

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD
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4 IMPERATIVE CARE, INC.,)
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IMPETITIONER,

v.

INARI MEDICAL, INC.,

Patent Owner.

CASE:
IPR2025-00289

VIDEO-RECORDED DEPOSITION OF

TROY L. THORNTON

San Francisco, California 94104

Monday, January 5, 2026

Reported Stenographically by:
MARY J. GOFF
CSR No. 13427
WA CSR No. 21030779
Job No. 613537
PAGES 1-52

1
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3
4 VIDEO-RECORDED DEPOSITION of TROY L. THORNTON,
5 Volume I, taken on behalf of Patent Owner, Inari
6 Medical, Perkins Coie LLP, at Knobbe Martens,
7 333 Bush Street, 21st floor, San Francisco,
8 California 94104, beginning at 9:11 a.m. and ending
9 at 11:13 a.m., on Monday, January 5, 2026, before
10 MARY J. GOFF, California Certified Shorthand
11 Reporter No. 13427 and WA CSR No. 21030779.
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23 Videographer: Tomas Reyes

INDEX

WITNESS

EXAMINATION

TROY L. THORNTON

Volume I

ATTORNEY MILLER

6

ATTORNEY STOWELL

--

NUMBER

DESCRIPTION

PAGE

PREMARKED EXHIBITS:

Exhibit 1001 U.S. Patent 11,554,005

12

Exhibit 1003 Declaration of
Troy L. Thornton

28

Exhibit 1019 U.S. Patent 2016/0220741 A1

37

Transcript of Troy L. Thornton
Conducted on January 5, 2026

5

1	San Francisco, California	10:20:45
2	Monday, January 5, 2026	10:20:45
3	9:11 a.m.	10:20:45
4	THE VIDEOGRAPHER: Here begins Video	09:10:55
5	Number 1 in the videotaped deposition of Troy L.	09:11:02
6	Thornton, in the matter of Imperative Care, Inc.	09:11:05
7	versus Inari Medical, Inc., in the United States	09:11:08
8	Patent and Trademark office, Case	09:11:11
9	Number IPR2025-00289.	09:11:15
10	Today's date is January 5, 2026, and the	09:11:20
11	time on the monitor is 9:11 a.m. The videographer	09:11:25
12	today Tomas Reyes, representing Planet Depos, and	09:11:29
13	this video deposition is taking place at 333 Bush	09:11:32
14	Street, 21st Floor, San Francisco, California 94104.	09:11:34
15	Would counsel please voice identify	09:11:39
16	themselves and state whom they represent.	09:11:41
17	ATTORNEY MILLER: James Miller of Perkins	09:11:44
18	Coie on behalf of Inari Medical.	09:11:46
19	ATTORNEY STOWELL: Joshua Stowell of	09:11:48
20	Knobbe Martens, on behalf of the Petitioner,	09:11:48
21	Imperative Care, and the witness.	09:11:52
22	THE VIDEOGRAPHER: The court reporter	09:11:55
23	today Mary Goff, representing Planet Depos. And the	09:11:56
24	witness will now be sworn.	09:11:58
25	THE COURT STENOGRAPHER: My name is Mary	09:11:59

Transcript of Troy L. Thornton
Conducted on January 5, 2026

6

1	Goff. I am a California Certified Shorthand	09:11:59
2	Reporter, CSR Number 13427. Today's proceedings are	09:11:59
3	being captured by stenographic means.	09:11:59
4	TROY L. THORNTON,	09:11:59
5	Being first duly sworn or affirmed to testify to the	09:11:59
6	truth, the whole truth, and nothing but the truth,	09:11:59
7	was examined and testified as follows:	09:11:59
8	EXAMINATION	09:11:59
9	BY ATTORNEY MILLER:	09:11:59
10	Q Good morning.	09:12:19
11	Could you please state your full name for	09:12:21
12	the record?	09:12:22
13	A Troy Layne, Thornton, L-A-Y-N-E.	09:12:23
14	Q And was your current address?	09:12:27
15	A 773 Rhode Island Street, San Francisco,	09:12:30
16	California.	09:12:34
17	Q And you have done this many times before	09:12:35
18	now, but we're still going to go through the	09:12:37
19	rigmarole at the beginning.	09:12:41
20	You understand that you're under oath,	09:12:46
21	correct?	09:12:47
22	A Yes.	09:12:48
23	Q And you understand that at the conclusion	09:12:48
24	of this deposition you're going to be given a	09:12:50
25	transcript and you have an opportunity to correct	09:12:55

1	any errors in that transcript?	09:12:58
2	A Yes.	09:13:00
3	Q And if you have any substantive changes	09:13:00
4	that you make, they may be commented upon and may	09:13:03
5	affect your credibility.	09:13:03
6	Do you understand that?	09:13:05
7	A Yes.	09:13:06
8	Q If at any time there's something you don't	09:13:06
9	understand or you don't hammer when I ask a	09:13:09
10	question, please feel free to ask for clarification.	09:13:12
11	Is that okay?	09:13:15
12	A Yes.	09:13:16
13	Q And to make things easier for the court	09:13:16
14	reporter today, let's avoid speaking at the same	09:13:18
15	time.	09:13:23
16	Is that okay?	09:13:24
17	A Yes.	09:13:25
18	Q I'll try to wait for you to an answer, and	09:13:26
19	I will ask you to do the same when I ask a question.	09:13:28
20	Is that okay?	09:13:32
21	A Yes.	09:13:33
22	Q And then you know to give an audible	09:13:35
23	answer instead of shaking your head or nodding,	09:13:37
24	correct?	09:13:41
25	A Yes.	09:13:41

Transcript of Troy L. Thornton
Conducted on January 5, 2026

8

1	Q	Is there any reason that you can't give	09:13:44
2		your full, complete, or truthful testimony today?	09:13:46
3	A	No.	09:13:49
4	Q	Are you on any medication or have any	09:13:50
5		health conditions that might prevent you from giving	09:13:52
6		your full, complete, and truthful testimony?	09:13:55
7	A	No.	09:13:58
8	Q	And you know this, but if at any time you	09:13:58
9		need a break, feel free to ask. One thing I do ask	09:14:01
10		is that you let me finish my question or answer the	09:14:05
11		question while it's pending before taking that	09:14:08
12		break.	09:14:09
13		Is that okay?	09:14:10
14	A	Yes.	09:14:11
15	Q	Did you bring any documents with you	09:14:11
16		today?	09:14:14
17	A	No.	09:14:14
18	Q	Did you do any preparation for your	09:14:15
19		deposition today?	09:14:16
20	A	No.	09:14:17
21	Q	You didn't meet with anyone?	09:14:19
22	A	I met with counsel 10 minutes before we	09:14:23
23		started here -- or before 9:00 today.	09:14:26
24	Q	Did you review any documents in	09:14:31
25		preparation for this deposition?	09:14:32

1	A	Yes.	09:14:33
2	Q	What documents did you look at?	09:14:35
3	A	The supplemental declaration that's in	09:14:42
4		question here and some of the references within that	09:14:46
5		declaration.	09:14:50
6	Q	Do you recall what references?	09:14:54
7	A	There were several. I don't recall	09:14:57
8		exactly which ones.	09:15:00
9	Q	For how long would you say that you looked	09:15:04
10		at your supplemental declaration and the references	09:15:06
11		in that declaration?	09:15:09
12	A	Several hours over a period of a couple of	09:15:15
13		different days.	09:15:20
14	Q	And how long ago was that?	09:15:20
15	A	I met with Josh on Sunday, which is	09:15:22
16		yesterday; and I did some preparation myself the day	09:15:33
17		before, so Saturday.	09:15:37
18	Q	So earlier you said you didn't do any	09:15:41
19		preparation for this deposition, and then you said	09:15:43
20		that you only met with counsel 10 minutes before,	09:15:46
21		but it sounds like you did meet with Josh yesterday?	09:15:49
22	ATTORNEY STOWELL:	Objection, misstates	09:15:54
23		testimony.	09:15:54
24	A	I understood your question to say did I	09:15:55
25		prepare today, when you asked the first question.	09:15:59

Transcript of Troy L. Thornton
Conducted on January 5, 2026

10

1	Q	(BY ATTORNEY MILLER) Okay. Well, let me	09:16:01
2		rephrase it then.	09:16:02
3	A	Okay.	09:16:03
4	Q	Did you prepare for today's deposition?	09:16:05
5	A	Yes.	09:16:07
6	Q	What did you do to prepare?	09:16:07
7	A	Reviewed documents as they relate to this	09:16:10
8		supplemental declaration.	09:16:14
9	Q	And met with counsel?	09:16:17
10	A	Met with counsel yesterday --	09:16:21
11	Q	And how long did you meet with counsel?	09:16:25
12	A	-- and a phone call with counsel -- I'm	09:16:27
13		not sure what day it was -- a few days ago.	09:16:33
14	Q	How long total between the phone call a	09:16:37
15		few days ago and meeting with counsel yesterday did	09:16:39
16		you meet with counsel?	09:16:43
17	A	The phone call was maybe an hour and a	09:16:44
18		half, two hours. The meeting with counsel yesterday	09:16:52
19		was two or three hours. Something like that.	09:16:55
20	Q	Was anyone else in these meetings?	09:17:00
21	A	The phone call a few days ago, Brian	09:17:03
22		Barnes, who is also with the firm, was on the phone	09:17:07
23		call.	09:17:14
24	Q	Anyone else?	09:17:17
25	A	No.	09:17:17

Transcript of Troy L. Thornton
Conducted on January 5, 2026

11

1	Q	So besides counsel, did you speak anyone	09:17:22
2		else in preparation for this deposition?	09:17:28
3	A	I did not.	09:17:30
4	Q	Other than the meetings you had with	09:17:34
5		counsel and your reviewing your declaration and the	09:17:35
6		accompanying references, did you do any other	09:17:40
7		preparation for your deposition?	09:17:43
8	A	I did not.	09:17:45
9	Q	You bill your time for this matter by the	09:17:50
10		hour, right?	09:17:52
11	A	Yes.	09:17:53
12	Q	Has your rate changed since your last	09:17:55
13		deposition?	09:17:58
14	A	No.	09:18:00
15	Q	How many hours would you say you have	09:18:05
16		spent total on this matter with respect to the	09:18:07
17		'005 patent?	09:18:09
18	A	I don't know. The original '005 was last	09:18:13
19		year sometime. The supplemental was several months	09:18:17
20		ago. I really don't know.	09:18:20
21	Q	Have you discussed your testimony,	09:18:33
22		declaration, or any other aspect of this matter with	09:18:35
23		anybody besides counsel?	09:18:39
24	A	No. No.	09:18:40
25	Q	Have you ever communicated with anyone at	09:18:46

1	Imperative Care about your work on this IPR?	09:18:49
2	A No.	09:18:51
3	Q It's fair to say that you have reviewed	09:19:10
4	the '005 Patent quite a few times at this point,	09:19:12
5	right?	09:19:17
6	ATTORNEY STOWELL: Objection, vague.	09:19:18
7	A I have reviewed the '005 Patent, yes.	09:19:19
8	Q (BY ATTORNEY MILLER) And you're familiar	09:19:22
9	with its figures and the disclosed embodiments?	09:19:23
10	A I believe so.	09:19:31
11	Q I'm going to hand you what's been	09:19:43
12	previously marked as IMPERATIVE Exhibit 1001.	09:19:44
13	(Premarked Exhibit 1001.)	09:19:49
14	Q (BY ATTORNEY MILLER) Do you recognize	09:19:53
15	Exhibit 1001?	09:19:53
16	A Yes.	09:19:56
17	Q What is it?	09:19:56
18	A "U.S. Patent 11,554,005 B2."	09:19:57
19	Q I have already been doing it, but if I say	09:20:05
20	the "'005 Patent," do you understand that when I do	09:20:08
21	that, I'm referring to the patent in this exhibit?	09:20:12
22	A Yes.	09:20:15
23	Q Let's turn to Figure 1 of the '005 Patent,	09:20:32
24	which I believe is on page-- Sheet 1 of 38, but I	09:20:34
25	think it's technically page 9.	09:20:38

1	Do you recognize this figure?	09:20:51
2	A Yes.	09:20:53
3	Q It's fair to say that Figure 1 depicts one	09:20:54
4	embodiment of the claimed invention of the	09:20:56
5	'005 Patent, correct?	09:20:59
6	ATTORNEY STOWELL: Objection, vague.	09:21:00
7	A I'm not sure if it depicts one or more,	09:21:05
8	but it's certainly an embodiment.	09:21:07
9	Q (BY ATTORNEY MILLER) As shown in Figure 1,	09:21:11
10	there's an Assembly 10 that includes a catheter	09:21:19
11	system 100, yes?	09:21:24
12	A I see that, yes.	09:21:27
13	Q It also includes a tubing subsystem 120,	09:21:29
14	right?	09:21:34
15	A I see the label 120. I would have to look	09:21:37
16	in the specification to confirm what components it	09:21:40
17	includes.	09:21:42
18	Q There's a pressure source, correct?	09:21:47
19	A Pressure source 140 is shown as a box that	09:21:52
20	connects to the item 128.	09:21:55
21	Q How is the pressure source connected to	09:22:07
22	the catheter subsystem?	09:22:11
23	ATTORNEY STOWELL: Objection, outside the	09:22:16
24	scope of the supplemental declaration.	09:22:16
25	A Item 128 is referred to as a	09:22:39

1 "quick-release connector." And it goes on to say in
2 Column 6, line 42:

3 (e.g. a quick-disconnect
4 fitting) that enables rapid
5 coupling/decoupling of the
6 catheter 102 and the fluid control
7 device 126, to and from the
8 pressure source 140.

9 So that's how it's connected is
10 connector 128.

11 Q And do you see at the bottom of Column 5,
12 there's a complete sentence starting at 566? Do you
13 see that? It starts with the "tubing
14 subsystem 120."

15 A Yes.

16 Q What does it say?

17 A "Tubing subsystem 120 fluidly couples the
18 catheter subsystem 100 to the pressure source 140."

19 Q So do you understand the 120, it's
20 referring there -- referring to in Column 5 is the
21 tubing subsystem pointed to in Figure 1?

22 A That's what it says. I would have to look
23 at the document more fully to see how they define
24 the "tubing subsystem 120."

25 Q What does the patent mean when it says

09:22:41

09:22:50

09:22:55

09:22:59

09:23:01

09:23:02

09:23:05

09:23:09

09:23:14

09:23:16

09:23:20

09:23:23

09:23:30

09:23:33

09:23:35

09:23:36

09:23:37

09:23:43

09:23:49

09:23:52

09:23:57

09:24:06

09:24:08

09:24:12

09:24:17

1	something is "fluidly coupled"?	09:24:19
2	ATTORNEY STOWELL: Objection, outside the	09:24:24
3	scope of the supplemental declaration.	09:24:24
4	A Can you ask the question?	09:24:43
5	Q (BY ATTORNEY MILLER) What does the patent	09:24:44
6	mean when it says "fluidly couples"?	09:24:45
7	ATTORNEY STOWELL: Same objection.	09:24:51
8	A Well, in the detailed description on	09:24:59
9	Column 4 is where I first see the term "fluidly	09:25:43
10	coupled":	09:25:49
11	The catheter can be fluidly	09:25:51
12	coupled to a pressure source via a	09:25:54
13	valve or other fluid control device	09:25:55
14	positioned outside the patient.	09:25:57
15	And the next paragraph, the third line	09:25:59
16	talks about the "vacuum" -- sorry -- "before the	09:26:05
17	pressure source is fluidly connected to the	09:26:09
18	catheter."	09:26:11
19	So it seems to me that they are equating	09:26:11
20	"fluidly coupled" and "fluidly connected" as the	09:26:15
21	same thing when two components have fluid, can flow	09:26:21
22	from one to the other.	09:26:25
23	Q (BY ATTORNEY MILLER) And with that	09:26:27
24	understanding, the tubing subsystem 120 of Figure 1	09:27:00
25	appears to fluidly couple the catheter subsystem to	09:27:11

1	the pressure source 140, right?	09:27:14
2	ATTORNEY STOWELL: Objection, outside the	09:27:19
3	scope of the supplemental declaration.	09:27:19
4	A Yeah, I didn't consider that in my	09:27:21
5	supplemental declaration.	09:27:26
6	Can you ask the question again?	09:27:26
7	Q (BY ATTORNEY MILLER) With the	09:27:29
8	understanding of fluidly coupled or fluid	09:27:29
9	communication, as you just described it, looking at	09:27:34
10	Figure 1, tubing subsystem 120 appears to fluidly	09:27:38
11	couple the catheter subsystem to the pressure source	09:27:41
12	140, right?	09:27:45
13	A That certainly would be the intent is to	09:27:49
14	fluidly connect the pressure source through the	09:28:08
15	component shown as part of 120, which connect to the	09:28:12
16	catheter subsystem 100.	09:28:19
17	Q Object 106 is a valve, right?	09:28:26
18	A As described in Column 5, line 30:	09:29:10
19	The valve 106 includes a	09:29:15
20	distal portion 107a, a proximal	09:29:17
21	portion 107b, a lumen 109 extending	09:29:22
22	therethrough from the proximal	09:29:25
23	portion to -- sorry -- from the	09:29:28
24	distal portion 107a to the proximal	09:29:30
25	portion 107b.	09:29:34

1	Q	So it is a valve?	09:29:39
2	A	That's the term they call it, the "valve	09:29:45
3		106."	09:29:48
4	Q	And valve 106 can also be hemostasis	09:29:49
5		valve, correct?	09:29:53
6	A	I believe in this patent that's the	09:29:56
7		purpose of this valve is as a hemostasis valve.	09:29:58
8	Q	Looking back at Figure 1, what is	09:30:03
9		object 126?	09:30:07
10	A	As Column 6, line 8 says -- 126, they call	09:30:30
11		"a fluid control device is a stopcock," so	09:30:36
12		essentially it's a stopcock.	09:30:41
13	Q	What does a stopcock do?	09:30:49
14	A	It opens and closes to allow fluid to pass	09:30:58
15		or not pass through -- through it.	09:31:02
16	Q	So an on/off?	09:31:07
17		ATTORNEY STOWELL: Objection, vague.	09:31:13
18	A	Stopcocks control -- in my experience,	09:31:29
19		stopcocks control flow through tubing generally or	09:31:31
20		through -- into a syringe, for instance. Generally	09:31:38
21		it's used to turn off and on to allow fluid to flow	09:31:47
22		or not flow.	09:31:54
23	Q	(BY ATTORNEY MILLER) How is the hemostasis	09:31:56
24		valve or the valve 106 connected to the fluid	09:32:10
25		control device 126?	09:32:14

1	ATTORNEY STOWELL: Objection, outside the	09:32:20
2	scope of the supplemental declaration.	09:32:20
3	A Can you repeat that?	09:32:23
4	Q (BY ATTORNEY MILLER) So looking at	09:32:26
5	Figure 1 --	09:32:27
6	A Figure 1.	09:32:27
7	Q -- how is valve 106 connected to the fluid	09:32:28
8	control device 126?	09:32:32
9	ATTORNEY STOWELL: Objection, vague; lack	09:32:41
10	of foundation.	09:32:42
11	A In this figure, the valve 106 appears to	09:32:58
12	have a -- I'll call it a Y-arm. It appears to be a	09:33:01
13	barb-type fitting that attaches to tubing 124a,	09:33:06
14	which then attaches to the stopcock 126.	09:33:10
15	Q (BY ATTORNEY MILLER) Is it fair to say	09:33:19
16	with your understanding of what "fluidly coupled"	09:33:19
17	means, that valve 106 is fluidly coupled to	09:33:24
18	control -- fluid control device 126?	09:33:27
19	ATTORNEY STOWELL: Objection, outside the	09:33:32
20	scope of the supplemental declaration.	09:33:32
21	A So in Column 5, line 28, it says "catheter	09:35:10
22	subsystem 100 includes the valve 106" -- can you	09:35:23
23	reask the question?	09:35:33
24	Q (BY ATTORNEY MILLER) Sure.	09:35:35
25	Is it fair to say that with your	09:35:37

1 understanding of what "fluidly coupled" means, that
2 valve 106 is fluidly coupled to fluid control
3 device 126?

4 ATTORNEY STOWELL: Objection, outside the
5 scope of the supplemental declaration.

6 A The valve 106 is defined as part of the
7 catheter subsystem 100. And the specification also
8 discusses that they are fluidly coupled or -- I'm
9 not sure if that's the terminology, "fluidly
10 coupled" or "connected with the tubing
11 subsystem 120," so I believe they would be
12 considered all fluidly coupled.

13 Q (BY ATTORNEY MILLER) If we look at
14 Figure 1 again, do you see an object labeled "124b"?

15 A Yes.

16 Q That appears to be another tubing section,
17 correct?

18 A The specification defines that as a second
19 tubing section 124b.

20 Q And this second tubing section 124b,
21 fluidly couples the fluid control device 126 to a
22 connector 128, right?

23 ATTORNEY STOWELL: Objection, outside the
24 scope of the supplemental declaration.

25 A It's a -- it specifically says:

09:35:38

09:35:42

09:35:48

09:35:51

09:35:51

09:35:54

09:36:07

09:36:15

09:36:24

09:36:28

09:36:31

09:36:33

09:36:37

09:36:55

09:37:04

09:37:07

09:37:10

09:37:21

09:37:24

09:37:29

09:37:35

09:37:40

09:37:44

09:37:44

09:37:57

1	At least one connector 128 for	09:38:02
2	fluidly coupling the tubing system	09:38:04
3	to the pressure source 140.	09:38:08
4	That's in Column 6.	09:38:10
5	Q (BY ATTORNEY MILLER) What line in	09:38:12
6	Column 6?	09:38:13
7	A Starting with line 5 -- or line 4.	09:38:14
8	Q So staying in Column 6 and going to lines	09:38:18
9	45 -- starting at line 45. Let me know when you're	09:38:34
10	there.	09:38:37
11	A Okay.	09:38:38
12	Q Can you read lines 645 through 649? So	09:39:27
13	it's at the end of that little paragraph there.	09:39:33
14	A I'll start at 41:	09:39:37
15	In some embodiments, the	09:39:38
16	connector 128 is a quick-release	09:39:40
17	connector (e.g., a quick-disconnect	09:39:42
18	fitting) that enables rapid	09:39:45
19	coupling/decoupling of the	09:39:49
20	catheter 102 and the fluid control	09:39:51
21	device 126 to/from the pressure	09:39:57
22	source 140.	09:40:04
23	In other embodiments, the	09:40:09
24	tubing subsystem -- tubing	09:40:13
25	subsystem 120 can have more or	09:40:15

1	fewer tubing sessions -- tubing	09:40:19
2	sections, connectors, and/or fluid	09:40:22
3	control devices and can have other	09:40:28
4	suitable configurations. In some	09:40:32
5	embodiments one or more of the	09:40:35
6	components can be permanently	09:40:37
7	connected and/or integrally formed.	09:40:39
8	Q What does the '005 Patent mean by	09:40:45
9	"integrally formed"?	09:40:48
10	ATTORNEY STOWELL: Objection --	09:40:53
11	A I don't know.	09:40:54
12	ATTORNEY STOWELL: -- outside the scope of	09:40:54
13	the supplemental declaration.	09:40:56
14	A I'm not sure. I don't know that they go	09:40:57
15	into detail for that term. I would have to look in	09:41:00
16	more detail, if that's described in the patent.	09:41:03
17	Q (BY ATTORNEY MILLER) As of today, have you	09:41:08
18	formed an opinion as to what the patent means by	09:41:16
19	"integrally formed"?	09:41:20
20	A The last sentence says:	09:41:32
21	One or more of the components	09:41:34
22	can be permanently connected and/or	09:41:36
23	integrally formed.	09:41:39
24	In my experience, I would presume that	09:41:42
25	means -- "permanently connected" would mean it's	09:41:54

1 bonded, fused, it's not easily disconnected by the 09:41:57
2 user -- not meant to be connected or disconnected by 09:42:01
3 the user. 09:42:04

4 So in Figure 1, when they're showing 09:42:09
5 barbed connections, those could be bonded 09:42:13
6 permanently. Integrally formed to the tubing is how 09:42:16
7 I would think of that term in my own experience. 09:42:20

8 Q So in your experience, you view 09:42:31
9 "permanently connected" and "integrally formed" as 09:42:33
10 the same thing? 09:42:38

11 A I haven't really thought about it. I 09:42:48
12 don't know. 09:42:51

13 Q Is it your opinion that the statement in 09:42:58
14 that last sentence that "one or more components can 09:43:01
15 be -- "one or more of the components can be 09:43:05
16 permanently connected and/or integrally formed" is 09:43:10
17 limited to tubing subsection 120? 09:43:14

18 A Starting with line 45, it would seem to be 09:43:22
19 discussing tubing subsystem -- subsection -- 09:43:27
20 sorry -- tubing subsystem 120. That's the only 09:43:30
21 reference that it gives. 09:43:36

22 And it goes on to say that they could have 09:43:38
23 "more or fewer tubing sections, connectors," 09:43:41
24 et cetera. 09:43:45

25 Q But nothing in that last sentence says the 09:43:46

1 components referred to are limited to the components
2 of the tubing subsection 120, correct?

3 ATTORNEY STOWELL: Objection, misstates
4 testimony. The document speaks for itself.

5 A As I read it, it's referring to tubing
6 subsection 120 and explaining it can have all these
7 other potential variabilities in there, so I'm
8 reading that as kind of a general catchall phrase
9 that is sometimes added to patents.

10 Q (BY ATTORNEY MILLER) If we look back at
11 Figure 1, is it your understanding from that section
12 of Column 6 that tubing section 120 and the fluid
13 control device 126 could be permanently connected or
14 integrally formed?

15 ATTORNEY STOWELL: Objection, outside the
16 scope of the supplemental declaration.

17 A Can you repeat the question?

18 Q (BY ATTORNEY MILLER) Right.
19 Is it your understanding from reading
20 Column 6 that tubing section 120 could be integrally
21 formed with fluid control device 126?

22 ATTORNEY STOWELL: Same objection.

23 A "In some embodiments, one or more of the
24 components can be permanently connected and/or
25 integrally formed," and they're discussing tubing

1	section 120, which would include the stopcock 106 --	09:46:35
2	126.	09:46:42
3	Q (BY ATTORNEY MILLER) Is there anything in	09:47:17
4	Column 6, in your opinion, that would prevent the	09:47:18
5	fluid control device from being in the same housing	09:47:33
6	as the valve?	09:47:37
7	ATTORNEY STOWELL: Objection, outside the	09:47:41
8	scope of the supplemental declaration.	09:47:41
9	A Did you say the stopcock 126?	09:47:49
10	Q (BY ATTORNEY MILLER) Correct.	09:47:52
11	A Can you repeat that?	09:47:53
12	Q Is there anything -- and I'll -- is there	09:47:55
13	anything in Column 5 or 6, in your opinion, that	09:48:00
14	would prevent the fluid control device from being in	09:48:04
15	the same housing as the valve 106?	09:48:08
16	ATTORNEY STOWELL: Objection, outside the	09:48:13
17	scope of the supplemental declaration.	09:48:13
18	A Yeah, I don't know. I have not considered	09:48:16
19	that.	09:48:20
20	Q (BY ATTORNEY MILLER) It let's look at	09:48:25
21	Claim 1 of the '005 Patent. It's Column 35.	09:48:27
22	It's fair to say that you have read this	09:48:44
23	claim before, correct?	09:48:47
24	A I have.	09:48:48
25	Q At the beginning of the claim, it states	09:48:52

1	"a vacuum aspiration system comprising," and it	09:48:53
2	lists a series of components, correct?	09:48:58
3	A Yes.	09:49:00
4	Q The first component is a housing.	09:49:01
5	Do you see that?	09:49:07
6	A Yes.	09:49:08
7	Q And then it states "a flow path extending	09:49:10
8	through the housing."	09:49:13
9	Do you see that?	09:49:16
10	A Yes.	09:49:17
11	Q What is a flow path?	09:49:18
12	ATTORNEY STOWELL: Objection, outside the	09:49:24
13	scope of the supplemental declaration.	09:49:24
14	So, James, we have been going about an	09:49:26
15	hour here and you haven't asked any questions out of	09:49:28
16	the supplemental declaration, which is why we're	09:49:30
17	here today. This isn't an opportunity to try to	09:49:32
18	redepose him on an original declaration.	09:49:35
19	If you don't have questions related to the	09:49:38
20	supplemental declaration, then we can end the	09:49:40
21	deposition, because we have been brought here under	09:49:41
22	false pretences that it was going to be about the	09:49:44
23	supplemental declaration.	09:49:49
24	ATTORNEY MILLER: I mean, this is directly	09:49:49
25	on point with the issues in this case, including	09:49:50

1 whether the prior art that he has opined on meets
2 the limitations that you propose they do meet. So
3 I'm asking him questions about what the claim means,
4 and that's pertinent to every aspect of this IPR.

5 I don't --

6 ATTORNEY STOWELL: You had an opportunity
7 to depose him already on his original declaration,
8 which dealt with, for example, the housing and the
9 flow path, and you have asked your questions on
10 that.

11 His supplemental declaration does not have
12 any additional opinions on there. You do not get a
13 second bite at the apple on those same questions if
14 you were unhappy with the way they were -- turned
15 out originally.

16 If you to want to ask him questions about
17 his supplemental opinions and the supplemental
18 declaration, that's what we're here for today.

19 ATTORNEY MILLER: Are you going to prevent
20 him from answering what he thinks a "flow path" is
21 now that he has had the opportunity to view our
22 papers, respond in conjunction with your papers?

23 Q (BY ATTORNEY MILLER) How about this:
24 Mr. Thornton, have you formed an opinion in this IPR
25 as to what a flow path is?

09:49:53
09:49:59
09:50:02
09:50:04
09:50:08
09:50:09
09:50:10
09:50:14
09:50:16
09:50:18
09:50:19
09:50:20
09:50:23
09:50:27
09:50:29
09:50:30
09:50:31
09:50:33
09:50:37
09:50:38
09:50:42
09:50:46
09:50:51
09:50:52
09:50:56

1 ATTORNEY STOWELL: And I will just set
2 forth: Mr. Thornton provided a declaration at the
3 outset of this IPR that explained his positions with
4 respect to terms like "flow path."

5 He has been deposed on that previously.
6 Those opinions are set forth in the declaration.
7 And he has already been deposed on those, so I'll
8 leave it at that.

9 Q (BY ATTORNEY MILLER) You can answer my
10 question.

11 A Can you repeat it?

12 Q Mr. Thornton, have you formed an opinion
13 in the IPR as to what a "flow path" is?

14 A I would need to look at my original
15 declaration for the '005 to answer that question.

16 Q Sitting here today, do you -- looking at
17 Figure 1, what would you consider the flow path to
18 be?

19 ATTORNEY STOWELL: Objection, outside the
20 scope of the supplemental declaration.

21 A I believe that was covered in the original
22 '005 declaration. And I would be happy to look at
23 that to see how we defined -- how we discussed the
24 flow path as it relates to Figure 1.

25 Q (BY ATTORNEY MILLER) I'm handing you

1	what's been previously marked as Exhibit 1003.	09:52:43
2	(Premarked Exhibit 1003.)	09:52:47
3	ATTORNEY STOWELL: Sorry, Counsel. I did	09:52:48
4	not get that.	09:52:48
5	Q (BY ATTORNEY MILLER) I have handed you	09:52:55
6	what's been previously marked as IMPERATIVE	09:52:56
7	Exhibit 1003.	09:52:58
8	Do you recognize this to be the	09:53:00
9	declaration that you were referring to?	09:53:02
10	A Yes.	09:53:05
11	Q And with this in front of you now, have	09:53:07
12	you formed an opinion as to what a "flow path" would	09:53:22
13	be with respect to Figure 1?	09:53:28
14	A So in Exhibit 1003, the original	09:54:52
15	declaration for the '005 Patent, page 47, I discuss	09:54:57
16	the flow path.	09:55:03
17	On page 48, the flow path is shown with	09:55:08
18	red dots extending through the length of the	09:55:12
19	catheter. And this is Garrison's image, Figure 34.	09:55:17
20	The flow path is shown in red dots that goes through	09:55:23
21	the catheter, which would equate to 102 in Figure 1	09:55:26
22	of the '005 Patent. The flow path extends out the	09:55:34
23	sidearm, which in Figure 1 angles off to the side	09:55:42
24	into tubing 124a.	09:55:52
25	And as we show in the original	09:56:00

1 declaration, Figure 34 continues through the 09:56:02
2 stopcock and ultimately through to the pressure 09:56:09
3 source 3430 in Garrison, which would be analogous to 09:56:21
4 the pressure source 140 in Figure 1. 09:56:29

5 Q What is the difference between "in the 09:56:52
6 flow path" and "fluidly coupled"? 09:56:54

7 ATTORNEY STOWELL: Objection, outside the 09:56:58
8 scope of the supplemental declaration. 09:56:58

9 A I haven't considered those two terms' 09:57:02
10 differences or similarities. 09:57:04

11 Q (BY ATTORNEY MILLER) So in forming your 09:57:16
12 opinion with respect to the prior art in this IPR, 09:57:17
13 you did not consider what "in the flow path" meant 09:57:20
14 versus "fluidly coupled"? 09:57:27

15 ATTORNEY STOWELL: Objection, misstates 09:57:30
16 testimony. 09:57:30

17 A I didn't consider what those terms mean 09:57:35
18 similarly or if there are any differences between 09:57:37
19 those two terms, no. 09:57:41

20 Q (BY ATTORNEY MILLER) You agree, though, 09:57:50
21 that both terms appear in Claim 1, correct? 09:57:51

22 ATTORNEY STOWELL: Objection, vague. 09:58:02

23 A The term "fluidly coupled" is in Claim 1; 09:58:02
24 the term "flow path" is in Claim 1, yes. 09:58:27

25 Q (BY ATTORNEY MILLER) Looking at Figure 1 09:58:44

1 of the '005 Patent, do you believe that 09:58:46
2 component 126 or the fluid control device is in the 09:58:51
3 flow path that extends through a housing? 09:58:56

4 ATTORNEY STOWELL: Objection, outside the 09:59:07
5 scope of the supplemental declaration. 09:59:07

6 A Column 6, line 17 -- lines 18 says: 09:59:33

7 The fluid control device 126 09:59:38
8 is externally operable by a user to 09:59:40
9 regulate flow of fluid therethrough 09:59:44
10 and, specifically, from the lumen 09:59:46
11 104 of the catheter 102 to the 09:59:48
12 pressure source 140. 09:59:50

13 Does that answer your question? 09:59:58

14 Q (BY ATTORNEY MILLER) I think maybe let's 09:59:59
15 take a step back. 10:00:01

16 Where is the housing in Figure 1? 10:00:03

17 ATTORNEY STOWELL: Objection, vague; 10:00:08
18 outside the scope of the supplemental declaration. 10:00:08

19 A There may be earlier references to the 10:01:32
20 housing, but in Claim 10, it states: 10:01:34

21 A hemostasis valve in the 10:01:39
22 housing configured to receive a 10:01:41
23 second catheter, et cetera. 10:01:44

24 Therefore, I believe they're defining the 10:01:49
25 housing as the portion of the valve 106 that houses 10:01:51

1	the valve -- I should say houses the valve	10:02:01
2	mechanisms.	10:02:13
3	Q (BY ATTORNEY MILLER) And if the housing --	10:02:15
4	is it your understanding that Claim 1 requires that	10:03:18
5	the flow path extend through the housing?	10:03:20
6	ATTORNEY STOWELL: Objection, outside the	10:03:29
7	scope of the supplemental declaration.	10:03:29
8	A Claim 1 says, "a flow path extending	10:03:38
9	through the housing."	10:03:41
10	Q (BY ATTORNEY MILLER) What does "through	10:03:45
11	the housing" mean to you?	10:03:48
12	ATTORNEY STOWELL: Same objection.	10:03:51
13	Q (BY ATTORNEY MILLER) "Extending through	10:03:51
14	the housing" mean to you?	10:03:55
15	Sorry.	10:03:59
16	A I think it means what it says, "the flow	10:04:02
17	path extends through the housing."	10:04:05
18	ATTORNEY MILLER: We have been going for	10:04:44
19	about an hour. Why don't we take a five-minute	10:04:45
20	break.	10:04:48
21	THE VIDEOGRAPHER: Okay. Going off the	10:04:50
22	record. The time is 10:05 a.m.	10:04:51
23	(A break was taken from 10:05 a.m. to	10:05:30
24	10:15 a.m.)	10:05:33
25	THE VIDEOGRAPHER: We're back on the	10:14:35

1	record. The time is 10:15 a.m.	10:14:36
2	Q (BY ATTORNEY MILLER) Mr. Thornton, did you	10:14:43
3	meet with anyone during the break?	10:14:45
4	A I talked to counsel.	10:14:47
5	Q Did you discuss the substance of this	10:14:49
6	deposition?	10:14:51
7	A No.	10:14:52
8	Q Did you review any documents during the	10:14:54
9	break?	10:14:55
10	A No.	10:14:56
11	Q In forming your opinions in this IPR, did	10:15:11
12	you understand Claim 1 to require the on/off control	10:15:19
13	to be in the flow path?	10:15:23
14	A As Claim 1 says, "an on/off control in the	10:15:55
15	flow path," so I would assume that is what it means	10:16:01
16	is the on/off control is in the flow path.	10:16:06
17	Q It doesn't use the language -- Claim 1	10:16:18
18	does not use the language "fluidly coupled to the	10:16:20
19	flow path" with respect to the on/off control,	10:16:26
20	correct?	10:16:28
21	A Claim 1 certainly uses the terminology of	10:16:48
22	fluid communication in at least a couple of	10:16:55
23	different locations in Claim 1 that I'm seeing.	10:16:58
24	Q But with respect to the on/off control, it	10:17:07
25	does not state that it's in fluid communication or	10:17:10

1 fluidly coupled to the flow path; it states it's in 10:17:17
2 the flow path, correct? 10:17:19
3 A The claim says "the on/off control is in 10:17:22
4 the flow path." 10:17:25
5 The specification may have more details 10:17:26
6 about what that means and where that's located. 10:17:29
7 Q If you look at Claim 10, it also requires 10:17:34
8 the on/off control to be in the flow path, yes? 10:17:36
9 A The third line of Claim 10 says: 10:17:42
10 A flow path extending through 10:17:45
11 the housing and on/off control in 10:17:47
12 the flow path. 10:17:49
13 Q Do you have an opinion -- or strike that. 10:18:12
14 In providing your opinions in this IPR, 10:18:12
15 did you have an understanding that the word "in" 10:18:31
16 described the relative position of the on/off 10:18:37
17 control relative to the flow path? 10:18:39
18 A I'm not sure I understand the question. 10:18:44
19 Q Yeah, let me rephrase. 10:18:46
20 Do you understand the term "in the flow 10:18:50
21 path" to describe the relative position of the 10:18:53
22 on/off control? 10:18:58
23 ATTORNEY STOWELL: Objection, vague. 10:18:59
24 A Well, the relative position of the on/off 10:19:01
25 control and the flow path, as Claim 10 says, that: 10:20:12

1	The on/off control is in the	10:20:39
2	flow path. The catheter is in	10:20:41
3	fluid comm -- communication with	10:20:44
4	the flow path and a connector	10:20:45
5	configured to place the source of	10:20:48
6	aspiration in the flow path.	10:20:50
7	So as shown in Figure 1, the item 126	10:20:52
8	stopcock or on/off control is claimed to be between	10:21:01
9	the catheter and the source of aspiration.	10:21:11
10	Q (BY ATTORNEY MILLER) You agree, though,	10:21:15
11	that the Claim 10, the one you're referring to, uses	10:21:33
12	the term "in fluid communication with the flow	10:21:39
13	path," not "in the flow path," correct?	10:21:42
14	ATTORNEY STOWELL: Objection, vague.	10:21:47
15	A It says "to place a source of aspiration	10:21:54
16	in communication with the flow path."	10:21:56
17	Q (BY ATTORNEY MILLER) Which is not the same	10:22:07
18	words as "in the flow path," yes?	10:22:09
19	A It's not the same words. It would seem to	10:22:14
20	have the same meaning.	10:22:16
21	Q Why do you think it has the same meaning?	10:22:21
22	A It's fluid flowing through tubes, and that	10:22:38
23	is the flow path. It's in communication -- the	10:22:41
24	fluid is in communication with the aspiration	10:22:46
25	source, for instance, or the catheter. It would	10:22:49

1	seem to have a similar -- same meaning to me.	10:22:54
2	Q You were looking at Garrison earlier in	10:23:22
3	your declaration. I think it was Figure 34.	10:23:26
4	Garrison does not disclose an on/off	10:23:37
5	control positioned in the same housing as the	10:23:39
6	hemostasis valve, correct?	10:23:42
7	ATTORNEY STOWELL: Objection --	10:23:44
8	A Which --	10:23:45
9	ATTORNEY STOWELL: -- outside the scope of	10:23:45
10	the supplemental declaration.	10:23:46
11	A -- which page are you referring to in my	10:23:47
12	original '005 declaration?	10:23:51
13	Q (BY ATTORNEY MILLER) I'm looking at -- you	10:23:54
14	can look at Figure 34 on page 49.	10:23:54
15	A What was the question again?	10:24:15
16	Q Garrison does not disclose an on/off	10:24:16
17	control positioned in the same housing as the	10:24:19
18	hemostasis valve, correct?	10:24:21
19	ATTORNEY STOWELL: Objection, outside the	10:24:24
20	scope of the declaration.	10:24:24
21	A Garrison shows the on/off control or	10:24:42
22	stopcock between the aspiration catheter and the	10:24:45
23	vacuum source or aspiration source. It's not in the	10:24:53
24	same housing where the hemostasis valve is housed.	10:24:58
25	Q (BY ATTORNEY MILLER) If Claim 1 and	10:25:09

1 Claim 10 were required -- required the on/off
2 control to be in the same housing as the hemostasis
3 valve, would that change your opinion with respect
4 to Garrison?

5 ATTORNEY STOWELL: Objection, outside the
6 scope of the declaration.

7 A I'm not sure I understand the question.

8 Q (BY ATTORNEY MILLER) The '005 Patent isn't
9 limited -- or the claimed invention of the
10 '005 Patent is not limited to Figure 1, correct?

11 ATTORNEY STOWELL: Objection, calls for a
12 legal conclusion; outside the scope.

13 A I don't know.

14 Q (BY ATTORNEY MILLER) Have you formed an
15 opinion in this IPR as to whether the on/off control
16 is required to be within the housing of the valve in
17 the '005 Patent?

18 ATTORNEY STOWELL: Objection, outside the
19 scope; vague.

20 A I did not address that in the IPRs,
21 neither the original or the supplemental, for the
22 '005 Patent.

23 Q (BY ATTORNEY MILLER) Do you have any
24 opinion as to whether a person of ordinary skill in
25 the art would understand the term "in the flow path"

10:25:11
10:25:14
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10:26:21
10:26:24
10:26:31
10:26:31
10:26:35
10:26:42
10:26:43
10:26:57
10:27:02
10:27:06
10:27:06
10:27:10
10:27:14
10:27:19
10:27:20
10:27:30
10:27:32

1	and "fluidly coupled to the flow path" to have the	10:27:37
2	same meaning?	10:27:42
3	ATTORNEY STOWELL: Objection, vague.	10:27:43
4	A I didn't address that. I didn't think	10:27:46
5	about that in the declarations that I have done so	10:27:48
6	far.	10:27:53
7	Q (BY ATTORNEY MILLER) I'm going to show you	10:28:30
8	Exhibit 1019.	10:28:31
9	(Premarked Exhibit 1019.)	10:28:33
10	Q (BY ATTORNEY MILLER) IMPERATIVE	10:28:34
11	Exhibit 1019.	10:28:34
12	Do you recognize this document?	10:28:50
13	A I have seen it before, yes.	10:29:38
14	Q Do you understand this to be -- or sorry.	10:29:43
15	What do you recognize it to be?	10:29:45
16	A This is Garrison "Patent U.S. 2016-0220741	10:29:49
17	A1."	10:29:57
18	Q Do you understand that the -- during the	10:30:10
19	prosecution of the '005 Patent, the examiner	10:30:12
20	considered this reference?	10:30:16
21	A I don't recall if they did or not.	10:30:19
22	Q Let's look at Figure 5. Figure 5 has a	10:30:24
23	valve 242, correct?	10:30:36
24	ATTORNEY STOWELL: I will object to	10:30:40
25	questions regarding Exhibit 1019 as being outside	10:30:41

1	the scope of the second -- the supplemental	10:30:44
2	declaration.	10:30:47
3	A Sorry. Can you repeat the question?	10:31:01
4	Q (BY ATTORNEY MILLER) Figure 5 shows an	10:31:06
5	object 242.	10:31:08
6	That's a valve, right?	10:31:09
7	A I need to look at the details of the	10:31:12
8	specification to see what these components are.	10:31:14
9	It's been a while since I have seen this patent. So	10:31:17
10	I see 242 shown in paragraph 67. It says:	10:32:33
11	In an alternative	10:32:39
12	implementation, it may also be	10:32:40
13	desired to intermittently isolate	10:32:42
14	the proximal portion 240 from the	10:32:43
15	sheathe body 222 in an	10:32:48
16	implementation, as shown in	10:32:53
17	Figure 4. The connector 226	10:32:55
18	includes a valve 242 that can close	10:32:58
19	off the fluid connection between	10:33:02
20	the sheathe body and the proximal	10:33:04
21	portion 240 of the access	10:33:07
22	sheathe 220.	10:33:10
23	They're referring to Figure 4. Is that	10:33:21
24	the figure you referenced?	10:33:24
25	Q We were looking at Figure 5.	10:33:25

1	A	242 is a valve in both Figure 4 and	10:33:29
2		Figure 5, is what this specification explains.	10:33:32
3	Q	And there's a stopcock at 238, right?	10:33:42
4	A	Figure 4 -- yeah, I don't see in the spec	10:34:06
5		where 238 is defined. If you can -- if you know	10:35:19
6		where it is, I would be happy to listen.	10:35:21
7	Q	Well, let's back up for a second. So we	10:35:39
8		were looking at valve 242. There's also object 234.	10:35:42
9		Do you know what object 234 is? It might	10:35:51
10		be helpful to look at Column 8 or paragraph 67 or	10:36:07
11		Column -- or paragraph 69, which discusses Figure 5.	10:36:21
12	A	I see in paragraph 66, they call "234."	10:37:22
13		The proximal hemostasis valve is item 234. I think	10:37:28
14		you had asked about that earlier.	10:37:35
15		What other component were you asking	10:37:46
16		about?	10:37:49
17	Q	Let's stick with 234 and 242 right now.	10:37:59
18		Is --	10:38:04
19	A	242.	10:38:05
20	Q	In Figure 5, is object 242 separate from	10:38:07
21		the hemostasis valve 234 -- is it -- as in, is it	10:38:16
22		separate housing?	10:38:22
23	ATTORNEY STOWELL:	Objection, vague;	10:38:24
24		outside the scope of the declaration.	10:38:24
25	A	I would have to see if this specification	10:38:38

1 talks about their definition of "housing" and what 10:38:42
2 they're referring to. In Figure 5, it's certainly, 10:38:44
3 you know, some distance away. 242, which I guess 10:38:48
4 they call the "valve," is some distance away from 10:38:57
5 the 234 hemostasis valve. 10:39:00

6 Q (BY ATTORNEY MILLER) Do you have any 10:39:34
7 opinion as to whether the disclosure in Figure 5 of 10:39:35
8 Exhibit 1019 discloses an on/off control in the flow 10:39:46
9 path? 10:39:56

10 ATTORNEY STOWELL: Objection, outside the 10:39:59
11 scope of the declaration. 10:39:59

12 A I have not considered that. 10:40:01

13 Q (BY ATTORNEY MILLER) Have you considered 10:40:07
14 whether the examiner made any error with respect to 10:40:08
15 the consideration of Exhibit 1019 during the 10:40:18
16 prosecution of the '005 Patent? 10:40:22

17 A I didn't consider that. 10:40:25

18 Q Would you agree that object 238 -- I know 10:40:50
19 we were trying to figure out whether that was a 10:40:53
20 stopcock -- and I have not found that yet, but would 10:40:55
21 you agree that object 238 is not in the hemostasis 10:40:59
22 valve; it is fluidly coupled to it? 10:41:02

23 ATTORNEY STOWELL: Objection, vague; 10:41:06
24 outside the scope. 10:41:06

25 A Well, I think a person of skill in the art 10:41:21

1 would look at Figure 5 and say it's not within the 10:41:23
2 hemostasis valve itself. It's attached to a 10:41:27
3 tubing 236 that extends from the component 240, 10:41:30
4 which is called a "proximal extension" in the 10:41:39
5 patent. 10:41:44

6 Q (BY ATTORNEY MILLER) Do you have any 10:42:22
7 opinion as to whether a person of skill -- skilled 10:42:22
8 in the art would understand the term "in the flow 10:42:28
9 path" and "fluidly coupled to the flow path" to have 10:42:30
10 different meanings? 10:42:35

11 A I don't know. I haven't considered that. 10:42:37

12 Q Do you have an opinion as to whether the 10:42:58
13 '005 Patent discloses an on/off control in the flow 10:42:59
14 path in the housing with the hemostasis valve? 10:43:07

15 ATTORNEY STOWELL: Objection, vague. 10:43:20

16 A What I see in Claim 1 is it says the 10:43:28
17 "on/off control in the flow path." 10:43:29

18 Q (BY ATTORNEY MILLER) Do you have an 10:43:41
19 opinion as to whether the on/off control is in the 10:43:41
20 flow path in the housing with the hemostasis valve? 10:43:45

21 ATTORNEY STOWELL: Objection, outside the 10:43:51
22 scope of the declarations. 10:43:51

23 A I certainly know -- nothing in the 10:44:13
24 specification that would say that the on/off control 10:44:19
25 126 is in or anywhere near the housing that houses 10:44:23

1	the hemostasis valve.	10:44:34
2	Q (BY ATTORNEY MILLER) Have you reviewed the	10:44:44
3	specification specifically looking as to whether it	10:44:45
4	has support for that?	10:44:48
5	A Not specifically.	10:45:01
6	Q And if we look back at Column 6, the lines	10:45:02
7	that we were looking at before of the '005 Patent --	10:45:15
8	A Column 6.	10:45:21
9	Q -- on lines 48 to 49, where it states:	10:45:23
10	In some embodiments, one or	10:45:30
11	more components can be permanently	10:45:32
12	connected and/or integrally formed.	10:45:35
13	Do you believe that that -- do you believe	10:45:45
14	that those lines do not instruct a person of	10:45:50
15	ordinary skill in the art that an on/off control	10:45:55
16	could be integrally formed or in the housing with	10:45:58
17	the hemostasis valve?	10:46:01
18	A I haven't considered that.	10:46:04
19	Q Why not?	10:46:07
20	A What it's talking about in line 45 and	10:46:12
21	beyond is the tubing subsystem 120, which is	10:46:14
22	separate from the housing and the hemostasis valve,	10:46:21
23	which is part of the catheter subsystem.	10:46:24
24	So it's talking about the tubing subsystem	10:46:27
25	and just saying that they could have different types	10:46:30

1 of connections or be integrally formed. 10:46:32

2 You know, in my experience, we have 10:46:40
3 integrally formed some components by overmolding the 10:46:44
4 component to a tubing so that it was permanently 10:46:48
5 attached. That's how I'm reading lines 45 through 10:46:54
6 49. 10:47:00

7 Q The sentence in lines 48 to 49 don't use 10:47:14
8 the words "tubing subsystem 120," correct? 10:47:22

9 A No. That's in line 45. 10:47:27

10 Q In your experience with devices in the 10:48:21
11 field of the invention of the '005 Patent, have you 10:48:28
12 seen on/off controls in the same housing as the 10:48:32
13 hemostasis valve? 10:48:37

14 ATTORNEY STOWELL: Objection, vague. 10:48:39

15 A The hemostasis valves that I have -- that 10:48:57
16 I'm familiar with, no, I don't believe they ever had 10:49:00
17 a stopcock within the same housing of the hemostasis 10:49:08
18 valves that I'm familiar with. 10:49:14

19 Q (BY ATTORNEY MILLER) Are you aware of any 10:49:18
20 reason why that wouldn't be a good idea? 10:49:19

21 A I haven't thought about it either way. 10:49:25

22 Q In preparing for today's deposition, did 10:49:47
23 you review the deposition transcript of Inari's 10:49:50
24 expert, Dr. Zalesky? 10:49:57

25 A Not in the last few days of preparation 10:50:04

1	for this supplemental declaration, no.	10:50:07
2	ATTORNEY MILLER: Can we take a	10:50:40
3	five-minute break? I might be close.	10:50:42
4	ATTORNEY STOWELL: Okay.	10:50:45
5	THE VIDEOGRAPHER: Okay. Going off the	10:50:46
6	record. The time is 10:51 a.m.	10:50:47
7	(A break was taken from 10:51 a.m. to	10:50:52
8	11:00 a.m.)	10:50:58
9	THE VIDEOGRAPHER: And we are back on the	10:59:59
10	record. The time is 11:00 a.m.	11:00:07
11	Q (BY ATTORNEY MILLER) All right. So	11:00:13
12	earlier we were looking at Exhibit 1019, which is	11:00:15
13	that Garrison reference. And what I would like to	11:00:19
14	do is get an understanding of the flow path here.	11:00:29
15	What would be your understanding of the	11:00:35
16	flow path through -- in Figure 5?	11:00:37
17	ATTORNEY STOWELL: Objection, outside the	11:00:41
18	scope of the declarations.	11:00:41
19	A Yeah, I haven't considered the flow path	11:00:49
20	for this Garrison reference. I did consider for the	11:00:51
21	Garrison reference, which is my declaration in the	11:00:55
22	'005 Patent that we talked about earlier.	11:00:58
23	Q (BY ATTORNEY MILLER) So looking at this	11:01:01
24	catheter system, you wouldn't know where the flow	11:01:04
25	path started?	11:01:07

1 A I'm saying I haven't considered it for
2 this -- these embodiments in this patent.

3 Q Okay. But sitting here today, would you
4 know where the flow path is or could you figure it
5 out?

6 ATTORNEY STOWELL: Objection, asked and
7 answered; outside the scope.

8 A I need to look in more detail into what
9 some of the components are.

10 Q (BY ATTORNEY MILLER) Does the language in
11 paragraph 69 help where it describes:

12 The removal proximal
13 component 280 can include a Y-arm
14 connector 226, aspiration line 230,
15 proximal extension 240, proximal
16 hemostasis valve 234, and flush
17 line 236, along with the valve
18 connectors 232 and 238, terminating
19 the aspiration line 230 and flush
20 line 236 respectfully?

21 Does that help you understand
22 where I was going?

23 A Which paragraph was that?

24 Q It's paragraph 69 at the bottom of
25 Column 8.

1	A	Can you ask the question again?	11:06:51
2	Q	Now that you have had some time to look at	11:06:53
3		this Exhibit 1019, do you understand the flow --	11:06:57
4		what the flow path is in Figure 5?	11:07:01
5	ATTORNEY STOWELL:	Objection, outside the	11:07:05
6		scope of the declarations.	11:07:05
7	A	I don't see that they use the term "flow	11:07:09
8		path" here. The closest I can see is at the end of	11:07:11
9		paragraph 69 where they're discussing:	11:07:16
10		The Y-arm connector 226 so	11:07:23
11		that when the proximal	11:07:28
12		component 280 is attached to a	11:07:29
13		sheathe 10, the proximal section	11:07:32
14		may be selectively opened or closed	11:07:34
15		to fluid connection with the	11:07:36
16		sheathe 10. A similar type of	11:07:39
17		connection can be made for	11:07:42
18		connector 232, connecting the	11:07:43
19		sheathe aspiration line 230 to an	11:07:46
20		aspiration source.	11:07:48
21		So fluid is able to flow, you know,	11:07:49
22		through the Y-arm either to the aspiration source	11:07:54
23		that's connected to aspiration line 230. And of	11:07:59
24		course, fluid would flow through the Y-arm section	11:08:12
25		to the proximal end where the hemostasis valve is,	11:08:18

1	234.	11:08:21
2	Q (BY ATTORNEY MILLER) So similar to the	11:08:23
3	exercise you did for Figure 34 of the Garrison	11:08:32
4	reference in your declaration, would you consider --	11:08:37
5	what components here would you consider in the flow	11:08:44
6	path?	11:08:55
7	ATTORNEY STOWELL: Objection, outside the	11:08:56
8	scope of the declaration.	11:08:56
9	Q (BY ATTORNEY MILLER) Let me make it more	11:09:29
10	specific.	11:09:30
11	Would you consider valve 242 in the flow	11:09:33
12	path?	11:09:35
13	ATTORNEY STOWELL: Objection, outside the	11:09:36
14	scope of the declaration; and vague.	11:09:36
15	A Certainly fluid would flow through that	11:09:42
16	stopcock or on/off valve. Or the term they use in	11:09:46
17	patent '741, fluid would flow through that valve, if	11:09:51
18	it's open; and would not flow through that valve if	11:09:59
19	it's closed.	11:10:04
20	Q (BY ATTORNEY MILLER) Would you consider	11:10:07
21	valve 234 in the flow path?	11:10:08
22	ATTORNEY STOWELL: Objection, outside the	11:10:16
23	scope of the declarations; and vague.	11:10:16
24	A I'm not sure that they use the term "flow	11:10:25
25	path" in here, but certainly fluid is in that area.	11:10:28

1	That's where a device would be inserted through the	11:10:33
2	hemostasis valve 234, so there would be fluid in	11:10:36
3	that -- in that component 240.	11:10:39
4	Q (BY ATTORNEY MILLER) Valve 232 is	11:10:48
5	connected to the housing containing valve 242 by a	11:10:52
6	tube 230, right?	11:10:58
7	ATTORNEY STOWELL: Objection, vague;	11:11:00
8	outside the scope.	11:11:00
9	A I'm not sure if 232 is considered a valve.	11:11:07
10	I need to look at the spec.	11:11:12
11	Q (BY ATTORNEY MILLER) I can make it easy	11:11:17
12	for you.	11:11:18
13	Object 232 is connected via a tube to the	11:11:19
14	housing containing valve 242, right?	11:11:23
15	ATTORNEY STOWELL: Objection, vague;	11:11:28
16	outside the scope.	11:11:28
17	A Item 232 is connected via tubing 230 to	11:11:32
18	item 226, which I believe they called a	11:11:37
19	connector 226.	11:11:40
20	Q (BY ATTORNEY MILLER) So it's fair to say	11:11:54
21	that objects 238 and 232 are not in the same housing	11:11:55
22	with valve 242 or valve 234, right?	11:12:01
23	A Say that again, please.	11:12:07
24	Q It's fair to say that objects 238 and 232	11:12:08
25	--	11:12:12

1	A	238. Okay.	11:12:13
2	Q	-- are not in the same housing with valve	11:12:14
3		242 and 234?	11:12:20
4	ATTORNEY STOWELL:	Objection, lack of	11:12:24
5		foundation; outside the scope; vague.	11:12:25
6	A	I would say it's clear from Figure 5 that	11:12:28
7		valve 238 and item 232 are not in a housing, per se.	11:12:31
8		They're attached to tubings that extend from other	11:12:41
9		components.	11:12:44
10	ATTORNEY MILLER:	Okay. No further	11:12:55
11		questions.	11:12:56
12	ATTORNEY STOWELL:	I don't have any	11:12:57
13		questions for the witness.	11:12:57
14	THE COURT STENOGRAPHER:	Is there a	11:13:02
15		designation on this?	11:13:03
16	ATTORNEY STOWELL:	No.	11:13:04
17	THE VIDEOGRAPHER:	Okay. With no further	11:13:04
18		questions, we are going off the record. And the	11:13:05
19		time is 11:13 a.m.	11:13:08
20		(TIME NOTED: 11:13 a.m.)	11:13:11

1
2
3
4 I, TROY L. THORNTON, do hereby declare under
5 penalty of perjury that I have read the foregoing
6 transcript; that I have made any corrections as
7 appear noted, in ink, initialed by me, or attached
8 hereto; that my testimony as contained herein, as
9 corrected, is true and correct.

10 EXECUTED this _____ day of _____,
11 20____, at _____, _____.
12 (City) (State)

13
14 _____
15 TROY L. THORNTON
16
17
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20
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23
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25

1 I, MARY J. GOFF, CSR No. 13427, Certified
2 Shorthand Reporter of the State of California,
certify;

3 That the foregoing proceedings were taken
4 before me at the time and place herein set forth, at
5 which time the witness declared under penalty of
6 perjury; that the testimony of the witness and all
7 objections made at the time of the examination were
recorded stenographically by me and were thereafter
transcribed under my direction and supervision; that
the foregoing is a full, true, and correct
transcript of my shorthand notes so taken and of the
testimony so given;

8 That before completion of the deposition,
9 review of the transcript () was (XX) was not
requested: () that the witness has failed or
refused to approve the transcript.

10 I further certify that I am not financially
11 interested in the action, and I am not a relative or
employee of any attorney of the parties, nor of any
of the parties.

12 I declare under penalty of perjury under the
13 laws of California that the foregoing is true and
correct, dated this 6th day of January, 2026.

14 
15 _____

16 MARY J. GOFF
17
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Transcript of Troy L. Thornton
Conducted on January 5, 2026

52

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TROY L. THORNTON

Subscribed and sworn to before me

this _____ day of _____, 2026.

Notary Public

Transcript of Troy L. Thornton
Conducted on January 5, 2026

53

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a1 4:17, 37:17 able 46:21 about 12:1, 15:16, 22:11, 25:14, 25:22, 26:3, 26:16, 26:23, 31:19, 33:6, 37:5, 39:14, 39:16, 40:1, 42:20, 42:24, 43:21, 44:22 access 38:21 accompanying 11:6 action 51:19 added 23:9 additional 26:12 address 6:14, 36:20, 37:4 affect 7:5 affirmed 6:5 again 16:6, 19:14, 35:15, 46:1, 48:23 ago 9:14, 10:13, 10:15, 10:21, 11:20 agree 29:20, 34:10, 40:18, 40:21 all 19:12, 23:6, 44:11, 51:7 allow 17:14, 17:21	along 45:17 already 12:19, 26:7, 27:7 also 10:22, 13:13, 17:4, 19:7, 33:7, 38:12, 39:8 alternative 38:11 analogous 29:3 angeles 3:9 angles 28:23 another 19:16 answer 7:18, 7:23, 8:10, 27:9, 27:15, 30:13 answered 45:7 answering 26:20 any 7:1, 7:3, 7:8, 8:1, 8:4, 8:8, 8:15, 8:18, 8:24, 9:18, 11:6, 11:22, 25:15, 26:12, 29:18, 32:8, 36:23, 40:6, 40:14, 41:6, 43:19, 49:12, 50:6, 51:20 anybody 11:23 anyone 8:21, 10:20, 10:24, 11:1, 11:25, 32:3 anything 24:3, 24:12,	24:13 anywhere 41:25 appeal 1:2 appear 29:21, 50:7 appearances 3:1 appears 15:25, 16:10, 18:11, 18:12, 19:16 apple 26:13 approve 51:17 area 47:25 art 26:1, 29:12, 36:25, 40:25, 41:8, 42:15 asked 9:25, 25:15, 26:9, 39:14, 45:6 asking 26:3, 39:15 aspect 11:22, 26:4 aspiration 25:1, 34:6, 34:9, 34:15, 34:24, 35:22, 35:23, 45:14, 45:19, 46:19, 46:20, 46:22, 46:23 assembly 13:10 assume 32:15 at ____ 50:11 attached 41:2, 43:5, 46:12, 49:8,	50:7 attaches 18:13, 18:14 attorneys 3:6, 3:16 audible 7:22 avoid 7:14 aware 43:19 away 40:3, 40:4 B b 19:14 b2 12:18 back 17:8, 23:10, 30:15, 31:25, 39:7, 42:6, 44:9 barb-type 18:13 barbed 22:5 barnes 10:22 bear 3:14 because 25:21 been 12:11, 12:19, 25:14, 25:21, 27:5, 27:7, 28:1, 28:6, 31:18, 38:9 before 1:2, 2:9, 6:17, 8:11, 8:22, 8:23, 9:17, 9:20, 15:16, 24:23, 37:13, 42:7, 51:5, 51:14, 52:21 beginning 2:8, 6:19,

Transcript of Troy L. Thornton
Conducted on January 5, 2026

54

24:25 begins 5:4 behalf 2:5, 5:18, 5:20 being 6:3, 6:5, 24:5, 24:14, 37:25 believe 12:10, 12:24, 17:6, 19:11, 27:21, 30:1, 30:24, 42:13, 43:16, 48:18 besides 11:1, 11:23 between 10:14, 29:5, 29:18, 34:8, 35:22, 38:19 beyond 42:21 bight 26:13 bill 11:9 board 1:2 body 38:15, 38:20 bonded 22:1, 22:5 both 29:21, 39:1 bottom 14:11, 45:24 box 13:19 break 8:9, 8:12, 31:20, 31:23, 32:3, 32:9, 44:3, 44:7 brian 10:21 bring 8:15 brought 25:21	bush 2:7, 3:17, 5:13 C california 1:20, 2:8, 2:10, 3:9, 3:19, 5:1, 5:14, 6:1, 6:16, 51:2, 51:23 call 10:12, 10:14, 10:17, 10:21, 10:23, 17:2, 17:10, 18:12, 39:12, 40:4 called 41:4, 48:18 calls 36:11 can't 8:1 captured 6:3 care 1:4, 3:13, 5:6, 5:21, 12:1, 52:6 case 1:8, 5:8, 25:25, 52:6 catchall 23:8 catheter 13:10, 13:22, 14:6, 14:18, 15:11, 15:18, 15:25, 16:11, 16:16, 18:21, 19:7, 20:20, 28:19, 28:21, 30:11, 30:23, 34:2, 34:9, 34:25, 35:22, 42:23, 44:24 century 3:7 certainly 13:8, 16:13,	32:21, 40:2, 41:23, 47:15, 47:25 certified 2:10, 6:1, 51:1 certify 51:3, 51:18 cetera 22:24, 30:23 change 36:3 changed 11:12 changes 7:3 city 50:12 claim 24:21, 24:23, 24:25, 26:3, 29:21, 29:23, 29:24, 30:20, 31:4, 31:8, 32:12, 32:14, 32:17, 32:21, 32:23, 33:3, 33:7, 33:9, 33:25, 34:11, 35:25, 36:1, 41:16 claimed 13:4, 34:8, 36:9 clarification 7:10 clear 49:6 close 38:18, 44:3 closed 46:14, 47:19 closes 17:14 closest 46:8 coie 2:6, 3:4, 5:18 column 14:2, 14:11,	14:20, 15:9, 16:18, 17:10, 18:21, 20:4, 20:6, 20:8, 23:12, 23:20, 24:4, 24:13, 24:21, 30:6, 39:10, 39:11, 42:6, 42:8, 45:25 com 3:10, 3:20, 3:22 comm 34:3 commented 7:4 communicated 11:25 communication 16:9, 32:22, 32:25, 34:3, 34:12, 34:16, 34:23, 34:24 complete 8:2, 8:6, 14:12 completion 51:14 component 16:15, 25:4, 30:2, 39:15, 41:3, 43:4, 45:13, 46:12, 48:3 components 13:16, 15:21, 21:6, 21:21, 22:14, 22:15, 23:1, 23:24, 25:2, 38:8, 42:11, 43:3, 45:9, 47:5, 49:9 comprising 25:1 conclusion 6:23, 36:12 conditions 8:5
--	--	--	---

configurations 21:4 configured 30:22, 34:5 confirm 13:16 conjunction 26:22 connect 16:14, 16:15 connected 13:21, 14:9, 15:17, 15:20, 17:24, 18:7, 19:10, 21:7, 21:22, 21:25, 22:2, 22:9, 22:16, 23:13, 23:24, 42:12, 46:23, 48:5, 48:13, 48:17 connecting 46:18 connection 38:19, 46:15, 46:17 connections 22:5, 43:1 connector 14:1, 14:10, 19:22, 20:1, 20:16, 20:17, 34:4, 38:17, 45:14, 46:10, 46:18, 48:19 connectors 21:2, 22:23, 45:18 connects 13:20 consider 16:4, 27:17, 29:13, 29:17, 40:17, 44:20, 47:4, 47:5, 47:11, 47:20 consideration 40:15	considered 19:12, 24:18, 29:9, 37:20, 40:12, 40:13, 41:11, 42:18, 44:19, 45:1, 48:9 contained 50:8 containing 48:5, 48:14 continues 29:1 control 14:6, 15:13, 17:11, 17:18, 17:19, 17:25, 18:8, 18:18, 19:2, 19:21, 20:20, 21:3, 23:13, 23:21, 24:5, 24:14, 30:2, 30:7, 32:12, 32:14, 32:16, 32:19, 32:24, 33:3, 33:8, 33:11, 33:17, 33:22, 33:25, 34:1, 34:8, 35:5, 35:17, 35:21, 36:2, 36:15, 40:8, 41:13, 41:17, 41:19, 41:24, 42:15 controls 43:12 correct 6:21, 6:25, 7:24, 13:5, 13:18, 17:5, 19:17, 23:2, 24:10, 24:23, 25:2, 29:21, 32:20, 33:2, 34:13, 35:6, 35:18, 36:10, 37:23, 43:8,	50:9, 51:11, 51:24 corrected 50:9 corrections 50:6 could 6:11, 22:5, 22:22, 23:13, 23:20, 42:16, 42:25, 45:4 counsel 5:15, 8:22, 9:20, 10:9, 10:10, 10:11, 10:12, 10:15, 10:16, 10:18, 11:1, 11:5, 11:23, 28:3, 32:4 couple 9:12, 15:25, 16:11, 32:22 coupled 15:1, 15:10, 15:12, 15:20, 16:8, 18:16, 18:17, 19:1, 19:2, 19:8, 19:10, 19:12, 29:6, 29:14, 29:23, 32:18, 33:1, 37:1, 40:22, 41:9 couples 14:17, 15:6, 19:21 coupling 14:5, 20:2, 20:19 course 46:24 court 5:22, 5:25, 7:13, 49:14 covered 27:21 credibility 7:5	csr 1:31, 1:32, 2:11, 6:2, 51:1 current 6:14 D date 5:10 dated 51:24 day 9:16, 10:13, 50:10, 51:24, 52:22 days 9:13, 10:13, 10:15, 10:21, 43:25 dealt 26:8 declaration 4:14, 9:3, 9:5, 9:10, 9:11, 10:8, 11:5, 11:22, 13:24, 15:3, 16:3, 16:5, 18:2, 18:20, 19:5, 19:24, 21:13, 23:16, 24:8, 24:17, 25:13, 25:16, 25:18, 25:20, 25:23, 26:7, 26:11, 26:18, 27:2, 27:6, 27:15, 27:20, 27:22, 28:9, 28:15, 29:1, 29:8, 30:5, 30:18, 31:7, 35:3, 35:10, 35:12, 35:20, 36:6, 38:2, 39:24, 40:11, 44:1, 44:21, 47:4, 47:8, 47:14
--	--	--	---

declarations 37:5, 41:22, 44:18, 46:6, 47:23 declare 50:4, 51:22 declared 51:6 decoupling 14:5, 20:19 define 14:23 defined 19:6, 27:23, 39:5 defines 19:18 defining 30:24 definition 40:1 depicts 13:3, 13:7 depos 5:12, 5:23, 52:2 depose 26:7 deposed 27:5, 27:7 deposition 1:18, 2:4, 5:5, 5:13, 6:24, 8:19, 8:25, 9:19, 10:4, 11:2, 11:7, 11:13, 25:21, 32:6, 43:22, 43:23, 51:14 describe 33:21 described 16:9, 16:18, 21:16, 33:16 describes 45:11 description 4:10, 15:8	designation 49:15 desired 38:13 detail 21:15, 21:16, 45:8 detailed 15:8 details 33:5, 38:7 device 14:7, 15:13, 17:11, 17:25, 18:8, 18:18, 19:3, 19:21, 20:21, 23:13, 23:21, 24:5, 24:14, 30:2, 30:7, 48:1 devices 21:3, 43:10 difference 29:5 differences 29:10, 29:18 different 9:13, 32:23, 41:10, 42:25 direction 51:10 directly 25:24 disclose 35:4, 35:16 disclosed 12:9 discloses 40:8, 41:13 disclosure 40:7 disconnected 22:1, 22:2 discuss 28:15, 32:5 discussed 11:21, 27:23 discusses 19:8, 39:11	discussing 22:19, 23:25, 46:9 distal 16:20, 16:24 distance 40:3, 40:4 document 14:23, 23:4, 37:12 documents 8:15, 8:24, 9:2, 10:7, 32:8 doing 12:19 done 6:17, 37:5 dots 28:18, 28:20 dr 43:24 drive 52:3 duly 6:5 during 32:3, 32:8, 37:18, 40:15	11:2 embodiment 13:4, 13:8 embodiments 12:9, 20:15, 20:23, 21:5, 23:23, 42:10, 45:2 employee 51:20 enables 14:4, 20:18 end 20:13, 25:20, 46:8, 46:25 ending 2:8 equate 28:21 equating 15:19 errata 52:1 error 40:14 errors 7:1 essentially 17:12 et 22:24, 30:23 ever 11:25, 43:16 every 26:4 exactly 9:8 examination 4:3, 6:8, 51:8 examined 6:7 examiner 37:19, 40:14 example 26:8 executed 50:10 exercise 47:3
--	--	---	---

Transcript of Troy L. Thornton
Conducted on January 5, 2026

57

exhibit 4:12, 4:14, 4:17, 12:12, 12:13, 12:15, 12:21, 28:1, 28:2, 28:7, 28:14, 37:8, 37:9, 37:11, 37:25, 40:8, 40:15, 44:12, 46:3 exhibits 4:11 experience 17:18, 21:24, 22:7, 22:8, 43:2, 43:10 expert 43:24 explained 27:3 explaining 23:6 explains 39:2 extend 31:5, 49:8 extending 16:21, 25:7, 28:18, 31:8, 31:13, 33:10 extends 28:22, 30:3, 31:17, 41:3 extension 41:4, 45:15 externally 30:8	familiar 12:8, 43:16, 43:18 far 37:6 feel 7:10, 8:9 few 10:13, 10:15, 10:21, 12:4, 43:25 fewer 21:1, 22:23 field 43:11 figure 12:23, 13:1, 13:3, 13:9, 14:21, 15:24, 16:10, 17:8, 18:5, 18:6, 18:11, 19:14, 22:4, 23:11, 27:17, 27:24, 28:13, 28:19, 28:21, 28:23, 29:1, 29:4, 29:25, 30:16, 34:7, 35:3, 35:14, 36:10, 37:22, 38:4, 38:17, 38:23, 38:24, 38:25, 39:1, 39:2, 39:4, 39:11, 39:20, 40:2, 40:7, 40:19, 41:1, 44:16, 45:4, 46:4, 47:3, 49:6 figures 12:9 financially 51:18 finish 8:10 firm 10:22	first 6:5, 9:25, 15:9, 25:4 fitting 14:4, 18:13, 20:18 five-minute 31:19, 44:3 floor 2:7, 3:18, 5:14 flow 15:21, 17:19, 17:21, 17:22, 25:7, 25:11, 26:9, 26:20, 26:25, 27:4, 27:13, 27:17, 27:24, 28:12, 28:16, 28:17, 28:20, 28:22, 29:6, 29:13, 29:24, 30:3, 30:9, 31:5, 31:8, 31:16, 32:13, 32:15, 32:16, 32:19, 33:1, 33:2, 33:4, 33:8, 33:10, 33:12, 33:17, 33:20, 33:25, 34:2, 34:4, 34:6, 34:12, 34:13, 34:16, 34:18, 34:23, 36:25, 37:1, 40:8, 41:8, 41:9, 41:13, 41:17, 41:20, 44:14, 44:16, 44:19, 44:24, 45:4, 46:3, 46:4, 46:7, 46:21, 46:24, 47:5, 47:11, 47:15, 47:17, 47:18, 47:21, 47:24 flowing 34:22	fluid 14:6, 15:13, 15:21, 16:8, 17:11, 17:14, 17:21, 17:24, 18:7, 18:18, 19:2, 19:21, 20:20, 21:2, 23:12, 23:21, 24:5, 24:14, 30:2, 30:7, 30:9, 32:22, 32:25, 34:3, 34:12, 34:22, 34:24, 38:19, 46:15, 46:21, 46:24, 47:15, 47:17, 47:25, 48:2 fluidly 14:17, 15:1, 15:6, 15:9, 15:11, 15:17, 15:20, 15:25, 16:8, 16:10, 16:14, 18:16, 18:17, 19:1, 19:2, 19:8, 19:9, 19:12, 19:21, 20:2, 29:6, 29:14, 29:23, 32:18, 33:1, 37:1, 40:22, 41:9 flush 45:16, 45:19 follows 6:7 foregoing 50:5, 51:4, 51:11, 51:23 formed 21:7, 21:9, 21:18, 21:19, 21:23, 22:6, 22:9, 22:16, 23:14, 23:21, 23:25, 26:24,
F failed 51:16 fair 12:3, 13:3, 18:15, 18:25, 24:22, 48:20, 48:24 false 25:22			

27:12, 28:12, 36:14, 42:12, 42:16, 43:1, 43:3 forming 29:11, 32:11 forth 27:2, 27:6, 51:5 found 40:20 foundation 18:10, 49:5 francisco 1:20, 2:7, 3:19, 5:1, 5:14, 6:15 free 7:10, 8:9 front 28:11 full 6:11, 8:2, 8:6, 51:11 fully 14:23 further 49:10, 49:17, 51:18 fused 22:1	given 6:24, 51:13 gives 22:21 giving 8:5 go 6:18, 21:14 goes 14:1, 22:22, 28:20 goff 1:30, 2:10, 5:23, 6:1, 51:1, 51:28 going 6:18, 6:24, 12:11, 20:8, 25:14, 25:22, 26:19, 31:18, 31:21, 37:7, 44:5, 45:22, 49:18 good 6:10, 43:20 guess 40:3	hemostasis 17:4, 17:7, 17:23, 30:21, 35:6, 35:18, 35:24, 36:2, 39:13, 39:21, 40:5, 40:21, 41:2, 41:14, 41:20, 42:1, 42:17, 42:22, 43:13, 43:15, 43:17, 45:16, 46:25, 48:2 here 5:4, 8:23, 9:4, 25:15, 25:17, 25:21, 26:18, 27:16, 44:14, 45:3, 46:8, 47:5, 47:25 hereby 50:4 herein 50:8, 51:5 hereto 50:8 hour 10:17, 11:10, 25:15, 31:19 hours 9:12, 10:18, 10:19, 11:15 housed 35:24 houses 30:25, 31:1, 41:25 housing 24:5, 24:15, 25:4, 25:8, 26:8, 30:3, 30:16, 30:20, 30:22, 30:25, 31:3, 31:5, 31:9, 31:11, 31:14, 31:17, 33:11, 35:5, 35:17, 35:24,	36:2, 36:16, 39:22, 40:1, 41:14, 41:20, 41:25, 42:16, 42:22, 43:12, 43:17, 48:5, 48:14, 48:21, 49:2, 49:7 hungerford 52:3
G		H	I
garrison 29:3, 35:2, 35:4, 35:16, 35:21, 36:4, 37:16, 44:13, 44:20, 44:21, 47:3 garrison's 28:19 general 23:8 generally 17:19, 17:20 give 7:22, 8:1	half 10:18 hammer 7:9 hand 12:11 handed 28:5 handing 27:25 happy 27:22, 39:6 head 7:23 health 8:5 help 45:11, 45:21 helpful 39:10	hemostasis 17:4, 17:7, 17:23, 30:21, 35:6, 35:18, 35:24, 36:2, 39:13, 39:21, 40:5, 40:21, 41:2, 41:14, 41:20, 42:1, 42:17, 42:22, 43:13, 43:15, 43:17, 45:16, 46:25, 48:2 here 5:4, 8:23, 9:4, 25:15, 25:17, 25:21, 26:18, 27:16, 44:14, 45:3, 46:8, 47:5, 47:25 hereby 50:4 herein 50:8, 51:5 hereto 50:8 hour 10:17, 11:10, 25:15, 31:19 hours 9:12, 10:18, 10:19, 11:15 housed 35:24 houses 30:25, 31:1, 41:25 housing 24:5, 24:15, 25:4, 25:8, 26:8, 30:3, 30:16, 30:20, 30:22, 30:25, 31:3, 31:5, 31:9, 31:11, 31:14, 31:17, 33:11, 35:5, 35:17, 35:24,	idea 43:20 identify 5:15 image 28:19 imperative 1:4, 3:13, 5:6, 5:21, 12:1, 12:12, 28:6, 37:10, 52:6 implementation 38:12, 38:16 inari 1:10, 2:5, 3:3, 5:7, 5:18, 52:6 inari's 43:23 inc 1:4, 1:10, 3:3, 3:13, 5:6, 5:7 include 24:1, 45:13 includes 13:10, 13:13, 13:17, 16:19, 18:22, 38:18 including 25:25 index 4:2 initialed 50:7 ink 50:7 inserted 48:1

instance 17:20, 34:25 instead 7:23 instruct 42:14 integrally 21:7, 21:9, 21:19, 21:23, 22:6, 22:9, 22:16, 23:14, 23:20, 23:25, 42:12, 42:16, 43:1, 43:3 intent 16:13 interested 51:19 intermittently 38:13 invention 13:4, 36:9, 43:11 ipr 1:9, 5:9, 12:1, 26:4, 26:24, 27:3, 27:13, 29:12, 32:11, 33:14, 36:15 iprs 36:20 island 6:15 isolate 38:13 issues 25:25 item 13:20, 13:25, 34:7, 39:13, 48:17, 48:18, 49:7 itself 23:4, 41:2 J james 3:5, 5:17,	25:14 january 1:21, 2:9, 5:2, 5:10, 51:24 jmiller@perkinsc- oie 3:10 job 1:33 josh 9:15, 9:21 joshua 3:15, 3:20, 3:22, 5:19 K kind 23:8 knobbe 2:6, 3:14, 5:20 know 7:22, 8:8, 11:18, 11:20, 20:9, 21:11, 21:14, 22:12, 24:18, 36:13, 39:5, 39:9, 40:3, 40:18, 41:11, 41:23, 43:2, 44:24, 45:4, 46:21 L l-a-y-n-e 6:13 label 13:15 labeled 19:14 lack 18:9, 49:4 language 32:17, 32:18, 45:10 last 11:12, 11:18, 21:20, 22:14, 22:25, 43:25	law 3:6, 3:16 laws 51:23 layne 6:13 least 20:1, 32:22 leave 27:8 legal 36:12 length 28:18 let's 7:14, 12:23, 24:20, 30:14, 37:22, 39:7, 39:17 limitations 26:2 limited 22:17, 23:1, 36:9, 36:10 line 14:2, 15:15, 16:18, 17:10, 18:21, 20:5, 20:7, 20:9, 22:18, 30:6, 33:9, 42:20, 43:9, 45:14, 45:17, 45:19, 45:20, 46:19, 46:23, 52:7 lines 20:8, 20:12, 30:6, 42:6, 42:9, 42:14, 43:5, 43:7 listen 39:6 lists 25:2 little 20:13 llp 2:6, 3:4, 3:14	located 33:6 locations 32:23 long 9:9, 9:14, 10:11, 10:14 look 9:2, 13:15, 14:22, 19:13, 21:15, 23:10, 24:20, 27:14, 27:22, 33:7, 35:14, 37:22, 38:7, 39:10, 41:1, 42:6, 45:8, 46:2, 48:10 looked 9:9 looking 16:9, 17:8, 18:4, 27:16, 29:25, 35:2, 35:13, 38:25, 39:8, 42:3, 42:7, 44:12, 44:23 los 3:9 lumen 16:21, 30:10 M made 40:14, 46:17, 50:6, 51:8 make 7:4, 7:13, 47:9, 48:11 many 6:17, 11:15 marked 12:12, 28:1, 28:6 martens 2:6, 3:14, 5:20 mary 1:30, 2:10,
--	---	--	--

Transcript of Troy L. Thornton
Conducted on January 5, 2026

60

5:23, 5:25, 51:1, 51:28 maryland 52:4 matter 5:6, 11:9, 11:16, 11:22 maybe 10:17, 30:14 mean 14:25, 15:6, 21:8, 21:25, 25:24, 29:17, 31:11, 31:14 meaning 34:20, 34:21, 35:1, 37:2 meanings 41:10 means 6:3, 18:17, 19:1, 21:18, 21:25, 26:3, 31:16, 32:15, 33:6 meant 22:2, 29:13 mechanisms 31:2 medical 1:10, 2:6, 3:3, 5:7, 5:18, 52:6 medication 8:4 meet 8:21, 9:21, 10:11, 10:16, 26:2, 32:3 meeting 10:15, 10:18 meetings 10:20, 11:4 meets 26:1 met 8:22, 9:15, 9:20, 10:9, 10:10	might 8:5, 39:9, 44:3 miller 3:5, 4:7, 5:17, 6:9, 10:1, 12:8, 12:14, 13:9, 15:5, 15:23, 16:7, 17:23, 18:4, 18:15, 18:24, 19:13, 20:5, 21:17, 23:10, 23:18, 24:3, 24:10, 24:20, 25:24, 26:19, 26:23, 27:9, 27:25, 28:5, 29:11, 29:20, 29:25, 30:14, 31:3, 31:10, 31:13, 31:18, 32:2, 34:10, 34:17, 35:13, 35:25, 36:8, 36:14, 36:23, 37:7, 37:10, 38:4, 40:6, 40:13, 41:6, 41:18, 42:2, 43:19, 44:2, 44:11, 44:23, 45:10, 47:2, 47:9, 47:20, 48:4, 48:11, 48:20, 49:10 minutes 8:22, 9:20 misstates 9:22, 23:3, 29:15 monday 1:21, 2:9, 5:2 monitor 5:11 months 11:19 more 13:7, 14:23,	20:25, 21:5, 21:16, 21:21, 22:14, 22:15, 22:23, 23:23, 33:5, 42:11, 45:8, 47:9 morning 6:10 myself 9:16 N name 5:25, 6:11 near 41:25 need 8:9, 27:14, 38:7, 45:8, 48:10 neither 36:21 next 15:15 nodding 7:23 notary 52:24 noted 49:20, 50:7 notes 51:12 nothing 6:6, 22:25, 41:23 number 4:10, 5:5, 5:9, 6:2 O oath 6:20 object 16:17, 17:9, 19:14, 37:24, 38:5, 39:8, 39:9, 39:20, 40:18, 40:21,	48:13 objection 9:22, 12:6, 13:6, 13:23, 15:2, 15:7, 16:2, 17:17, 18:1, 18:9, 18:19, 19:4, 19:23, 21:10, 23:3, 23:15, 23:22, 24:7, 24:16, 25:12, 27:19, 29:7, 29:15, 29:22, 30:4, 30:17, 31:6, 31:12, 33:23, 34:14, 35:7, 35:19, 36:5, 36:11, 36:18, 37:3, 39:23, 40:10, 40:23, 41:15, 41:21, 43:14, 44:17, 45:6, 46:5, 47:7, 47:13, 47:22, 48:7, 48:15, 49:4 objections 51:8 objects 48:21, 48:24 of 50:10 office 1:1, 5:8 okay 7:11, 7:16, 7:20, 8:13, 10:1, 10:3, 20:11, 31:21, 44:4, 44:5, 45:3, 49:1, 49:10, 49:17 olson 3:14 one 8:9, 13:3,
---	---	--	--

Transcript of Troy L. Thornton
Conducted on January 5, 2026

61

13:7, 15:22, 20:1, 21:5, 21:21, 22:14, 22:15, 23:23, 34:11, 42:10 ones 9:8 only 9:20, 22:20 open 47:18 opened 46:14 opens 17:14 operable 30:8 opined 26:1 opinion 21:18, 22:13, 24:4, 24:13, 26:24, 27:12, 28:12, 29:12, 33:13, 36:3, 36:15, 36:24, 40:7, 41:7, 41:12, 41:19 opinions 26:12, 26:17, 27:6, 32:11, 33:14 opportunity 6:25, 25:17, 26:6, 26:21 ordinary 36:24, 42:15 original 11:18, 25:18, 26:7, 27:14, 27:21, 28:14, 28:25, 35:12, 36:21 originally 26:15 other 11:4, 11:6, 11:22, 15:13,	15:22, 20:23, 21:3, 23:7, 39:15, 49:8 out 25:15, 26:15, 28:22, 40:19, 45:5 outset 27:3 outside 13:23, 15:2, 15:14, 16:2, 18:1, 18:19, 19:4, 19:23, 21:12, 23:15, 24:7, 24:16, 25:12, 27:19, 29:7, 30:4, 30:18, 31:6, 35:9, 35:19, 36:5, 36:12, 36:18, 37:25, 39:24, 40:10, 40:24, 41:21, 44:17, 45:7, 46:5, 47:7, 47:13, 47:22, 48:8, 48:16, 49:5 over 9:12 overmolding 43:3 own 22:7 owner 1:14, 2:5, 3:3 P page 4:10, 12:25, 28:15, 28:17, 35:11, 35:14, 52:7 page- 12:24 pages 1:34	papers 26:22 paragraph 15:15, 20:13, 38:10, 39:10, 39:11, 39:12, 45:11, 45:23, 45:24, 46:9 park 3:7 part 16:15, 19:6, 42:23 parties 51:20, 51:21 pass 17:14, 17:15 patent 1:1, 1:2, 1:14, 2:5, 3:3, 4:12, 4:17, 5:8, 11:17, 12:4, 12:7, 12:18, 12:20, 12:21, 12:23, 13:5, 14:25, 15:5, 17:6, 21:8, 21:16, 21:18, 24:21, 28:15, 28:22, 30:1, 36:8, 36:10, 36:17, 36:22, 37:16, 37:19, 38:9, 40:16, 41:5, 41:13, 42:7, 43:11, 44:22, 45:2, 47:17 patents 23:9 path 25:7, 25:11, 26:9, 26:20, 26:25, 27:4, 27:13, 27:17, 27:24, 28:12, 28:16, 28:17, 28:20, 28:22,	29:6, 29:13, 29:24, 30:3, 31:5, 31:8, 31:17, 32:13, 32:15, 32:16, 32:19, 33:1, 33:2, 33:4, 33:8, 33:10, 33:12, 33:17, 33:21, 33:25, 34:2, 34:4, 34:6, 34:13, 34:16, 34:18, 34:23, 36:25, 37:1, 40:9, 41:9, 41:14, 41:17, 41:20, 44:14, 44:16, 44:19, 44:25, 45:4, 46:4, 46:8, 47:6, 47:12, 47:21, 47:25 patient 15:14 penalty 50:5, 51:6, 51:22 pending 8:11 period 9:12 perjury 50:5, 51:7, 51:22 perkins 2:6, 3:4, 5:17 permanently 21:6, 21:22, 21:25, 22:6, 22:9, 22:16, 23:13, 23:24, 42:11, 43:4 person 36:24, 40:25, 41:7, 42:14 pertinent 26:4
---	---	---	--

Transcript of Troy L. Thornton
Conducted on January 5, 2026

62

petitioner 1:7, 3:13, 5:20 phone 10:12, 10:14, 10:17, 10:21, 10:22 phrase 23:8 place 5:13, 34:5, 34:15, 51:5 planet 5:12, 5:23, 52:2 please 5:15, 6:11, 7:10, 48:23 point 12:4, 25:25 pointed 14:21 portion 16:20, 16:21, 16:23, 16:24, 16:25, 30:25, 38:14, 38:21 position 33:16, 33:21, 33:24 positioned 15:14, 35:5, 35:17 positions 27:3 potential 23:7 premarked 4:11, 12:13, 28:2, 37:9 preparation 8:18, 8:25, 9:16, 9:19, 11:2, 11:7, 43:25 prepare 9:25, 10:4, 10:6 preparing 43:22	pressure 13:18, 13:19, 13:21, 14:8, 14:18, 15:12, 15:17, 16:1, 16:11, 16:14, 20:3, 20:21, 29:2, 29:4, 30:12 presume 21:24 pretences 25:22 prevent 8:5, 24:4, 24:14, 26:19 previously 12:12, 27:5, 28:1, 28:6 prior 26:1, 29:12 proceedings 6:2, 51:4 propose 26:2 prosecution 37:19, 40:16 provided 27:2 providing 33:14 proximal 16:20, 16:22, 16:24, 38:14, 38:20, 39:13, 41:4, 45:12, 45:15, 46:11, 46:13, 46:25 public 52:24 purpose 17:7	15:4, 16:6, 18:23, 23:17, 27:10, 27:15, 30:13, 33:18, 35:15, 36:7, 38:3, 46:1 questions 25:15, 25:19, 26:3, 26:9, 26:13, 26:16, 37:25, 49:11, 49:13, 49:18 quick-disconnect 14:3, 20:17 quick-release 14:1, 20:16 quite 12:4 R rapid 14:4, 20:18 rate 11:12 read 20:12, 23:5, 24:22, 50:5 reading 23:8, 23:19, 43:5 really 11:20, 22:11 reask 18:23 reason 8:1, 43:20 recall 9:6, 9:7, 37:21 receive 30:22 recognize 12:14, 13:1, 28:8, 37:12, 37:15 record 6:12, 31:22, 32:1, 44:6, 44:10, 49:18	recorded 51:9 red 28:18, 28:20 redepose 25:18 reference 22:21, 37:20, 44:13, 44:20, 44:21, 47:4 referenced 38:24 references 9:4, 9:6, 9:10, 11:6, 30:19 referred 13:25, 23:1 referring 12:21, 14:20, 23:5, 28:9, 34:11, 35:11, 38:23, 40:2 refused 51:17 regarding 37:25 regulate 30:9 relate 10:7 related 25:19 relates 27:24 relative 33:16, 33:17, 33:21, 33:24, 51:19 removal 45:12 repeat 18:3, 23:17, 24:11, 27:11, 38:3 rephrase 10:2, 33:19 reported 1:29
--	---	--	---

Transcript of Troy L. Thornton
Conducted on January 5, 2026

63

reporter 2:11, 5:22, 6:2, 7:14, 51:2	S	16:3, 18:2, 18:20, 19:5, 19:24, 21:12, 23:16, 24:8, 24:17, 25:13, 27:20, 29:8, 30:5, 30:18, 31:7, 35:9, 35:20, 36:6, 36:12, 36:19, 38:1, 39:24, 40:11, 40:24, 41:22, 44:18, 45:7, 46:6, 47:8, 47:14, 47:23, 48:8, 48:16, 49:5	seen 37:13, 38:9, 43:12
represent 5:16	said 9:18, 9:19		selectively 46:14
representing 5:12, 5:23	same 7:14, 7:19, 15:7, 15:21, 22:10, 23:22, 24:5, 24:15, 26:13, 31:12, 34:17, 34:19, 34:20, 34:21, 35:1, 35:5, 35:17, 35:24, 36:2, 37:2, 43:12, 43:17, 48:21, 49:2		sentence 14:12, 21:20, 22:14, 22:25, 43:7
requested 51:16	san 1:20, 2:7, 3:19, 5:1, 5:14, 6:15		separate 39:20, 39:22, 42:22
require 32:12	saturday 9:17	se 49:7	series 25:2
required 36:1, 36:16	say 9:9, 9:24, 11:15, 12:3, 12:19, 13:3, 14:1, 14:16, 18:15, 18:25, 22:22, 24:9, 24:22, 31:1, 41:1, 41:24, 48:20, 48:23, 48:24, 49:6	second 19:18, 19:20, 26:13, 30:23, 38:1, 39:7	sessions 21:1
requires 31:4, 33:7	says 14:22, 14:25, 15:6, 17:10, 18:21, 19:25, 21:20, 22:25, 30:6, 31:8, 31:16, 32:14, 33:3, 33:9, 33:25, 34:15, 38:10, 41:16	section 19:16, 19:19, 19:20, 23:11, 23:12, 23:20, 24:1, 46:13, 46:24	set 27:1, 27:6, 51:5
respect 11:16, 27:4, 28:13, 29:12, 32:19, 32:24, 36:3, 40:14	saying 42:25, 45:1	sections 21:2, 22:23	several 9:7, 9:12, 11:19
respectfully 45:20	scope 13:24, 15:3,	see 13:12, 13:15, 14:11, 14:13, 14:23, 15:9, 19:14, 25:5, 25:9, 27:23, 38:8, 38:10, 39:4, 39:12, 39:25, 41:16, 46:7, 46:8	shaking 7:23
respond 26:22		seeing 32:23	sheathe 38:15, 38:20, 38:22, 46:13, 46:16, 46:19
review 8:24, 32:8, 43:23, 51:15		seem 22:18, 34:19, 35:1	sheet 12:24, 52:1
reviewed 10:7, 12:3, 12:7, 42:2		seems 15:19	shorthand 2:10, 6:1, 51:2, 51:12
reviewing 11:5			should 31:1
reyes 3:23, 5:12			show 28:25, 37:7
rhode 6:15			showing 22:4
right 11:10, 12:5, 13:14, 16:1, 16:12, 16:17, 19:22, 23:18, 38:6, 39:3, 39:17, 44:11, 48:6, 48:14, 48:22			shown 13:9, 13:19, 16:15, 28:17, 28:20, 34:7, 38:10, 38:16
rigmarole 6:19			shows 35:21, 38:4
rockville 52:4			side 28:23

sidearm 28:23 signature-plkal 51:26 similar 35:1, 46:16, 47:2 similarities 29:10 similarly 29:18 since 11:12, 38:9 sitting 27:16, 45:3 skill 36:24, 40:25, 41:7, 42:15 skilled 41:7 some 9:4, 9:16, 20:15, 21:4, 23:23, 40:3, 40:4, 42:10, 43:3, 45:9, 46:2 something 7:8, 10:19, 15:1 sometime 11:19 sometimes 23:9 sorry 15:16, 16:23, 22:20, 28:3, 31:15, 37:14, 38:3 sounds 9:21 source 13:18, 13:19, 13:21, 14:8, 14:18, 15:12, 15:17, 16:1, 16:11, 16:14, 20:3, 20:22, 29:3, 29:4,	30:12, 34:5, 34:9, 34:15, 34:25, 35:23, 46:20, 46:22 speak 11:1 speaking 7:14 speaks 23:4 spec 39:4, 48:10 specific 47:10 specifically 19:25, 30:10, 42:3, 42:5 specification 13:16, 19:7, 19:18, 33:5, 38:8, 39:2, 39:25, 41:24, 42:3 spent 11:16 st 2:7, 3:18, 5:14 start 20:14 started 8:23, 44:25 starting 14:12, 20:7, 20:9, 22:18 starts 14:13 state 5:16, 6:11, 32:25, 50:12, 51:2 statement 22:13 states 1:1, 5:7, 24:25, 25:7, 30:20, 33:1, 42:9 staying 20:8	stenographer 5:25, 49:14 stenographic 6:3 stenographically 1:29, 51:9 step 30:15 stick 39:17 still 6:18 stopcock 17:11, 17:12, 17:13, 18:14, 24:1, 24:9, 29:2, 34:8, 35:22, 39:3, 40:20, 43:17, 47:16 stopcocks 17:18, 17:19 stowell 3:15, 4:8, 5:19, 9:22, 12:6, 13:6, 13:23, 15:2, 15:7, 16:2, 17:17, 18:1, 18:9, 18:19, 19:4, 19:23, 21:10, 21:12, 23:3, 23:15, 23:22, 24:7, 24:16, 25:12, 26:6, 27:1, 27:19, 28:3, 29:7, 29:15, 29:22, 30:4, 30:17, 31:6, 31:12, 33:23, 34:14, 35:7, 35:9, 35:19, 36:5, 36:11, 36:18, 37:3, 37:24, 39:23, 40:10, 40:23, 41:15, 41:21,	43:14, 44:4, 44:17, 45:6, 46:5, 47:7, 47:13, 47:22, 48:7, 48:15, 49:4, 49:12, 49:16 stowell@knobbe 3:20, 3:22 street 2:7, 3:17, 5:14, 6:15 strike 33:13 subscribed 52:21 subsection 22:17, 22:19, 23:2, 23:6 substance 32:5 substantive 7:3 subsystem 13:13, 13:22, 14:14, 14:17, 14:18, 14:21, 14:24, 15:24, 15:25, 16:10, 16:11, 16:16, 18:22, 19:7, 19:11, 20:24, 20:25, 22:19, 22:20, 42:21, 42:23, 42:24, 43:8 suitable 21:4 suite 3:8, 52:3 sunday 9:15 supervision 51:10 supplemental 9:3, 9:10, 10:8, 11:19, 13:24, 15:3,
---	--	---	---

Transcript of Troy L. Thornton
Conducted on January 5, 2026

65

16:3, 16:5, 18:2, 18:20, 19:5, 19:24, 21:13, 23:16, 24:8, 24:17, 25:13, 25:16, 25:20, 25:23, 26:11, 26:17, 27:20, 29:8, 30:5, 30:18, 31:7, 35:10, 36:21, 38:1, 44:1 support 42:4 sure 10:13, 13:7, 18:24, 19:9, 21:14, 33:18, 36:7, 47:24, 48:9 sworn 5:24, 6:5, 52:21 syringe 17:20 system 13:11, 20:2, 25:1, 44:24 T take 30:15, 31:19, 44:2 taken 2:5, 31:23, 44:7, 51:4, 51:12 taking 5:13, 8:11 talked 32:4, 44:22 talking 42:20, 42:24 talks 15:16, 40:1 technically 12:25	term 15:9, 17:2, 21:15, 22:7, 29:23, 29:24, 33:20, 34:12, 36:25, 41:8, 46:7, 47:16, 47:24 terminating 45:18 terminology 19:9, 32:21 terms 27:4, 29:9, 29:17, 29:19, 29:21 testified 6:7 testify 6:5 testimony 8:2, 8:6, 9:23, 11:21, 23:4, 29:16, 50:8, 51:7, 51:13 themselves 5:16 thereafter 51:9 therefore 30:24 therethrough 16:22, 30:9 thing 8:9, 15:21, 22:10 things 7:13 think 12:25, 22:7, 30:14, 31:16, 34:21, 35:3, 37:4, 39:13, 40:25 thinks 26:20 third 15:15, 33:9	this 50:10 thornton 1:19, 2:4, 4:4, 4:15, 5:6, 6:4, 6:13, 26:24, 27:2, 27:12, 32:2, 50:4, 50:16, 52:20 thought 22:11, 43:21 three 10:19 through 6:18, 16:14, 17:15, 17:19, 17:20, 20:12, 25:8, 28:18, 28:20, 29:1, 29:2, 30:3, 31:5, 31:9, 31:10, 31:13, 31:17, 33:10, 34:22, 43:5, 44:16, 46:22, 46:24, 47:15, 47:17, 47:18, 48:1 time 5:11, 7:8, 7:15, 8:8, 11:9, 31:22, 32:1, 44:6, 44:10, 46:2, 49:19, 49:20, 51:5, 51:6, 51:8 times 6:17, 12:4 today 5:12, 5:23, 7:14, 8:2, 8:16, 8:19, 8:23, 9:25, 21:17, 25:17, 26:18, 27:16, 45:3 today's 5:10, 6:2, 10:4, 43:22	tomas 3:23, 5:12 total 10:14, 11:16 trademark 1:1, 5:8 transcribed 51:10 transcript 6:25, 7:1, 43:23, 50:6, 51:12, 51:15, 51:17 trial 1:2 troy 1:19, 2:4, 4:4, 4:15, 5:5, 6:4, 6:13, 50:4, 50:16, 52:20 true 50:9, 51:11, 51:23 truth 6:6 truthful 8:2, 8:6 try 7:18, 25:17 trying 40:19 tube 48:6, 48:13 tubes 34:22 tubing 13:13, 14:13, 14:17, 14:21, 14:24, 15:24, 16:10, 17:19, 18:13, 19:10, 19:16, 19:19, 19:20, 20:2, 20:24, 21:1, 22:6, 22:17, 22:19, 22:20, 22:23, 23:2, 23:5, 23:12,
---	---	--	---

Transcript of Troy L. Thornton
Conducted on January 5, 2026

66

23:20, 23:25, 28:24, 41:3, 42:21, 42:24, 43:4, 43:8, 48:17 tubings 49:8 turn 12:23, 17:21 turned 26:14 two 10:18, 10:19, 15:21, 29:9, 29:19 type 46:16 types 42:25 U u 12:18 ultimately 29:2 under 6:20, 25:21, 50:4, 51:6, 51:10, 51:22 understand 6:20, 6:23, 7:6, 7:9, 12:20, 14:19, 32:12, 33:18, 33:20, 36:7, 36:25, 37:14, 37:18, 41:8, 45:21, 46:3 understanding 15:24, 16:8, 18:16, 19:1, 23:11, 23:19, 31:4, 33:15, 44:14, 44:15 understood 9:24 unhappy 26:14	united 1:1, 5:7 use 32:17, 32:18, 43:7, 46:7, 47:16, 47:24 user 22:2, 22:3, 30:8 uses 32:21, 34:11 V vacuum 15:16, 25:1, 35:23 vague 12:6, 13:6, 17:17, 18:9, 29:22, 30:17, 33:23, 34:14, 36:19, 37:3, 39:23, 40:23, 41:15, 43:14, 47:14, 47:23, 48:7, 48:15, 49:5 valve 15:13, 16:17, 16:19, 17:1, 17:2, 17:4, 17:5, 17:7, 17:24, 18:7, 18:11, 18:17, 18:22, 19:2, 19:6, 24:6, 24:15, 30:21, 30:25, 31:1, 35:6, 35:18, 35:24, 36:3, 36:16, 37:23, 38:6, 38:18, 39:1, 39:8, 39:13, 39:21, 40:4, 40:5, 40:22, 41:2, 41:14, 41:20, 42:1, 42:17,	42:22, 43:13, 45:16, 45:17, 46:25, 47:11, 47:16, 47:17, 47:18, 47:21, 48:2, 48:4, 48:5, 48:9, 48:14, 48:22, 49:2, 49:7 valves 43:15, 43:18 variabilities 23:7 versus 5:7, 29:14 via 15:12, 48:13, 48:17 video 5:4, 5:13 video-recorded 1:18, 2:4 videographer 3:23, 5:4, 5:11, 5:22, 31:21, 31:25, 44:5, 44:9, 49:17 videotaped 5:5 view 22:8, 26:21 voice 5:15 volume 2:5, 4:5 W wa 1:32, 2:11 wait 7:18 want 26:16 way 26:14, 43:21 we're 6:18, 25:16,	26:18, 31:25 whether 26:1, 36:15, 36:24, 40:7, 40:14, 40:19, 41:7, 41:12, 41:19, 42:3 whole 6:6 within 9:4, 36:16, 41:1, 43:17 witness 4:3, 5:21, 5:24, 49:13, 51:6, 51:7, 51:16 word 33:15 words 34:18, 34:19, 43:8 work 12:1 wouldn't 43:20, 44:24 X xx 51:15 Y y-arm 18:12, 45:13, 46:10, 46:22, 46:24 yeah 16:4, 24:18, 33:19, 39:4, 44:19 year 11:19 yesterday 9:16, 9:21, 10:10, 10:15, 10:18 Z zalesky 43:24
--	--	--	---

Transcript of Troy L. Thornton
Conducted on January 5, 2026

67

0 00 8:23, 44:8, 44:10 00289 1:9, 5:9 005 11:17, 11:18, 12:4, 12:7, 12:20, 12:23, 13:5, 21:8, 24:21, 27:15, 27:22, 28:15, 28:22, 30:1, 35:12, 36:8, 36:10, 36:17, 36:22, 37:19, 40:16, 41:13, 42:7, 43:11, 44:22 0220741 4:17, 37:16 05 31:22, 31:23	28:2, 28:7, 28:14 1019 4:17, 37:8, 37:9, 37:11, 37:25, 40:8, 40:15, 44:12, 46:3 102 14:6, 20:20, 28:21, 30:11 104 30:11 106 16:17, 16:19, 17:3, 17:4, 17:24, 18:7, 18:11, 18:17, 18:22, 19:2, 19:6, 24:1, 24:15, 30:25 107 16:20, 16:21, 16:24, 16:25 109 16:21 11 2:8, 2:9, 5:3, 5:11, 44:8, 44:10, 49:19, 49:20 11,554,005 4:12, 12:18 12 4:12 120 13:13, 13:15, 14:14, 14:17, 14:19, 14:24, 15:24, 16:10, 16:15, 19:11, 20:25, 22:17, 22:20, 23:2, 23:6, 23:12, 23:20, 24:1, 42:21, 43:8 124 18:13, 19:14,	19:19, 19:20, 28:24 126 14:7, 17:9, 17:10, 17:25, 18:8, 18:14, 18:18, 19:3, 19:21, 20:21, 23:13, 23:21, 24:2, 24:9, 30:2, 30:7, 34:7, 41:25 128 13:20, 13:25, 14:10, 19:22, 20:1, 20:16 13 2:9, 49:19, 49:20 13427 1:31, 2:11, 6:2, 51:1 140 13:19, 14:8, 14:18, 16:1, 16:12, 20:3, 20:22, 29:4, 30:12 15 31:24, 32:1 17 30:6 1700 3:8 18 30:6 1888 3:7	5:10, 51:24, 52:22 20850 52:4 21 2:7, 3:18, 5:14 21030779 1:32, 2:11 220 38:22 222 38:15 226 38:17, 45:14, 46:10, 48:18, 48:19 230 45:14, 45:19, 46:19, 46:23, 48:6, 48:17 232 45:18, 46:18, 48:4, 48:9, 48:13, 48:17, 48:21, 48:24, 49:7 234 39:8, 39:9, 39:12, 39:13, 39:17, 39:21, 40:5, 45:16, 47:1, 47:21, 48:2, 48:22, 49:3 236 41:3, 45:17, 45:20 238 39:3, 39:5, 40:18, 40:21, 45:18, 48:21, 48:24, 49:1, 49:7 240 38:14, 38:21, 41:3, 45:15, 48:3 242 37:23, 38:5,
1 1 1:34, 29:23 10 8:22, 9:20, 13:10, 30:20, 31:22, 31:23, 31:24, 32:1, 33:7, 33:9, 33:25, 34:11, 36:1, 44:6, 44:7, 46:13, 46:16 100 13:11, 14:18, 16:16, 18:22, 19:7 1001 4:12, 12:12, 12:13, 12:15 1003 4:14, 28:1,	18:13, 19:14,	2 20 50:11 2016 4:17, 37:16 2025 1:9, 5:9 2026 1:21, 2:9, 5:2,	

Transcript of Troy L. Thornton
Conducted on January 5, 2026

68

38:10, 38:18, 39:1, 39:8, 39:17, 39:19, 39:20, 40:3, 47:11, 48:5, 48:14, 48:22, 49:3 28 4:14, 18:21 280 45:13, 46:12 3 30 16:18 310 3:11 3271 3:11 333 2:7, 3:17, 5:13 34 28:19, 29:1, 35:3, 35:14, 47:3 3430 29:3 35 24:21 37 4:17 3767 52:5 38 12:24 4 400 52:3 41 20:14 4114 3:21 415 3:21 42 14:2 433 52:5	45 20:9, 22:18, 42:20, 43:5, 43:9 451 52:3 47 28:15 48 28:17, 42:9, 43:7 49 35:14, 42:9, 43:6, 43:7 5 51 44:6, 44:7 52 1:34 566 14:12 6 613537 1:33 645 20:12 649 20:12 66 39:12 67 38:10, 39:10 69 39:11, 45:11, 45:24, 46:9 6th 51:24 7 741 47:17 773 6:15 788 3:11 8 888 52:5	9 9 2:8, 5:3, 5:11, 8:23 90067 3:9 94104 1:20, 2:8, 3:19, 5:14 954 3:21	
--	---	--	--