhibit 2126 from IPR 2025230 back up on the
2 screen.

3 BY MR. ROTTEVEEL:

4 Q. Mr. Wexler, can you see the
5 declaration? 10:23:33AM

6 A. Yes, I can see it. But I'm still
7 sitting with point number five.

8 Q. Okay. So let's go to paragraph six.
9 Do you see that?

10 A. Okay, working my way down. (Perusing.) 10:23:46AM
11 Okay, I'm on paragraph six.

12 Q. Okay. Do you see where it says: "Each
13 Zaxcom transmitter can digitally locally record
14 the output of the microphone in the talent's
15 bodypack along with transmitting the audio signal
16 to the receiver." 10:24:06AM

17 Do you see that?

18 A. Yes.

19 Q. What did you mean by "digitally locally
20 record the output of the microphone" in your
21 declaration? 10:24:18AM

22 A. It can't be any clearer than that
23 statement.

24 Q. Can we refer to that as the local
25 recording? 10:24:33AM

1 A. I guess so, yeah.

2 Q. How would you refer to it normally?

3 A. The recording that is on the card in
4 the transmitter.

5 Q. Is that the microSD card?

10:25:00AM

6 A. I believe it's microSD, yes.

7 Q. So if I refer to the recording on the
8 microSD card, are we talking about the same
9 recording now?

10 A. Yes.

10:25:16AM

11 Q. So if I refer to the recording within
12 the transmitter, do we agree that I'm referring
13 to the recording on the microSD card?

14 A. Yes.

15 Q. Now, if you see in paragraph six, you
16 refer to RF dropouts, do you see that?

10:25:52AM

17 A. Yes.

18 Q. And just to be clear, that refers to
19 radio frequency dropout?

20 A. Yes.

10:26:08AM

21 Q. What is a radio frequency dropout?

22 A. That's when the transmission of the
23 signal via radio frequency is disrupted. And
24 there are various reasons for that disruption,
25 but it renders that particular portion of the

10:26:30AM

1 recording as unusable.

2 Q. What is the importance of correcting
3 radio frequency dropouts in your line of work?

4 A. Well, I would have to say that when the
5 only recording available, in other words the
6 output of that microphone, the only place that
7 it's available is in a recording that has been
8 disrupted, you are faced with losing that
9 particular bit of dialog.

10:27:10AM

10 And that's crucial to our particular
11 job and professionally that is the reason for our
12 employment, is to reliably record production
13 dialog. That is what is expected of a
14 professional production sound mixer.

10:27:37AM

15 Q. And when did you first use a Zaxcom
16 product with digital radio frequency transmission
17 capabilities?

10:28:15AM

18 A. Well, I was looking at my notes and I
19 was thinking that it's around 2001. But I would
20 have to go through my resume and try and remember
21 also because there was a period of time when I
22 was using several different transmitters and I
23 don't remember exactly when I first used -- I
24 can't put an exact date on it.

10:28:33AM

25 Q. And when did you first use a Zaxcom

10:29:10AM

1 product with a recording stored in the microSD
2 card within a transmitter?

3 A. That was your previous question.

4 Q. No. My question now is around what
5 time period did you first use a Zaxcom product
6 with a recording stored in the microSD card of
7 the transmitter?

10:29:29AM

8 MS. CHIPPERSON: Object to form and it
9 assumes facts not in evidence.

10 THE WITNESS: Well, I thought I just
11 answered that, 2001. But again, I can't place
12 that specifically because, you know, when I was
13 actively working, I have a tremendous amount of
14 equipment that goes into every job and I can't
15 remember the exact date.

10:29:45AM

16 Is that important?

17 BY MR. ROTTEVEEL:

18 Q. So before there was a Zaxcom product
19 where you could store a recording within the
20 microSD card of the transmitter, how did people
21 in your line of work correct dropouts?

10:30:11AM

22 MS. CHIPPERSON: Object to form.

23 THE WITNESS: Well, I would say the
24 simplest answer is if you feel that you've lost
25 some of your recording for whatever reason,

10:30:46AM

10:31:06AM

1 whether it's a dropout or some extraneous noise
2 that ruined that particular part of the dialog,
3 you would have to ask production in realtime, can
4 we do another take? In other words, can I get
5 another attempt at recording it so that you have
6 the recording. 10:31:31AM

7 We also would make use of what we
8 called wild lines, which is recording a line of
9 dialog that had something interrupt it, record it
10 wild without the camera shooting, in other words 10:31:56AM
11 as a piece of what we call wild sound.

12 And often that will be helpful in
13 editorial. Not always helpful but sometimes.
14 And it just would be part of the process of doing
15 production sound. 10:32:24AM

16 BY MR. ROTTEVEEL:

17 Q. What did you mean by the word "wild"?

18 A. "Wild" means that it's not -- let's
19 say, a normal take. Let's say take two, the
20 camera rolls, you get the slate, they say their 10:32:45AM
21 dialog and then you cut, all right?

22 What you would do in terms of wild
23 lines is you would do exactly the same thing with
24 the actor, but you wouldn't roll the camera. You
25 would be able to make the recording again and 10:33:10AM

1 hope that their particular dialog would be close
2 enough that it could be cheated in, synch-wise,
3 to the take where the sound actually had a
4 problem.

5 I didn't think it would be that 10:33:35AM
6 difficult to explain what a wild line is. Maybe
7 I didn't explain it properly.

8 Q. Was the ability to correct radio
9 frequency dropouts using the recording stored on
10 the microSD card in the transmitter an important 10:33:58AM
11 advance in your line of work?

12 A. Absolutely.

13 Q. Let's turn to, if you see my screen,
14 the bottom of paragraph six. I'm sorry, I will
15 stop scrolling. 10:34:23AM

16 Do you see the bottom of page four?

17 A. I'm looking at six.

18 Q. Okay, you are looking at paragraph six?

19 A. Yes.

20 Q. And do you see the sentence spans from 10:34:36AM
21 the bottom of page four to the top of page five?

22 It says: "I have done scenes where the
23 actors have gone out of wireless range resulting
24 in no audio at the remote receiver, but when the
25 transmitters are back in range, I've played back 10:35:07AM

1 the full track from the transmitters."

2 Do you see that?

3 A. Yes, I do.

4 Q. Can you explain this process of playing
5 back the full track from the transmitters?

10:35:17AM

6 A. I can, but again it's like I'm giving
7 you a lesson in how we do our work. It just
8 doesn't seem like that's part of this deposition.

9 But as part of having the ability to
10 record what we're now referring to as a local
11 recording in the transmitter, of the dialog,
12 Zaxcom has also provided a whole procedure for
13 retrieving that audio remotely and re-recording
14 it onto, let's say, the main recorder so that no
15 one has to deal, physically, with the transmitter
16 and the mini SD card or microSD or whatever it is
17 referred to as.

10:35:45AM

18 And they end up with -- in post they
19 end up with a track that has no difficulties, no
20 dropouts, no disruption and life goes on and
21 we've done our job.

10:36:21AM

22 Q. Does postproduction often use the hold
23 track from the transmitter in postproduction?

24 MS. CHIPPERSON: Object to form.

25 THE WITNESS: I would have to speculate

10:36:42AM

10:37:29AM

1 on each individual production. Certainly I can
2 weigh in on my own personal experiences with
3 postproduction on, you know, most of the jobs
4 that I've been on. But I would only have to
5 speculate or based on what I've learned from
6 other fellow production sound mixers.

10:37:54AM

7 You know, it would be different on
8 every job because the post job on any given job
9 is variable, based on what happened in
10 production.

10:38:26AM

11 There are particular production
12 procedures which, I might add, are rapidly under
13 technological change and physical change as we
14 speak. You know, the industry has gone through a
15 number of changes.

10:38:46AM

16 BY MR. ROTTEVEEL:

17 Q. Okay. So at the bottom of paragraph
18 six here you also mention that the microSD cards
19 on the transmitter are what you deliver to
20 postproduction engineers to correct dropouts,
21 correct?

10:39:14AM

22 A. No, that's not. Because I use a full
23 Zaxcom system I don't have to -- I can do the
24 rerecording myself and they end up with tracks
25 that are on the main recorder, not the backup,

10:39:40AM

1 the main recorder, anyway just as everything else
2 is.

3 Personally, I have not had the need to
4 send in the microSD cards physically themselves,
5 pulling them out of the transmitter and sending
6 them into postproduction, although there are
7 productions that I'm aware of that do that
8 routinely.

10:40:03AM

9 What they do with it and how they
10 handle it is a whole other deal and you'd have to
11 ask them about how they deal with it since I'm
12 not doing it myself. I'm not in postproduction,
13 I'm in production.

10:40:16AM

14 Q. Have you ever been involved in
15 postproduction?

10:40:35AM

16 A. Yes.

17 Q. And have you ever been involved in a
18 postproduction project where you took a whole
19 track from the transmitter to replace the audio
20 on the receiver?

10:40:55AM

21 A. No.

22 MS. CHIPPERSON: Object to form, vague.

23 MR. ROTTEVEEL: I think that's all the
24 questions I have today. Thank you, Mr. Wexler.

25 THE WITNESS: That's it?

10:41:28AM

1 MS. CHIPPERSON: I just have one
2 question for redirect, so I'll just go ahead, if
3 that's fine? I don't think we need --

4 MR. ROTTEVEEL: I will reserve recross.

5 MS. CHIPPERSON: Okay.

10:41:53AM

6 EXAMINATION

7 BY MS. CHIPPERSON:

8 Q. So Mr. Wexler, the local recording that
9 existed in the Zaxcom devices, what was the
10 timeframe for that technology, do you recall?

10:42:02AM

11 MR. ROTTEVEEL: Object to form.

12 THE WITNESS: What was the timeframe
13 for --

14 BY MS. CHIPPERSON:

15 Q. Let me strike that. I'll ask it a
16 different way.

10:42:18AM

17 Do you recall the year that Zaxcom made
18 available a transmitter with a local recording or
19 backup recording?

20 MR. ROTTEVEEL: Object to form.

10:42:34AM

21 THE WITNESS: Again, in my notes I have
22 that as around 2001, but I could be way off. I
23 just can't remember.

24 BY MS. CHIPPERSON:

25 Q. Do you recall around what year Zaxcom

10:42:55AM

1 introduced it's TRX900?

2 A. No. Is that the model that first had
3 the recording capability?

4 Q. I can't really answer that. If you
5 don't recall by model number, that's fine.

10:43:19AM

6 A. I used a limited number of different
7 transmitters from Zaxcom and the original ones
8 obviously were quite different than the later
9 ones.

10 And the original ones, there was a
11 period of time when they were digital
12 transmitters but they did not have recording
13 capability.

10:43:46AM

14 MS. CHIPPERSON: That's it. No more
15 questions.

10:44:01AM

16 MR. ROTTEVEEL: I have no more
17 questions on recross but we would like to request
18 the notes that Mr. Wexler has relied on in this
19 deposition.

20 THE WITNESS: What's that?

10:44:17AM

21 MR. ROTTEVEEL: We would like to
22 request the notes that Mr. Wexler has relied on
23 in this deposition.

24 THE WITNESS: Notes that I rely on? I
25 don't have any notes that I rely on.

10:44:33AM

1 MR. FISHER: Mr. Wexler, you did refer
2 to some notes --

3 MS. CHIPPERSON: Excuse me, Michael,
4 who is running the deposition?

5 MR. ROTTEVEEL: Mr. Wexler, you
6 referred to notes that you were using in the
7 deposition.

10:44:46AM

8 THE WITNESS: Oh. Yeah, the only notes
9 I had was just to mark what year I did certain
10 movies because that helped me try and get as
11 close as I can to the dates that you were
12 requesting.

10:44:58AM

13 It was just scribbled. I just said
14 Glenn, 1997, you know. That's all my notes.

15 MS. CHIPPERSON: We have no problem
16 providing the notes.

10:45:34AM

17 MR. FISHER: Fine, so we will expect to
18 receive a copy of those notes, counsel.

19 THE WITNESS: God, calling them notes
20 is glorifying it. Okay.

10:45:46AM

21 MR. ROTTEVEEL: Thank you, everybody.

22 MS. CHIPPERSON. Thank you.

23 THE REPORTER: Before you go off, let
24 me just verify your transcript requests.

25 Eric, do you get the original and one

10:46:01AM

1 and would you like a rough draft today?

2 MR. ROTTEVEEL: Yes, please.

3 THE REPORTER: And you get the final in
4 five days?

5 MR. ROTTEVEEL: That sounds good. 10:46:16AM

6 THE REPORTER: Okay, great.

7 MR. FISHER: I think we'd prefer
8 to -- okay, five business days is fine.

9 THE WITNESS: I have a question.

10 THE REPORTER: Let me get 10:47:01AM
11 Ms. Chipperson's transcript order, please, real
12 quick.

13 MS. CHIPPERSOON: That's okay.

14 MR. FISHER: I'm okay if Mr. Wexler
15 wants to ask his question. 10:47:09AM

16 MS. CHIPPERSOON: For us we'll just take
17 the rough draft for now and I'll let you know if
18 we want a final.

19 THE REPORTER: Okay. I'm not sure how
20 that works. 10:47:37AM

21 Mr. Wexler, do you want to put a
22 question on the record?

23 THE WITNESS: Back to this getting you
24 guys the notes. Literally, for example, here's
25 another little note. I'm an old guy and my 10:48:00AM

1 memory is not perfect. I just wrote this down on
2 a little scratch paper when I thought I met Glenn
3 Sanders; when I did the movie where I used
4 digital wireless first, which I've already given
5 that to you.

10:48:24AM

6 And then I also made a list of all the
7 wireless transmitters that I've used in my career
8 because I was afraid I would forget, because I
9 have used almost everything ever created.

10 MS. CHIPPERSON: Mr. Wexler, we don't
11 have to give this kind of detail. We will just
12 provide the notes. The deposition has ended.

10:48:39AM

13 But thank you, but it's fine.

14 THE WITNESS: Well, when you say
15 provide, I've got to go up and I've got to scan
16 this. I think it's pointless.

10:48:52AM

17 MR. FISHER: If you just want to take a
18 photograph of it and text it to Ms. Chipperson or
19 us, that would be acceptable. We don't need like
20 a super-clear --

10:49:07AM

21 Are you saying you are holding it up
22 for me to take a photograph? I guess I can. Can
23 you scroll up a little?

24 Fine. That's everything you have?

25 THE WITNESS: Yes.

10:49:19AM

1 MR. FISHER: All right. Those are the
2 only notes you have?

3 THE WITNESS: That's my only notes.

4 MR. FISHER: Okay. Fine, I took a
5 photograph of it. I suppose that could suffice.

10:49:29AM

6 THE WITNESS: Thank you.

7 MS. CHIPPERSON: Okay, thank you. We
8 are all done here? We are off the record?

9 MR. FISHER: I don't have anything
10 further.

10:49:45AM

11 MS. CHIPPERSON: Great, thank you.
12 (Whereupon, the deposition was
13 concluded at 10:50 a.m.)

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DECLARATION

I hereby declare I am the deponent in the within matter; that I have read the foregoing deposition and know the contents thereof, and I declare that the same is true of my knowledge, except as to the matters which are therein stated upon my information or belief, and as to those matters, I believe it to be true.

I declare under the penalties of perjury of the State of California that the foregoing is true and correct.

Executed on the _____ day of _____, 2025, at _____, California.

JEFFREY S. WEXLER

1 STATE OF CALIFORNIA) SS
2 COUNTY OF LOS ANGELES)

3 I, BRENDA R. COUNTZ, Certified Shorthand
4 Reporter No. 12563 for the State of California,
5 do hereby certify:

6 That prior to being examined, the
7 witness named in the foregoing deposition was
8 duly sworn to testify the truth, the whole truth,
9 and nothing but the truth;

10 That said deposition was taken down by
11 me in shorthand at the time and place therein
12 named and thereafter transcribed and that the
13 same is a true, correct, and complete transcript
14 of said proceedings.

15 Before completion of the deposition,
16 review of the transcript [] was [] was not
17 requested. If requested, any changes made by the
18 deponent during the period allowed are appended.

19 I further certify that I am not
20 interested in the outcome of the action.
21 Witness my hand this 13th day of November, 2025.

22
23 *Brenda R. Countz*
24 _____

25 BRENDA R. COUNTZ, CSR No. 12563

DEPOSITION ERRATA SHEET

Assignment No. J13699568

Case Caption: RØDE MICROPHONES, LLC AND
FREEDMAN ELECTRONICS PTY LTD vs. ZAXCOM, INC.

Deponent: JEFFREY S. WEXLER

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I have
read the entire transcript of my deposition taken
in the above-captioned matter or the same has
been read to me, and the same is true and
accurate, save and except for changes and/or
corrections, if any, as indicated by me on the
deposition errata sheet

hereof, with the understanding that I offer
these changes as if still under oath.

Signed on the ____ day of _____ 2025.

JEFFREY S. WEXLER

DEPOSITION ERRATA SHEET

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