EXHIBIT 1017

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
C.A. No. 2:24-cv-02963-JMY

RAILWARE, INC., Plaintiff(s),	REMOTE DEPOSITION OF:
v.	MEHDI AHMADIAN, Ph.D.
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY, Defendant(s).	

HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY
UNDER THE PROTECTIVE ORDER

TRANSCRIPT of the stenographic notes of the remote proceedings in the above-entitled matter, as taken by and before KIM-MARIE KIPILA, a Certified Court Reporter and Notary Public of the State of New Jersey, held via video conference, on Friday, March 28, 2025, commencing at 9:53 a.m.

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Attach Exhibits

(Exhibit-1 intentionally not marked.)

*****

MR. CARMAN: Same objection. Improper hypothetical.

A. No.

Q. What about a pager? Have you ever incorporated a communication link to a pager with the systems that you designed in the industry?

MR. CARMAN: Same objection.

A. No, I haven't.

Q. Can we refer back to paragraph 14 again of your declaration. And do you see in the fourth sentence, you say, "CTC systems typically include control consoles." You see that?

A. I do.

Q. Railware, in these patents at issue, do not purport to prevent CTCs, do they?

MR. CARMAN: Object to form. Calls for legal conclusion.

A. Again, I'm aware of what Railware system is and how it integrates into CTC and CTCs have been around for a long time; so I consider the Railware system to be a part of the CTC. I don't consider it to be DCTC.

Q. And Railware did not invent CTC systems; correct?

MR. CARMAN: Same objection.

A. To the best of my knowledge, no.
Q. And a control console that tracks train movement, that was not invented by Railware; correct?
MR. CARMAN: Same objection.
A. Again, to the best of my knowledge, no.
Q. If you take a look at the photograph on the next page of your declaration, page six, that photo is actually from 2010 or before; correct?
A. It's from an article.
Q. And that article is dated October 5, 2010; correct?
A. Again, I have to look at my record. I don't have the exact date of that article.
Q. Take a look at footnote one on page six. Does that refresh your recollection as to the date of that article?
A. Yes.
Q. And it is October 5, 2010; correct?
A. That's correct.
Q. So Railware did not invent anything that was shown in that picture; correct?
MR. CARMAN: Object to form. Calls for legal conclusion.
A. That form is simply intended to show they -- railway traffic controller console and the

information that is displayed on that console.

Q. And that picture is before the date when Railware filed its patents; correct?

MR. CARMAN: Same objection. Also beyond the scope.

A. It appears to be. Yes. And, again, as I said, a railway system is not intended to replace what we see in that photo.

Q. By the same token, Railware didn't invent anything you see in that photo; correct?

MR. CARMAN: Same objection.

A. From what I'm able to see in that photo, I don't believe that Railware invented anything in that photo.

Q. Will you please turn to paragraphs 51 and 52 of your declaration, which is on page 24. Let me know when you are there.

A. Okay. Did you say paragraph 51 and 52?

Q. Yes.

A. Yes. I'm there.

Q. Okay. And in these paragraphs -- and take a second to skim it if you'd like -- you set forth your understanding how Ross Pirtle developed the EEPS for enhanced employee protection system; correct?

background on the emphasis for the invention and also how the Railware's Dispatch X system can prevent accidents that are caused by the track inadvertently released when field workers are present on the track.

Q. That story is not relevant to claim construction, is it?

MR. CARMAN: Object to form. Calls for legal conclusion.

A. Well, every invention is promoted by a need and there's background behind that need and the purpose of that paragraph 51 and 52 is simply to convey that background and to lay out the reason and the need for a system like Dispatch X.

Q. Paragraph 51 and 52 are background, but not your opinion; is that correct?

A. Yes. They are backgrounds.

Q. Turn to paragraph 17 on page seven of your declaration. Let me know when you are there.

A. I am there.

Q. And in the second sentence, you were talking about CTC systems offering remote control enabled remote dispatcher to block sections of track and to temporarily reroute trains away from the blocked track sections that were being worked on by Railware field workers. Do you see that?

A. Yes.

Q. Okay. The ability of a CTC system to block a section of track -- that was known prior to Railware's patents; correct?

MR. CARMAN: Objection. Beyond the scope.

A. Again, as I mentioned on the record, CTC systems predate the Railware's Dispatch X.

Q. And the ability of a CTC system to communicate with an interlocking system to block a section of track -- that was also known before Railware's patents; correct?

MR. CARMAN: Objection. Beyond the scope.

A. As I mentioned, CTC systems have been around for a long time, and as part of the function, they are intended to be used to block any section of track.

Q. By communicating with an interlocking system; correct?

MR. CARMAN: Same objection.

A. That is correct.

Q. Turn to paragraph 25 of your declaration, which is on page 11. Let me know when you are there.

Exhibit-2 here today. Let me know when you are there.

A. Yes. I am there.

Q. And you state there that the code terms are codes -- actually let me ask you a new question, if that's okay.

A. If you would excuse me for a second. My screen went away.

Q. No problem.

A. Okay. I'm back.

Q. I'm going to ask you a new question, if that's okay.

If you have an issue, we can go off the record if we need to see --

A. I'm back to the exhibit.

Q. Okay. So is it your opinion that the code terms, as you refer to them collectively in your declaration, mean a code that is not readily available to the dispatcher?

MR. CARMAN: Object to form. Misstates documents.

A. Yes. It is my opinion that the code terms, as I called it in my declaration, is not readily available to the dispatcher.

Q. In your own patents, have you ever used

the term "release code" before?

MR. CARMAN: Object to form. Beyond the scope.

A. I don't recall ever having the need to use that term "release code."

Q. What about removal code?

MR. CARMAN: Object to form. Outside the scope.

A. Again, the same answer. I do not recall ever having the need to use removal code.

Q. Would it be the same thing with secret code? Same answer?

MR. CARMAN: Object to form. Outside the scope.

A. Yes. It would be the same answer.

Q. What about in your life as an engineer? Have you used the term "release code" before?

MR. CARMAN: Object to form. Outside the scope.

A. Well, again, it is hard for me to scan back on over a lifetime and figure out have I used the term "release code," but the fact remains that the term "release code" speaks clarity to me that it is a code that is used to release something.

Q. And secret code -- have you ever used

that in your life as an engineer?

MR. CARMAN: Object to form. Beyond the scope.

A. It is difficult for me that -- to offer recollection -- exact recollection of the use of that term, but it remains clear to me what it means. It is a release code as it is defined that it's kept secret.

Q. So if the claim term does not include secret and it is just release code, for example, does that mean that the release code does not have to be secret?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion.

A. No. That is not the question -- conclusion. In fact, that is not the conclusion that I draw in my declaration. As I clearly say in paragraph 81 and in subsequent paragraphs for the code terms collectively, which include the release code, removal code, secret code, secret release code, all of them collectively, they mean a code that is not readily available to the dispatcher.

Q. The phrase "readily available to the dispatcher," that is never used in the specification

of Railware's patents; correct?

MR. CARMAN: Object to form. Misstates testimony. Misstates the document.

A. It may not be used in that form as, quote, unquote, not readily available, but these specifications and the claim's language makes it abundantly clear that it is something -- a code that is not readily available to the dispatcher.

Q. What about the term "secret release code?" Have you ever used that in your life as an engineer?

MR. CARMAN: Object to form. Calls for speculation. Beyond the scope.

A. Again, I don't have an exact recollection of having had the need to use secret release code in that form, even though, again, as I stated earlier, it speaks clearly to me that the release code -- that is kept in secret.

Q. Turn to paragraph 119 of your declaration, page 42, and let me know when you are there.

A. 119, you said?

Q. Paragraph 119 on page 42. Yes.

A. I am there.

Q. And is it your opinion that the code

terms, as you call them, creates hurdles for the dispatcher to obtain the code in such a mechanism for retrieving the code is employed only in limited circumstances? Is that your opinion?

MR. CARMAN: Object to form. Misstates documents. Misstates testimony.

A. My declaration -- my testimony is that there are hurdles in place for retrieving the secret code or the release code or the code terms in general by the dispatcher.

Q. What does it mean to create a hurdle?

MR. CARMAN: Object to form. Calls for speculation. Improper hypothetical.

A. Again, for me, that means that the codes are not readily available to the dispatcher.

Q. How high of a hurdle does it have to be in order for the code to not be readily available to the dispatcher?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion.

A. Well, you put it as how high of a hurdle must exist. Did I understand that correctly?

Q. Yes.

A. Well, the point here is simply that the

code that is displayed on the dispatcher's terminal -- it is readily available to the dispatcher. A code that is stored within the railway control apparatus is not visible to the dispatcher. The dispatcher has to go through a series of steps to retrieve that code in one form or another, then that implies not readily available.

Q. What if the dispatcher had to phone a co-worker that is not the field worker and they could get the code from that person --

MR. CARMAN: Object to form. Improper --

Q. -- would that code be readily available to the dispatcher?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation.

A. Again, you are offering a hypothetical here that, sitting here today, I need to consider further before I can offer an opinion on it.

Q. Well -- I'm sorry. Finish your response.

A. I believe that if we look at the figures and some of the language that's in the declaration, it makes it clear as to what we mean by not readily available, and simply one can sit here and go through

a long list of hypotheticals in terms of whether the dispatcher can do this, or that, that is not the purpose of this particular paragraph of -- all it's trying to say is that, A, the code is not displaced to the dispatcher, is not readily available, and certain hurdles need to be cleared before they -- a code becomes known or available to the dispatcher.

Q. It's your opinion that the scope of the code terms is readily ascertainable to a person with ordinary skills; is that correct?

MR. CARMAN: Object to form. Calls for speculation. Misstates testimony.

A. Yes. It is my opinion that the code terms, as they are defined in my declaration, clearly provide proper definition.

Q. So under that standing or standard then, if the dispatcher could go to a co-worker who is not the field worker and get the release code, is that release code readily available to the dispatcher?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion.

A. Again, you're offering a hypothetical that, as I mentioned earlier, I need to consider further, and that in some of the circumstances of

what you are implying by calling a co-worker who is not a field worker, et cetera, before I can provide you an opinion on that.

Q. If -- we'll call the co-worker Bob. Are you with me thus far?

A. Yes.

Q. And when a block is placed, Bob, who is not the dispatcher, has access to the release code -- are you with me there this far?

A. Yes.

Q. And Bob is also not the field worker. Are you with me there?

A. Yes.

Q. If the dispatcher can call Bob, and say, Hey, Bob, I want to release this block, before having heard from the field worker, and Bob can give him the code to release it, is that code readily available to the dispatcher?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion.

A. Again, as I said earlier, that that is a hypothetical that has series of presumptions and assumptions that needs to be considered before I could offer an opinion on it; and that is not

something that I have considered for my declaration. So sitting here before you today, I'm not ready to offer an opinion on it.

Q. What if when the dispatcher places a block, the code is saved to a folder that is not immediately visible to the dispatcher, is that code readily available to the dispatcher?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion.

A. I am trying to understand your question correctly. Did you say the code is stored in a folder?

Q. I can start again, Dr. Ahmadian, just to make sure we are clear, if that's okay. Is that all right?

A. Yes, please.

Q. So the question was: If a dispatcher places a block and the release code is saved to a folder of the dispatcher's computer, but that folder is not immediately visible to the dispatcher, would that code be readily acceptable to the dispatcher?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion.

A. Again, this falls within the same category of the hypothetical that I mentioned earlier, which I'm not ready to offer an opinion on, but I do like to mention is that the patents are abundantly clear on the fact that the release code, the secret code for the code terms and as we call it collectively are stored up in the apparatus in a form that is not readily available to the dispatcher. Several hurdles -- or hurdles need to be cleared before such code would become known or visible to the dispatcher, as I have already testified.

Q. And my question is: If the dispatcher just had to go find the folder where this code was saved, but that folder was not immediately visible to the dispatcher, in view of what the patent discusses and your understanding, would that code be readily available to the dispatcher?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion. Asked and answered.

A. I think the way I like to look at this is within the claim language of the patent itself and the specifications and the figures that are present in the patent, which makes it clear that the code terms, the secret code, and the release code would be

stored and in the railway control apparatus in a manner not really available to the dispatcher. And I would hesitate to go beyond a clarity of what the patents teach us with engaging on what if's or a hypothetical, as you are offering here.

Q. In view of the clarity that you said the patent teaches, then it should be straightforward as to whether that code that is stored in a folder that the dispatcher has access to, but it's not immediately displayed to the dispatcher, whether or not that would be readily available; right?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion. Asked and answered.

Chris, he's answered the question. You keep --

Q. You can answer the question, Dr. Ahmadian.

A. The reason I hesitate to answer the question as a yes or no, as you wish me to do, is simply because there are a lot of parameters that are involved there that, absent of knowing those parameters, then the secretness of the code to the dispatcher or its availability or lack of cannot be definitively ascertained.

You mentioned a folder. So let's imagine that -- why have a folder that is displayed on the home screen of a dispatcher's computer and the dispatcher can click on that folder and, bam, they -- the code pops up.

So under that scenario that I just offered you, which, again, by the way, is a hypothetical, you know, one cannot refer to that code as a secret code because it's readily available. I mean, it is available to the dispatcher, but through a couple clicks; and then similarly if -- let's say that folder has got a password on it that is not known to the dispatcher, and the dispatcher has to have access to that pass code, let's say have to get it from his boss or the chief traffic controller, as the patents are showing us, then under that scenario then, that code is not readily available to the dispatcher.

So I hope these examples that I gave you -- and by the way, they are not intended to be at all inclusive examples -- would get my point across that, sitting here before you, listening to your question, I simply cannot offer a definitive yes or no answer as you wish me to do.

I'm not trying to avoid your question.

I'm just trying to be clear and stay within the teachings of the patents.

Q. If you had to call someone to get the code, is it your opinion then that that would make the code not readily available?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion.

A. I believe the examples I gave you spoke to the dilemma that what is phrased in terms of determining readily available or not readily available. So if I can find -- if I can call someone and that someone, you know, has got access to the code, and can get me the code without me really going through proper protocols, right, or having the requirement to clear the need for having access to that code, and that person is outside of the field worker, then, you know, it doesn't stay within the bounds of the patents.

So you've got to understand you're asking these questions that has got so many parameters involved in it, and without clarifying and without having all of those assumptions and all of those parameters, a person -- an expert like me cannot definitively tell you a yes or no to that

question as you wish for it to be done.

Q. You mentioned proper hurdles. What are the proper hurdles?

MR. CARMAN: Object to form. Misstates testimony. Improper hypothetical. Calls for speculation. Calls for legal conclusion.

A. The hurdles are -- some of them are made clear in the patents. For instance, you know, the patent makes it clear that the release code could be obtained from the chief traffic controller with the justification of the field worker not being available to provide the code; so one can think of those as hurdles, if you wish to call it proper -- you know, that's one form of such hurdle. Right?

So that -- again, as I said earlier, I like to stay within what is taught by the patent, stay within the language and terms that it constitutes, and I find it to be abundantly clear without having to engage in hypotheticals and things that are stepping outside of a -- the intent of the patents.

Q. You mentioned one hurdle there. Are there any other hurdles, in your opinion, that a person of ordinary skill in the art would understand based upon reading the specification of the patents?

MR. CARMAN: Object to form. Calls for speculation. Improper hypothetical. Asked and answered.

A. Which part of the hurdles you referring to among what I just stated?

Q. You mentioned that if the field worker is unavailable, you could call someone to get the code; right?

A. Well, bear in mind that I also said that that is one element of the need for retrieving the secret code from its place of storage. I also said that, in one way or another, they -- they -- the dispatcher has to go up the chain of commands. In this case, the patents teach us to achieve traffic controller and then provide the justification for having access to the code so that the track could be put back in service.

So, to me, there are several steps that are involved. I wouldn't call them one hurdle.

Q. You would refer to that as two hurdles?

MR. CARMAN: Object to form. Misstates testimony. Improper hypothetical.

A. All I can think of them as hurdles.

Q. And other than what you just explained, are there any other hurdles that are described in the

patent specification?

MR. CARMAN: Object to form. Calls for legal conclusion.

A. I think some of the figures that we have in the patents make it abundantly clear that there are two scenarios in which either a code could be provided by a railway field worker or there are extraneous circumstances where that code could not be provided and then what we have been talking about here -- hurdles need to be cleared to make that code known to the dispatcher and release the track.

So I think, again, as I said, that language of the patents, the drawings that we have, specifications that we have are unambiguously make it clear of what you speak of.

Q. In that same paragraph, 119, you mention that "employed only in limited circumstances." Do you see that?

MR. CARMAN: Object to form. Misstates the document.

A. Yes.

Q. What are the limited circumstances that you're referring to there?

MR. CARMAN: Object to form.

A. Well, we've been talking about them. So

the whole purpose of the term "limited circumstances" means that not at all circumstances, not -- it's in -- in limited number of circumstances. It's under -- I called it extraneous circumstances and situations that -- that one have to resort to access the code to other means beyond the field worker.

Q. So you mentioned the field worker not being available. Is that the only limited circumstance, in your opinion?

MR. CARMAN: Object to form. Improper hypothetical. Calls for speculation. Calls for legal conclusion.

A. Well, one can definitely say that is one of the circumstances. And does it constitute all the circumstances? I need to think about it before I can offer an opinion on it.

Q. You're not sure sitting here today?

MR. CARMAN: Object to form. Misstates testimony.

A. I'm not ready to offer an opinion on it sitting here.

Q. Let's go back to paragraph 83 and 84 of your declaration, which is Exhibit-2, on page 33, please. Let me know when you are there.

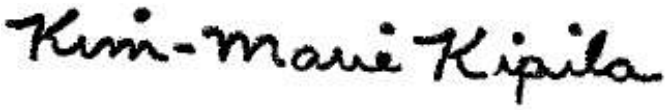
A. Yes. I'm there.

CERTIFICATE

I, KIM-MARIE KIPILA, a Certified Court Reporter and Notary Public of the State of New Jersey, License No. 30XI00176000, do hereby certify that prior to the commencement of the examination, MEHDI AHMADIAN, Ph.D. was remotely sworn by me to testify the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.



Notary Public of the State of New Jersey

My Commission expires May 4, 2029

Dated: 03-28-2025

ERRATA SHEET

INSTRUCTIONS: After reading the transcript of testimony, please note any change, addition, or deletion on this sheet. DO NOT make any marks or notations on the actual transcript. (Use additional paper, if needed, and attach it to this sheet.)

Please date and sign this errata sheet when completed and return it to our attention.

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DATE TAKEN:	March 28, 2025
DEPOSITION OF:	Mehdi Ahmadian, Ph.D.

PAGE	LINE	CHANGE FROM	CHANGE TO	REASON FOR CHANGE
14	18	"Robbins"	"Robins"	misspelling
23	7	"load"	"operate"	transcription error
23	15	"on"	"of"	transcription error
26	22	"DCTC"	"the CTC"	transcription error
34	2	---	remove "the"	transcription error
34	9	"promoted"	"prompted"	transcription error
35	18	"track"	"a track"	transcription error
38	25	"block"	"the blocked"	transcription error
40	1	"they"	"the"	transcription error
40	16	"accident"	"discussed"	transcription error
42	1	"with railroad administration"	"with Federal Railroad Administration"	transcription error
44	12	"signed"	"cited"	transcription error
50	10	"Robbins"	"Robins"	misspelling
55	12	"that"	"of what"	clarity
58	11	"has"	"as"	transcription error
58	12	---	"North American railroads on"	transcription error

WABTEC EX1027

CASE NAME:	Railware, Inc. v. Southeastern Pennsylvania Transportation Authority, 2:24-cv-02963 (JMY)
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PAGE	LINE	CHANGE FROM	CHANGE TO	REASON FOR CHANGE
64	3	"They"	"The"	transcription error
65	4	"782115 and 835"	"782, 115, and 835"	transcription error
88	11	"board"	"court"	transcription error
96	---	"displaced"	"displayed"	transcription error
100	22	"there"	"here"	transcription error
104	14	"achieve"	"the chief"	transcription error
110	15	"random and pseudorandom"	"random or pseudorandom"	clarity
113	22	"lay and"	"laying any"	transcription error
116	5	"a button"	"abundant"	transcription error
120	5	"to the ability"	"availability"	transcription error
128	2	"intrinsic or intrinsic"	"intrinsic or extrinsic"	transcription error
128	24 & 25	"agreement with this agreement with"	"disagreement with"	transcription error
138	21	"readily"	"railway"	transcription error
138	22	"readily"	"railway"	transcription error
141	14	"compass"	"encompass"	transcription error
144	7	"manner in that"	"manner in which that"	transcription error
145	10	"technology"	"terminal"	transcription error

DATE: May 4, 2025 SIGNATURE: Mehdi Ahmadian