

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
CASE NO.: 3:19-CV-04683-TSH

COLUMBIA INSURANCE CO. And
MITEK, INC.,
Plaintiffs,
-vs-
SIMPSON STRONG-TIE COMPANY,
INC.,
Defendant.

_____ /

Zoom Videoconference

VIDEOTAPED DEPOSITION OF MARK ROLF
Friday, January 31, 2025
12:09 p.m. - 3:22 p.m. CST

Taken on behalf of the DEFENDANT before
Jennifer L. Bush, RPR, Notary Public in and for the State
of Florida at Large, pursuant to Notice of Taking
Deposition in the above cause.

JOB No. 7124133

PAGES 1 - 115

Columbia EX2070
Simpson Strong-Tie Company Inc. v. Columbia Insurance Company
PGR2024-00050

1	A P P E A R A N C E S	1	THE VIDEOGRAPHER: Good afternoon. We are
2		2	going on the record at 12:09 p.m. on January 31,
3	APPEARING ON BEHALF OF THE PLAINTIFFS:	3	2025. That is central time. Please note that
4	John R. Schroeder, Esquire	4	this deposition is being conducted virtually.
5	Stinson LLP	5	Quality of recording depends on the quality of
6	7700 Forsyth Blvd, Ste 1100	6	camera and internet connection of participants.
7	St. Louis, MO 63105	7	What is seen from the witness and heard on screen
8	314-863-0800	8	is what will be recorded. Audio and video
9	John.schroeder@stinson.com	9	recording will continue to take place unless all
10		10	parties agree to go off the record.
11	APPEARING ON BEHALF OF THE DEFENDANT:	11	This is Media Unit 1 of the video-recorded
12	Joseph V. Mauch, Esquire	12	of Mark Rolf in the matter of Columbia Insurance
13	Shartsis Friese LLP	13	Co. and MiTek Inc. versus Simpson Strong-Tie
14	425 Market Street, 11th Floor	14	Company, Inc. This deposition is being conducted
15	San Francisco, CA 94105	15	remotely using virtual technology.
16	415-421-6500	16	My name is Tony Barlow, representing
17	Jmauch@sflaw.com	17	Veritext Legal Solutions, and I'm the
18		18	videographer. The court reporter is Jennifer Bush
19	Also Present:	19	from the firm Veritext Legal Solutions.
20	Tony Barlow, Videographer	20	Will the court reporter please swear in the
21	Jake Franks, Concierge	21	witness and then counsel may proceed.
22		22	WHEREUPON,
23		23	MARK ROLF,
24		24	called as a witness on behalf of the DEFENDANT, after
25		25	having been first duly sworn, was examined and testified
	Page 2		Page 4
1	INDEX OF PROCEEDINGS	1	as follows:
2		2	THE WITNESS: I do.
3	VIDEO DEPOSITION OF MARK ROLF	3	DIRECT EXAMINATION
4	DIRECT EXAMINATION BY MR. MAUCH: 5	4	BY MR. MAUCH:
5	CROSS-EXAMINATION BY MR. SCHROEDER: 90	5	Q. Hello, Mr. Rolf.
6		6	A. Good morning.
7		7	Q. My name is Joe Mauch and, as I -- I
8		8	mentioned when we first came on to the Zoom today, I am
9	ROLF EXHIBITS	9	an attorney that represents Simpson Strong-Tie Company.
10	Number Description Page	10	Mr. Rolf, have you ever had your deposition
11		11	taken before?
12	Exhibit 1 Letter and Subpoena 10	12	A. Yes, a couple of times.
13	Exhibit 2 Bates MiTek00012748-759 12	13	Q. Okay. Has it -- when was the last time,
14	Exhibit 3 Bates MiTek00012809-812 34	14	approximately, when you had your deposition taken?
15	Exhibit 4 Bates ROLF0000007-8 37	15	A. Oh, gosh, probably 20 years ago.
16	Exhibit 5 Bates MiTek00012958-960 41	16	Q. Okay. So -- so -- so since it's been a
17	Exhibit 6 Bates MiTek00012870-878 49	17	while, let me give you sort of a brief explanation of how
18	Exhibit 7 Bates MiTek00012914-918 60	18	I hope things will -- will go today so that you
19	Exhibit 8 Bates MiTek00013035-040 68	19	understand the ground rules, okay?
20	Exhibit 9 Bates ROLF0000001-6 76	20	A. Okay.
21	Exhibit 10 Post Grant Review Certificate 78	21	Q. I'm going to do my best to ask you clear
22		22	and concise questions today. If at any time you don't
23		23	understand my question or you need a -- some further
24		24	explanation of my question before answering, you can --
25		25	you can ask me, okay?
	Page 3		Page 5

<p>1 A. Okay.</p> <p>2 Q. If you go ahead and -- and -- once you</p> <p>3 answer the question, I'm going to assume that you've</p> <p>4 understood my question, okay?</p> <p>5 A. Okay.</p> <p>6 Q. And I -- I know that being here, sitting in</p> <p>7 your home, over Zoom, in a setting -- it -- it feels very</p> <p>8 informal and perhaps odd, but you've just taken an oath,</p> <p>9 and this is effectively as if you were in the courtroom</p> <p>10 providing your testimony.</p> <p>11 Do you understand that?</p> <p>12 A. Yes, I do.</p> <p>13 Q. And your testimony -- my questions and your</p> <p>14 testimony are being recorded both by video but also by</p> <p>15 the court reporter, stenographically. So it's -- one of</p> <p>16 the important things today is that we all endeavor to not</p> <p>17 talk over each other and to always answer audibly.</p> <p>18 Do you understand that?</p> <p>19 A. I understand.</p> <p>20 Q. So for -- for example, in normal</p> <p>21 conversation, it's quite common to answer with, you know,</p> <p>22 a physical gesture or a something like uh-huh. But --</p> <p>23 but in the case of this deposition, it's important that</p> <p>24 you answer with a -- you know, a yes or a no, audibly.</p> <p>25 Do you understand?</p> <p style="text-align: right;">Page 6</p>	<p>1 before your retirement?</p> <p>2 A. I was -- my title was technical services</p> <p>3 coordinator.</p> <p>4 Q. And can you explain what type of activities</p> <p>5 you had to perform as the technical services coordinator</p> <p>6 at Trussway?</p> <p>7 A. Yes. It was -- it was design related, so</p> <p>8 basically what I was doing is auditing the design</p> <p>9 departments. We had multiple design departments around</p> <p>10 the country. So I did audits of those. And I was --</p> <p>11 oversaw a lot of the rules and regulations of how, you</p> <p>12 know, we performed the design functions, monitor the</p> <p>13 performance of, you know, the designers and -- and</p> <p>14 each -- each office.</p> <p>15 Q. And does Trussway fabricate trusses across</p> <p>16 the country or is there a regional focus for -- for</p> <p>17 Trussway?</p> <p>18 A. They were -- let's see, I believe there was</p> <p>19 six plants in various parts of the country. So they were</p> <p>20 in Virginia, Texas, at -- at one point in Arizona, let's</p> <p>21 see, Colorado, then Florida.</p> <p>22 Q. And --</p> <p>23 A. Atlanta as well, Atlanta as well.</p> <p>24 Q. And am I correct that, at least at the time</p> <p>25 of your retirement, you were working in the Virginia</p> <p style="text-align: right;">Page 8</p>
<p>1 A. I understand, yes.</p> <p>2 Q. Is there any reason why you can't provide</p> <p>3 honest and accurate testimony today, Mr. Rolf?</p> <p>4 A. No.</p> <p>5 Q. Am I correct that you are fairly recently</p> <p>6 retired?</p> <p>7 A. That's correct.</p> <p>8 Q. How long ago did you retire?</p> <p>9 A. 2022.</p> <p>10 Q. Okay. So -- so it's been, approximately,</p> <p>11 two or three years?</p> <p>12 A. Correct.</p> <p>13 Q. And am I also correct that prior to your</p> <p>14 retirement, you worked at Trussway for, approximately,</p> <p>15 50 years?</p> <p>16 A. That's correct.</p> <p>17 Q. Well, first of all, that -- that's very</p> <p>18 impressive. So congratulations on that -- that career</p> <p>19 and on your retirement.</p> <p>20 A. Thank you.</p> <p>21 Q. What kind of business is Trussway?</p> <p>22 A. Trussway is a wood fabricator for trusses,</p> <p>23 for Florida roof trusses for the, you know, building</p> <p>24 industry.</p> <p>25 Q. And what -- what was your role at Trussway</p> <p style="text-align: right;">Page 7</p>	<p>1 facility of Trussway?</p> <p>2 A. That's correct.</p> <p>3 Q. And was -- what -- what role did you have</p> <p>4 at Trussway in the time period around 2013?</p> <p>5 A. 2013. I don't believe I was the technical</p> <p>6 services coordinator at that time. I was probably the</p> <p>7 design manager of -- of the Virginia location.</p> <p>8 Q. And can you explain the differences between</p> <p>9 the -- the work you performed as the design manager in</p> <p>10 the 2013 time period versus what you described as the</p> <p>11 technical services director?</p> <p>12 A. Well, see, when it -- when I was just</p> <p>13 design manager at one location, then it was focused on,</p> <p>14 you know, the designers and the performance of that</p> <p>15 location only. And as technical services coordinator, I</p> <p>16 kind of oversaw all of the locations from that, you know,</p> <p>17 point of view, you know, all the travel from each -- you</p> <p>18 know, from Virginia to the other locations, at least once</p> <p>19 a year, sometimes twice a year to each -- each of the</p> <p>20 offices.</p> <p>21 Q. And throughout your career at Trussway,</p> <p>22 have you always worked in some fashion in connection with</p> <p>23 the design and fabrications of trusses?</p> <p>24 A. Yes.</p> <p>25 Q. I want to briefly, Mr. Rolf, look at the</p> <p style="text-align: right;">Page 9</p>

<p>1 first exhibit that I've marked before the deposition 2 began. So if you go into your folder that says "marked 3 exhibits" in Exhibit Share, you should see a document 4 that has a yellow, sort of, digital sticker in the bottom 5 right-hand corner that says "Exhibit Rolf 1." 6 Do you see that? 7 (Rolf Exhibit 1, Letter and Subpoena, was 8 marked for identification.) 9 THE WITNESS: Let's see. All -- all I see 10 in here is the -- the one that you -- the one 11 that -- exhibit that you put on a minute ago. Is 12 that the same one? 13 BY MR. MAUCH: 14 Q. Yes. It -- it -- it should say it up at 15 the top a -- the letterhead says Shartsis Friese LLP, and 16 at the bottom there is that sticker. 17 Do you see that? 18 A. No. Should I open the PDF, the exhibit, 19 0001? 20 Q. Correct, yes, please. 21 A. Okay. Okay. Now -- now where am I going? 22 Q. So it -- that -- when you open that PDF, it 23 should -- you should be able to see the first page of a 24 multiple-page document. And that first page, at the top, 25 should say -- have the letterhead of Shartsis Friese LLP.</p> <p style="text-align: right;">Page 10</p>	<p>1 A. Okay. 2 Q. As an employee of -- of Trussway, Mr. Rolf, 3 did you end up working with MiTek Incorporated in the 4 design of a hanger to be used in a two -- two-wall -- 5 two-hour firewall application, excuse me? 6 A. Yes, I did. 7 Q. And do you recall when that work with 8 MiTek, in connection with that fire -- that -- that 9 hanger for a two-hour firewall, began? 10 A. No, I don't remember exactly. 11 Q. Let me go ahead and mark the -- another 12 exhibit, Mr. Rolf. 13 (Rolf Exhibit 2, Bates MiTek00012748-759, 14 was marked for identification.) 15 THE WITNESS: Shall I go back to the 16 exhibits? 17 BY MR. MAUCH: 18 Q. Yes. So I just clicked the button, so it 19 usually takes a few seconds for your -- and you should 20 now see, in a moment, something called Exhibit 0002. 21 A. Okay. I see it. 22 Q. If you can click on that PDF, and it -- 23 just as before, it should open up a new document for you. 24 A. Okay. 25 Q. And I'll state for the record that what</p> <p style="text-align: right;">Page 12</p>
<p>1 Do you see that? 2 A. I see that, yes. 3 Q. Exc- -- excellent, good. 4 And then at the bottom right-hand corner, 5 there is a, like I said, a yellow digital sticker that 6 says Exhibit Rolf 1? 7 A. I see that, yes. 8 Q. Okay. And if you take a moment and -- with 9 your cursor, you -- you can scroll down, and there is, I 10 guess, seven pages in this exhibit. 11 And my -- my question is going to be if you 12 recognize this document, Mr. Rolf? 13 A. Looks like the document that I just 14 received a couple of weeks ago. Am I -- am I correct, 15 you know, without comparing them? 16 Q. Yes. So does this appear to be the -- the 17 letter with the subpoena that -- that I sent to you from 18 my firm, requesting you to appear at this deposition? 19 A. Yes. 20 Q. Okay. And -- and you're here today because 21 of this letter and subpoena that -- that we sent you, 22 correct? 23 A. Correct. 24 Q. So we -- you can focus now away from that 25 document again.</p> <p style="text-align: right;">Page 11</p>	<p>1 we've marked as Rolf Exhibit 2 was -- was previously 2 marked at the deposition of Steve Brekke as Exhibit 35. 3 A. Okay. 4 Q. If you could -- now if you could take a 5 minute, Mr. Rolf, and again, using your cursor and your 6 mouse, you could scroll through this document and see 7 that it's a two-page email string, and then some 8 additional documents after that that I think you will see 9 are attachments to that email string. 10 A. Okay, yes. 11 Q. And if -- if you could take a minute, my 12 question is going to be if you -- if you recognize and 13 are familiar with this Exhibit 2 to your deposition? 14 A. Okay. Yeah, it -- all the details, the 15 drawings and so forth look familiar. And -- and I see an 16 email that looks like I sent, so yeah, I'm familiar with 17 all of this. 18 Q. And if you look at the -- the second page 19 of Exhibit -- Exhibit 2, Mr. Rolf -- 20 A. Okay. 21 Q. -- you'll see that the -- the first and -- 22 let me stop for a second. 23 One of the things about emails that's often 24 confusing is that when they're printed out like this, the 25 first email in the string is always at the end of the</p> <p style="text-align: right;">Page 13</p>

<p>1 document. So that the starting email is at the bottom 2 and then the replies and responses are above that. So 3 for the first email in the string, we actually have to go 4 towards the end of the document. 5 So if we look at page 2 here, do you see 6 that there is an email from someone named Ray Yu to 7 someone named Kendall Hoyd on August 15, 2013? 8 A. Yes, I see that. 9 Q. And do you know who Kendall Hoyd is? 10 A. Let's see. Kendall was a Trussway employee 11 and, as I recall -- see, I don't remember exactly his 12 title but he was, you know, in -- in charge of accounting 13 or something like that for Trussway. 14 Q. And if you actually directly above that 15 email that I just identified, you'll see there is 16 actually a signature block from Kendall Hoyd that -- that 17 identify -- identifies him as the chief financial officer 18 of Trussway? 19 A. Yeah, that's a better way to say 20 accounting, I guess. 21 Q. Okay. And does seeing this -- this email 22 on this date, in August 2013, refresh your recollection 23 that the -- the time when you -- when Truss- -- when you 24 and Trussway began working with MiTek related to a hanger 25 for a two-hour firewall application was in,</p> <p style="text-align: right;">Page 14</p>	<p>1 A. Yes. Right, yes, I see it. 2 Q. And then -- and then, now, on the first 3 page of Exhibit 2, you send an email to Ray Yu on that -- 4 on Thursday, August 15, 2013, at 2:17 p.m. 5 Do you see that? 6 A. I see that, yes. 7 Q. Okay. And -- and you tell Mr. Yu that 8 Kendall asked you to send some information to -- to him, 9 right? 10 A. Yes. 11 Q. And in your email there that I -- I just 12 identified, you refer to two documents that you are 13 attaching to your email; is that right? 14 A. That's -- that's correct. 15 Q. Okay. And the first document that you 16 refer to is what you call a "One Point lesson that we're 17 putting out to our designers as we are seeing these 18 details more frequently in multi-family projects greater 19 than four stories." 20 Do you see that? 21 A. Yes. 22 Q. Can you explain to me what -- what this one 23 point lesson is that you are sending to Mr. Yu? 24 A. Let's see. This would -- would have been 25 an internal Trussway document that -- you know, that we</p> <p style="text-align: right;">Page 16</p>
<p>1 approximately, August of 2013? 2 A. Yeah, that is about what I would have 3 guessed, 2013. So that -- that sounds correct. 4 Q. Okay. And if you -- you scroll up from 5 that email from Mr. Yu -- and, by the way, do you know -- 6 do you know who Mr. Ray Yu is? 7 A. I remember the name but that's about it. 8 Q. Okay. And -- and seeing Mr. Yu's signature 9 block in his email that he is the -- states that he's the 10 SVP of engineering builder products at MiTek USA. 11 Do you see that? 12 A. See, where is that, is that on that -- 13 Q. It's on the second page of the Exhibit 14 Number 2? 15 A. Okay. Okay. Yes, I see it. 16 Q. Does that refresh your recollection that 17 Mr. Yu was someone at MiTek? 18 A. Right, and he was involved in the 19 engineering part of it. Yeah, I figured he would have 20 been, as well as Steve Brekke. 21 Q. And if you -- you scroll up, you'll see 22 that Kendall Hoyd responds to Mr. Yu's email and copies 23 you, correct? 24 A. Okay. 25 Q. Do you see that?</p> <p style="text-align: right;">Page 15</p>	<p>1 were making all of our designers, you know, aware of 2 these details. And -- and I -- I guess I was sending it 3 to Mr. Yu so that he would kind of understand the topic 4 of what we were trying to accomplish. 5 Q. And -- and if you, for a moment, scroll 6 down in this document to what starts on page 4 of the PDF 7 and then goes through I guess page 6 of the PDF. Am I 8 correct that those three pages, 4, 5 and 6 are the -- the 9 one point lesson document that you are referring to in 10 your email? 11 A. That -- that -- I believe that's correct, 12 yes. 13 Q. Is that correct? 14 A. Right, that's like a -- at least a 15 three-page document, looks like one page is blank. 16 Q. Understood. 17 A. Okay. 18 Q. And -- and then going back to your email 19 again, on that first page -- 20 A. Okay. 21 Q. -- you -- you say that you're seeing these 22 details more frequently in multi-family projects greater 23 than four stories. 24 Do you have any understanding why you were 25 seeing these details more frequently in that setting?</p> <p style="text-align: right;">Page 17</p>

<p>1 A. I don't know how well I remember the -- the 2 details, but it had to do with, you know, the architects 3 being able to design the taller buildings with, you know, 4 more levels. So they had to make the exterior walls a 5 lot on a lot of the buildings -- and I forget if it's 6 called IIIA or -- there is a fire code where the wall had 7 to be noncombustible.</p> <p>8 So that -- that exterior wall had to be 9 made out of FRT, you know, non -- noncombustible 10 material, and had two layers of drywall to protect the -- 11 you know, to separate the wall from the floor framing. 12 Or -- or any level of framing. So -- so that was what 13 was happening as they were trying to build taller and 14 taller buildings out of wood.</p> <p>15 Q. Okay. So I -- I have a couple follow-up 16 questions to that, thank you.</p> <p>17 A. All right.</p> <p>18 Q. First, when -- when you refer to "FRT," 19 that refers to fire-retardant treated wood; is that 20 right?</p> <p>21 A. That's correct.</p> <p>22 Q. And do you recall that there had been a 23 code change in the, you know, recent past, prior to 2013, 24 that had changed the -- what was allowed in the 25 International Building Code for building structures,</p> <p style="text-align: right;">Page 18</p>	<p>1 tedious and pretty tough for -- for our designers. You 2 know, that's why we were trying to, you know, get some 3 direction.</p> <p>4 Q. And can you explain what you mean when you 5 say "details provided by architects"?</p> <p>6 A. Well, like in -- I think in these same 7 details that I attached to the one point lesson, those 8 are architectural details out of the architect's plans.</p> <p>9 Q. Got it. And -- sorry.</p> <p>10 A. Yeah, these are just some of the -- some of 11 the details. And we saw, you know, multiple other types 12 of details as well that were, you know, all attempts 13 to -- to make that wall separate from the floor framing 14 system.</p> <p>15 Q. And so if I understand correctly, a detail 16 is where a -- an architect or designer or structural 17 engineer is providing a detailed drawing related to how a 18 particular connection needs to be made; is that correct?</p> <p>19 A. That's correct.</p> <p>20 Q. And if I understand your testimony 21 correctly, as these taller denser buildings -- wood frame 22 buildings were being built, you were seeing architects 23 and designers coming up with different ways to make 24 connections to allow -- to connect the floor or roof 25 members with the wall members in these buildings; is that</p> <p style="text-align: right;">Page 20</p>
<p>1 Type 3 structures that could be out of wood, that were 2 taller and denser than was previously allowed?</p> <p>3 A. I'm not aware of the code but that -- 4 that's probably what allowed us to start seeing more of 5 these details.</p> <p>6 Q. So even if you don't -- you are not aware 7 of a change in the International Building Code, do you 8 recall that around this time, in August of 2013, you were 9 seeing more builders seeking to build wood frame 10 structures that were taller than you had previously seen 11 before?</p> <p>12 A. I would say that's correct.</p> <p>13 Q. And -- and as -- and as part of that, if I 14 understand your prior testimony correctly, there were 15 requirements about how certain walls within those wood 16 frame structures had to have certain -- built -- built in 17 a certain way to maintain fire protection in -- in those 18 structures; is that correct?</p> <p>19 A. That's correct. And we were seeing, you 20 know, from the architects -- because we -- we worked with 21 so many different builders across the country, and they 22 were -- architects were all interpreting the code 23 differently. So you were seeing so many different kinds 24 of details, and some were very complicated, some were 25 less complicated. But they were all, you know, pretty</p> <p style="text-align: right;">Page 19</p>	<p>1 accurate?</p> <p>2 A. That's accurate.</p> <p>3 Q. And am I -- is it also correct that the 4 particularly complicating factor were the requirements to 5 maintain a two-hour fire rating for those walls?</p> <p>6 A. That's correct.</p> <p>7 Q. Okay. Do you have an understanding why, at 8 this time in August of 2013, Trussway was reaching out to 9 MiTek in connection with the potential design of a hanger 10 for these two-hour firewall applications?</p> <p>11 A. I'm not sure I understand the -- that 12 question, but could you rephrase that?</p> <p>13 Q. Sure. You know, was -- was there -- was 14 there something that precipitated Trussway reaching out 15 to MiTek about this product or this design of an idea for 16 a product?</p> <p>17 A. Okay. Well, I can -- I can tell you what I 18 remember about it. And probably nobody else at Trussway 19 was involved with it other than me. And -- and from -- 20 from what I remember, a MiTek rep was at our office and 21 making the rounds. And -- and so I shared these 22 details -- you know, we were just talking -- as I did 23 with the Simpson reps when -- when they came around, you 24 know, every few months or every quarter or whenever they 25 would come around, and -- and talk to the guys in design</p> <p style="text-align: right;">Page 21</p>

<p>1 and -- and -- but, you know, and -- you know, what are --</p> <p>2 what kind of problems are we having or whatever, you</p> <p>3 know, just that type of conversation.</p> <p>4 And -- and so I had already made these</p> <p>5 suggested sketches -- because I -- I kept thinking</p> <p>6 that -- that a hanger could be made that would solve this</p> <p>7 problem, and that the -- you know, all of the architects</p> <p>8 and engineers would be -- be on board of with it, instead</p> <p>9 of all of the different details that we were seeing.</p> <p>10 And even some of the different cities, the</p> <p>11 fire marshals were interpreting the -- the code</p> <p>12 differently. So we had some things that were acceptable</p> <p>13 and -- and -- you know, in one city, and then the same</p> <p>14 exact details were not acceptable in another city. So it</p> <p>15 was, you know, pretty big problem for design.</p> <p>16 And so I just kept thinking that there is</p> <p>17 something that could be made, you know, by -- by Simpson</p> <p>18 or USP, MiTek, you know, and so I just shared that</p> <p>19 with -- with the rep, the way I understand it, what I</p> <p>20 remember.</p> <p>21 Q. So it sounds like you -- you had experience</p> <p>22 with MiTek prior to this email that we've been looking at</p> <p>23 in August of 2013; is that right?</p> <p>24 A. Well, let's see. And again, I don't</p> <p>25 remember the timing on all of this. But when -- when I</p> <p style="text-align: right;">Page 22</p>	<p>1 Q. Do -- do you recall when that occurred?</p> <p>2 A. No, but it was -- it would have been pretty</p> <p>3 close to the 2013 time period because, you know, when --</p> <p>4 when we made that change, I think it wasn't long after</p> <p>5 that when -- when -- when the USP rep came and then I</p> <p>6 shared that detail with him. Because we -- you know, I</p> <p>7 had given it to Simpson and had not heard anything about</p> <p>8 it for quite a while.</p> <p>9 Q. And do you -- do you have any understanding</p> <p>10 as to why Trussway switched from purchasing from Simpson</p> <p>11 to MiTek when it came to connector products?</p> <p>12 A. No. I wouldn't have been involved in that.</p> <p>13 Q. In -- in your long career at Trussway, had</p> <p>14 there been a company that Trussway had typically</p> <p>15 purchased connector products from?</p> <p>16 A. Other than Simpson or USP?</p> <p>17 Q. Well, I guess -- I guess let me ask a</p> <p>18 different question. Prior to the time period, you know,</p> <p>19 before -- sometime fairly close to August 2013, when</p> <p>20 Trussway switched to purchasing from MiTek, had Trussway</p> <p>21 always previously purchased connectors from Simpson?</p> <p>22 A. I believe so but I'm not positive of that.</p> <p>23 You know, I'm not so sure that -- that we didn't go back</p> <p>24 and forth a couple of times or maybe some of -- you know,</p> <p>25 some of our locations purchased from MiTek and some from</p> <p style="text-align: right;">Page 24</p>
<p>1 was first working on this, we were getting all of our</p> <p>2 hangers from Simpson. And so I had shared it with the</p> <p>3 Simpson rep, you know, maybe a year ahead of sharing it</p> <p>4 with the MiTek rep.</p> <p>5 Q. And so Trussway would purchase structural</p> <p>6 connectors, including hangers, from Simpson that it would</p> <p>7 use in the fabrication of its trusses; is that right?</p> <p>8 A. Well, not in the fabrication of the trusses</p> <p>9 but in the -- because we also supplied, you know, like</p> <p>10 truss-to-truss connections or truss-to-wall connections,</p> <p>11 which were like hurricane clips, to attach the trusses to</p> <p>12 the walls. And that was not, you know, what we -- it was</p> <p>13 kind of another product besides trusses but it went along</p> <p>14 with trusses.</p> <p>15 Q. Understood. So if I'm correct, there was a</p> <p>16 period of time when Trussway would purchase certain</p> <p>17 structural connectors in connection with its broader</p> <p>18 business, and for a period of time, the -- the place</p> <p>19 where Trussway would purchase those was through Simpson</p> <p>20 Strong-Tie; is that right?</p> <p>21 A. That's correct.</p> <p>22 Q. And -- and then at a certain point,</p> <p>23 Trussway stopped purchasing connectors from Simpson and</p> <p>24 instead started purchasing from MiTek?</p> <p>25 A. Right, that's correct.</p> <p style="text-align: right;">Page 23</p>	<p>1 Simpson.</p> <p>2 So, you know, it was a little -- I'm pretty</p> <p>3 sure that happened, you know, where some of our locations</p> <p>4 bought from one location -- from one company and other</p> <p>5 locations from another.</p> <p>6 Q. And a moment ago you mentioned USP; is that</p> <p>7 right?</p> <p>8 A. Correct.</p> <p>9 Q. And USP is an acronym for United Steel</p> <p>10 Products; is that right?</p> <p>11 A. I believe so. Yeah, as I understood it,</p> <p>12 MiTek bought them or owned USP.</p> <p>13 Q. And is your understanding of USP that they</p> <p>14 were a competitor of Simpson that sold structural</p> <p>15 connector products?</p> <p>16 A. Correct.</p> <p>17 Q. And during the period you were at Trussway</p> <p>18 and Trussway was purchasing connectors from Simpson, what</p> <p>19 was your overall experience with Simpson and its</p> <p>20 products?</p> <p>21 A. Good, you know, always liked dealing with</p> <p>22 Simpson.</p> <p>23 Q. Were there any aspects of Simpson or its</p> <p>24 products that you particularly valued?</p> <p>25 A. Well, I know they had been around a long</p> <p style="text-align: right;">Page 25</p>

<p>1 time and -- and always kind of felt like they were, you</p> <p>2 know, maybe get ahead of USP, as far as having -- you</p> <p>3 know, having more products and -- and so forth. But</p> <p>4 other than that, it didn't really -- you know, as far as</p> <p>5 in -- in my capacity, what I was doing, it didn't really</p> <p>6 matter a whole lot, you know.</p> <p>7 Q. Did you ever have the opportunity to</p> <p>8 consult with Simpson about, you know, customer</p> <p>9 support-type questions?</p> <p>10 A. Not that I recall.</p> <p>11 Q. And were you -- were you generally happy</p> <p>12 with the quality of Simpson's products?</p> <p>13 A. Yes.</p> <p>14 Q. And were -- were you -- did you generally</p> <p>15 have a positive experience with Simpson's ability to, you</p> <p>16 know, provide -- to, you know, ship products and get</p> <p>17 products to Trussway in a -- in a timely manner?</p> <p>18 A. Well, I wasn't involved in that part of it.</p> <p>19 You know, in design, we would just, you know, specify</p> <p>20 the -- the products and then turn it over to production</p> <p>21 and shipping and, you know, so if there were any issues</p> <p>22 with, you know, delays getting the -- the product, I</p> <p>23 didn't really hear about it.</p> <p>24 Q. Did you ever have any issues arise where</p> <p>25 you had questions for -- technical questions about how to</p> <p style="text-align: right;">Page 26</p>	<p>1 Number 2 that we've been looking at?</p> <p>2 A. Okay.</p> <p>3 Q. Is the -- is the document that you recall</p> <p>4 providing to Simpson the -- the last page of Exhibit 2?</p> <p>5 A. To the best of my knowledge, that is the</p> <p>6 detail that I gave them.</p> <p>7 Q. And can you -- and I know -- let's see.</p> <p>8 There should be a way that you can maybe rotate this</p> <p>9 document. I don't want to make things -- because I know</p> <p>10 it's sort of on a string -- it's on a --</p> <p>11 A. Yeah -- well, yeah, I can -- I can see it.</p> <p>12 I mean, I -- I -- you know, I pretty much remember</p> <p>13 everything about this detail because -- because I -- I</p> <p>14 was the one that did it.</p> <p>15 Q. So -- so -- so -- so tell me about what you</p> <p>16 did here in this last page of Exhibit 2?</p> <p>17 A. Okay. What I was attempting to show here</p> <p>18 was one of the architectural details, the one that is --</p> <p>19 the drawing that is computer-generated, all the lettering</p> <p>20 and stuff. And then the sketching or the hand drawing</p> <p>21 stuff is what I added to the detail. And this was, you</p> <p>22 know, how I was trying to get just an i- -- a concept or</p> <p>23 an idea of how to solve this problem, you know, on -- on</p> <p>24 paper, so to speak.</p> <p>25 So -- so I was -- you know, and basically,</p> <p style="text-align: right;">Page 28</p>
<p>1 specify a Simpson connector in a particular application?</p> <p>2 A. Let's see. I'm sure I had some of those</p> <p>3 questions, but I know that, you know, the designs guys</p> <p>4 that were designing each project, they -- they had</p> <p>5 questions all the time, and they typically got, you know,</p> <p>6 quick responses, quick answers.</p> <p>7 Q. And when you say your -- your under -- your</p> <p>8 experience was that the people designing these</p> <p>9 connections got quick answers, do you mean got quick</p> <p>10 answers from technical consultants at Simpson?</p> <p>11 A. That's the way I recall.</p> <p>12 Q. Okay. And when you -- when Trussway</p> <p>13 switched to purchasing connectors from MiTek, what was</p> <p>14 your experience with MiTek and its connectors?</p> <p>15 A. As far as I can recall, it was -- was</p> <p>16 equally as responsive. You know, they were just as good</p> <p>17 at answering questions.</p> <p>18 Q. Let's -- and also, you -- going back to</p> <p>19 something -- to your testimony a few moments ago -- or a</p> <p>20 few minutes ago, Mr. Rolf, you had mentioned that you</p> <p>21 had, perhaps a year earlier, provided some documentation</p> <p>22 to Simpson in connection with your ideas for a hanger for</p> <p>23 firewall applications; is that right?</p> <p>24 A. That's correct.</p> <p>25 Q. And if you look back at this Exhibit</p> <p style="text-align: right;">Page 27</p>	<p>1 the problem is trying to support the truss before the</p> <p>2 drywall is installed so you can frame the whole building</p> <p>3 and dry it in, so you're not -- you know, the way it had</p> <p>4 to be done -- if you tried to do the same detail without</p> <p>5 the -- okay, let's see.</p> <p>6 It's a little confusing, but the -- the</p> <p>7 architectural detail shows, like, ledgers nailed to the</p> <p>8 wall and -- and so forth, and then the drywall stopping</p> <p>9 and starting above and below. Which could all be done,</p> <p>10 you know, prior to any of the drywall.</p> <p>11 But what the job sites were -- were trying</p> <p>12 to do -- you know, and again, I'm getting a little lost</p> <p>13 here. But on some other details, besides this detail</p> <p>14 that the architect drew, the drywall runs behind the --</p> <p>15 between the truss and the wall. And so if they had to</p> <p>16 install that drywall before the trusses are set, then</p> <p>17 that means the drywall is exposed to the weather.</p> <p>18 And so what I was trying to do is, you</p> <p>19 know, get it to where it would be a piece of hardware</p> <p>20 that would support the truss and allow the -- the drywall</p> <p>21 to be installed later, after the building is dried in, so</p> <p>22 the drywall is not getting wet and so forth. And an</p> <p>23 easier detail than, you know, this ledger that's nailed</p> <p>24 to the wall.</p> <p>25 So I hope I -- I hope you can understand</p> <p style="text-align: right;">Page 29</p>

<p>1 what I just said.</p> <p>2 Q. I do, thank you.</p> <p>3 A. Okay.</p> <p>4 Q. Are there designs for two different hangers</p> <p>5 on this page?</p> <p>6 A. Well, the sketch that I had at the top of</p> <p>7 the page, if you are looking at it rotated, the -- the</p> <p>8 sketch that shows -- I think it shows the 1 and 5/16th</p> <p>9 gap for the -- for the drywall, that was the one drawing</p> <p>10 which I wasn't too keen on because I thought it would</p> <p>11 have to be a welded hanger, which would be too expensive</p> <p>12 for a real high-quality hanger.</p> <p>13 So then the other sketch down, just below</p> <p>14 that and a little bit to the right, I was thinking -- you</p> <p>15 know, because I was just kind of thinking in my mind</p> <p>16 different ways to do it, knowing, you know, basically how</p> <p>17 they make the hangers.</p> <p>18 So -- so what I thought there would be a</p> <p>19 steel plate that would cantilever out past the -- the</p> <p>20 wood frame wall, far enough for the drywall. And then --</p> <p>21 you know, like a two-piece hanger. And then there would</p> <p>22 be a strap that would be attached somehow to -- to go</p> <p>23 down below the truss, to carry the truss.</p> <p>24 But both of those drawings would accomplish</p> <p>25 the same thing, and it would just be -- you know, I just</p> <p style="text-align: right;">Page 30</p>	<p>1 tab, that that locator tab would help with positioning</p> <p>2 this hanger idea so that that locator tab was abutting</p> <p>3 the walls -- the top plate of the wall?</p> <p>4 A. Right. That's -- that was my thinking</p> <p>5 because you -- you know, you -- if you're -- if you</p> <p>6 understand that they're installing the hanger and the</p> <p>7 trusses before the two layers of drywall, you wouldn't</p> <p>8 want, you know, the guys in the -- at the job site having</p> <p>9 to measure each hanger, you know, out, you know, the 1</p> <p>10 and 5/16th or 1 and a quarter from the drywall.</p> <p>11 So the locator tab allows them to put it</p> <p>12 tight to the wood frame wall, you know, put the nails in</p> <p>13 or the screws or what -- what have you, and then move on.</p> <p>14 You know, so that was my idea, what that was for.</p> <p>15 Q. And when you provided these drawings here</p> <p>16 that are shown on the last page of Exhibit 2 to Simpson,</p> <p>17 was -- did you get -- did you receive any response from</p> <p>18 anyone at Simpson?</p> <p>19 A. No, not that I recall.</p> <p>20 Q. Do you recall any discussions with anyone</p> <p>21 at Simpson about these ideas?</p> <p>22 A. No, not -- well, let's see. When -- when I</p> <p>23 gave it to the -- to the rep that was at our office, you</p> <p>24 know, he and I talked about it. And then it seems like,</p> <p>25 if I'm remembering correctly, after MiTek had already</p> <p style="text-align: right;">Page 32</p>
<p>1 figured Simpson or -- or MiTek, somebody could figure out</p> <p>2 a better way to -- to do it than what I had sketched, but</p> <p>3 so long as they knew, you know, what the goal was.</p> <p>4 Q. And looking at the -- and by the way,</p> <p>5 Mr. Rolf, if it's easier for you, I did -- in the -- in</p> <p>6 that control bar above the document, there is a little</p> <p>7 icon that shows like a piece of paper with a little,</p> <p>8 like, kind of star in the middle of -- it's like the</p> <p>9 second one over from the left, and it says "view</p> <p>10 controls"?</p> <p>11 A. Okay.</p> <p>12 Q. If you click that, there is -- it makes</p> <p>13 that little menu that has page orientation. And it</p> <p>14 allows you to rotate the document. It may be easier --</p> <p>15 A. I think I'm fine with this one.</p> <p>16 Q. Okay, sure.</p> <p>17 If you look at the -- the design hand</p> <p>18 drawing that you've been referring to in the upper right</p> <p>19 corner of the document?</p> <p>20 A. Okay.</p> <p>21 Q. There is a little arrow that says "locator</p> <p>22 tab," and identifies one of the elements of your drawing,</p> <p>23 do you see that?</p> <p>24 A. I see that, yes.</p> <p>25 Q. Am I correct, is the idea for that locator</p> <p style="text-align: right;">Page 31</p>	<p>1 worked on it, then -- then I did get a call from -- from</p> <p>2 Simpson about it.</p> <p>3 Q. Do you recall --</p> <p>4 A. I don't remember the timing, but...</p> <p>5 Q. And your rec- -- your recollection is that</p> <p>6 that call from Simpson later was -- was after the time</p> <p>7 you had started working with MiTek on the design; is that</p> <p>8 right?</p> <p>9 A. That's the way I remember it.</p> <p>10 Q. Do you -- I know this was a long time ago.</p> <p>11 Do you happen to recall who the Simpson rep was that you</p> <p>12 had talked about this idea with at the Trussway offices?</p> <p>13 A. Let's see. I'm -- I'm not a hundred</p> <p>14 percent sure but I'm about 95 percent sure that it was a</p> <p>15 guy named Mike Wolfe, W-O-L-F-E, I believe, because he</p> <p>16 was our rep that came around all -- all the time at that</p> <p>17 time period, I believe.</p> <p>18 Q. Thank you. One last question on this</p> <p>19 Exhibit 2, Mr. Rolf. If you -- if you scroll back up to</p> <p>20 the -- the email portion of Exhibit 2, and -- and on the</p> <p>21 bottom of the first page and continuing on to the -- the</p> <p>22 top of the second page of the exhibit, is that email from</p> <p>23 Kendall Hoyd that we talked about very briefly earlier.</p> <p>24 Do you see that?</p> <p>25 A. Yes, I do.</p> <p style="text-align: right;">Page 33</p>

<p>1 Q. And do you see where at the -- the end of</p> <p>2 Mr. Hoyd's email to -- to you and Ray Yu of MiTek, when</p> <p>3 he's asking you to contact MiTek, he says, "MiTek/USP</p> <p>4 have agreed to work out an agreement with Trussway on the</p> <p>5 resulting product that is mutually beneficial."</p> <p>6 Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. Do you have any understanding that MiTek</p> <p>9 and Trussway, in fact, did work out an agreement</p> <p>10 regarding a resulting product?</p> <p>11 A. As far as I can -- a financial agreement or</p> <p>12 something, is that what you are asking?</p> <p>13 Q. Any kind of agreement?</p> <p>14 A. I believe they did but I wasn't part of</p> <p>15 that.</p> <p>16 Q. Okay. Let's look at another exhibit,</p> <p>17 Mr. Rolf. Bear with me one second while I send this to</p> <p>18 everyone.</p> <p>19 (Rolf Exhibit 3, Bates MiTek00012809-812,</p> <p>20 was marked for identification.)</p> <p>21 BY MR. MAUCH:</p> <p>22 Q. Okay. You should see what's identified as</p> <p>23 Exhibit 3 to your deposition pop up in a moment.</p> <p>24 A. Okay.</p> <p>25 Q. Let me know when you've -- when you can see</p> <p style="text-align: right;">Page 34</p>	<p>1 A. Yes.</p> <p>2 Q. Did you know Steve Brekke before being</p> <p>3 introduced to him on this email string?</p> <p>4 A. I don't believe so.</p> <p>5 Q. Had you had the opportunity to interact</p> <p>6 with anyone at MiTek prior to this email string?</p> <p>7 A. Well, yeah, lot -- lots of people through</p> <p>8 the years.</p> <p>9 Q. And that -- that's in connection with</p> <p>10 Trussway purchasing product from MiTek or USP previously?</p> <p>11 A. Well, that -- that would have been a lot of</p> <p>12 different, you know, conversations with a lot of MiTek</p> <p>13 people regarding software, you know, trusses, you know,</p> <p>14 more so trusses than these type of connectors.</p> <p>15 Q. And is that because prior to MiTek's</p> <p>16 purchase of USP, primary business related to truss --</p> <p>17 truss components and truss software?</p> <p>18 A. Right, yeah, the majority of -- of our</p> <p>19 dealings with MiTek were, you know, equipment to</p> <p>20 manufacture trusses or software, connector plates for,</p> <p>21 you know, fabricating trusses, not this type of, you</p> <p>22 know, hangers and -- and so forth.</p> <p>23 Q. That -- that only arose when MiTek acquired</p> <p>24 USP, correct?</p> <p>25 A. I believe so.</p> <p style="text-align: right;">Page 36</p>
<p>1 Exhibit 3, Mr. Rolf.</p> <p>2 A. Yes, I see it. I'm looking at it.</p> <p>3 Q. And -- and I'll state for the record that</p> <p>4 Exhibit 3 was previously marked as Exhibit 36 in the</p> <p>5 deposition of Steve Brekke.</p> <p>6 Mr. Rolf, if -- if you look at the second</p> <p>7 page of Exhibit 36?</p> <p>8 A. Okay.</p> <p>9 Q. Or pardon me, Exhibit 2 -- Exhibit 3, which</p> <p>10 is the Exhibit 36 to the Brekke, sorry about that.</p> <p>11 A. Okay.</p> <p>12 Q. That -- that email from you on the second</p> <p>13 page, that's the same email we were looking at previously</p> <p>14 where you're sending the two attachments to Mr. Yu,</p> <p>15 right?</p> <p>16 A. That's correct.</p> <p>17 Q. And then if you scroll up from there to the</p> <p>18 first page of Exhibit 3, you'll see that there is an</p> <p>19 email from Mr. Yu thanking you for sending it over and</p> <p>20 informing you that he was forwarding the email</p> <p>21 attachments to Steve Brekke of MiTek.</p> <p>22 Do you see that?</p> <p>23 A. I see that, yes.</p> <p>24 Q. And then you then respond and say that you</p> <p>25 look forward to hearing from Mr. Brekke, do you see that?</p> <p style="text-align: right;">Page 35</p>	<p>1 Q. I'm going to now mark another exhibit.</p> <p>2 (Rolf Exhibit 4, Bates ROLF0000007-8, was</p> <p>3 marked for identification.)</p> <p>4 BY MR. MAUCH:</p> <p>5 Q. Exhibit 4 should be appearing in your</p> <p>6 folder momentarily, Mr. Rolf.</p> <p>7 A. Okay. All right. I see it.</p> <p>8 Q. Now, it -- it's very tiny print, Mr. Rolf,</p> <p>9 but if you look at the bottom of the two pages of what</p> <p>10 we've marked as Exhibit 4, there is some very small type</p> <p>11 that says Rolf and then a bunch of zeros and seven, and</p> <p>12 then on the next page Rolf and a bunch of zeros and the</p> <p>13 number eight.</p> <p>14 Can you see that?</p> <p>15 A. Yes, I can.</p> <p>16 Q. Yeah. And I'll -- I'll state for the</p> <p>17 record that this was a document that we received from you</p> <p>18 in connection with the subpoena, and we've added this</p> <p>19 what we call Bates stamp to reflect that these were</p> <p>20 documents that -- that you provided to us in connection</p> <p>21 with the subpoena.</p> <p>22 Do you -- do you recall sending certain</p> <p>23 documents to my law firm after you received this</p> <p>24 subpoena?</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 37</p>

<p>1 Q. And are these two pages two of the pages 2 that you sent to us? 3 A. Yes. 4 Q. And can you tell me what the first page of 5 this Exhibit 4 is? 6 A. It -- it's basically the same page we were 7 looking at earlier. I mean, I do have a note on there 8 where I -- you know, little cloud on the upper right side 9 of it where it says, "FWH, early sketches, as sent to USP 10 and Simpson." And that note was added, I think, when I 11 was cleaning out all of my files and throwing stuff away. 12 Because I had a lot of other sketches related to this 13 same detail and -- and along with other -- a lot of other 14 stuff. 15 So after I retired, I just emptied 16 everything. But for some reason I kept these, these 17 details, and put that note on it. 18 Q. So is -- is this page -- this first page of 19 Exhibit 4, this -- this is a document that you had in a 20 hard copy file somewhere in your offices of Trussway that 21 you -- you took with you when you retired? 22 A. Correct. 23 Q. And then if you scroll to the second page 24 of Exhibit 4, can you tell me what this page is? 25 A. Okay. See, I had a lot of, I guess, you</p> <p style="text-align: right;">Page 38</p>	<p>1 A. Yes, I'm sure they were. Well, they could 2 have been earlier sketches. And then when -- you know, 3 when we were going to, you know, provide this detail, 4 then I cleaned it up a little bit and -- you know, just 5 enough so that, you know, whoever was looking at it could 6 understand what I was trying to suggest. 7 Q. And do you recall whether this second page 8 of drawings that shows the various truss assemblies or 9 the connection of the truss to the wall, do you recall 10 whether that second page was provided to MiTek at any 11 time? 12 A. I -- I don't recall but I don't think it 13 was because it was -- you know, if I was going to present 14 it to anybody to look at it, I would have cleaned it up a 15 lot better than -- than what you are seeing. So I -- I'm 16 reasonably sure I did not provide that to anybody. That 17 was just an internal sketch. 18 Q. Understood. Do you recall the approximate 19 time when you made the sketches that are both on the 20 first page and the second page of Exhibit 4? 21 A. Well, let's see. The -- the first page 22 would have probably been in 2013. And the other -- the 23 other one could have been a year or so earlier. I do not 24 recall. Unfortunately, I didn't date either of these. 25 Q. Understood. But -- but your recollection</p> <p style="text-align: right;">Page 40</p>
<p>1 know, scribble-scrabble sketches like this, because there 2 were so many different ways to make that connection of 3 the truss to the wall. And a lot of times, part of the 4 truss that penetrated the drywall had to be made out of 5 FRT or fire-retardant treated material. 6 And so, like, the very first -- on that 7 second page, that top sketch, that was, you know, just an 8 idea to maybe put a small piece of 4-by-4 FRT material, 9 and then the rest of the truss be regular material. 10 Because the FRT material was like maybe two and a half 11 times as expensive as all the other materials. So -- so 12 we were trying to minimize how much FRT was put into the 13 truss. 14 And then it was also a -- very difficult, 15 in our plant, to control it to where we would get the 16 right numbers to be FRT and then other numbers, you know, 17 non-FRT, or regular material. 18 So -- so these were just some of the ideas 19 that -- that I was kicking around in my head. And -- and 20 I know I had a lot of other sketches but they are not in 21 my file, so I must have tossed them when I retired. 22 Q. And -- and were these sketches that we see 23 on the second page of Exhibit 4, were they made at around 24 the same time as the -- the hanger hand sketches that are 25 on the first page of Exhibit 4?</p> <p style="text-align: right;">Page 39</p>	<p>1 is that you would have made the sketches on the second 2 page prior to making the -- the sketches of the hanger on 3 the first page; is that right? 4 A. That's correct. 5 MR. MAUCH: We've been going for not quite 6 an hour here, Mr. Rolf. We -- we can take a break 7 for a couple minutes and use the restroom and get 8 a glass of water, if you'd like, or we can keep 9 going for a little bit longer, whatever you 10 prefer. 11 THE WITNESS: I'm -- I'm fine. 12 MR. MAUCH: Okay. I'm going to mark the 13 next exhibit. 14 THE WITNESS: Okay. 15 (Rolf Exhibit 5, Bates MiTek00012958-960, 16 was marked for identification.) 17 BY MR. MAUCH: 18 Q. I've now marked Exhibit 5 and it should 19 appear in your folder in just a moment. 20 A. Okay. Got it. 21 Q. I'll state for the record that Exhibit 5 in 22 Mr. Rolf's deposition was previously marked as Exhibit 38 23 in the deposition of Steve Brekke. 24 And, Mr. Rolf, if you could take a minute 25 and review Exhibit 38, and my question will be, once</p> <p style="text-align: right;">Page 41</p>

<p>1 you've had a chance to do so, whether you are familiar 2 with this document. 3 A. Okay. 4 Q. Do you recognize Exhibit 5, Mr. Rolf? 5 A. Yes. 6 Q. And this is an email that Mr. Brekke sent 7 to you on August 21, 2013, right? 8 A. Correct. 9 Q. So this is a few days later, after your 10 emails with Mr. Yu, correct? 11 A. I believe so, yeah, I don't remember the 12 date on those but I do remember that it was -- it 13 happened very quickly. 14 Q. And -- and the "it" that you just referred 15 to was hearing back from Mr. Brekke? 16 A. Yes. 17 Q. And if you look in Mr. Brekke's first 18 sentence of his email to you, he states, "As I mentioned 19 in our phone conversation..." 20 Do you see that? 21 A. Yes. 22 Q. Do you recall a phone conversation with 23 Mr. Brekke at -- around this time period, in mid, late 24 August, at kind of the start of your work with him? 25 A. I -- I'm sure I talked to him a couple of</p> <p style="text-align: right;">Page 42</p>	<p>1 sentence of the email that Mr. Brekke sent, he -- he's 2 attaching a conceptual drawing in his email; is that 3 right? 4 A. Correct. 5 Q. And in the -- in this original idea that -- 6 that's shown in this conceptual drawing, the drywall was 7 to be installed first, before the hanger, in the 8 application, do you -- is that your understanding? 9 A. Well, the way I remember it, my 10 instructions, you know, to them was that it would be 11 great if the hanger could be stalled -- installed prior 12 to the drywall or after the drywall. You know, either 13 way. 14 And so, you know, I was -- I was trying to 15 figure out a way to do it without the -- the slit, you 16 know, the cut. But then what they came up with was 17 the -- the knife thing, you know. And what he says here 18 is a slot cut in the drywall. And what I was hoping for 19 is that if the drywall was installed already, they could 20 just hammer the hanger down and let it knife its way 21 through the two layers of drywall. 22 And so they even -- I think, you know, when 23 they were doing some of the testing and stuff, they -- 24 they installed it that way, but they thought that it tore 25 up the drywall a little bit too much on the inside of the</p> <p style="text-align: right;">Page 44</p>
<p>1 times on the phone, but I don't -- I don't recall. 2 Q. Do you recall ever talking with Mr. Brekke 3 about the fact that he had already been -- already been 4 working on a hanger for a two-hour firewall application 5 when your ideas had been sent to him? 6 A. It's possible but I don't -- I don't 7 recall. 8 Q. Do you recall anything that Mr. Brekke said 9 to you in any phone conversations at any time during this 10 process of working on this idea for a hanger? 11 A. Could you repeat that? 12 Q. Sure. It's a -- it's a broad question 13 because you had -- you had testified that you I think 14 generally recall having spoken to him but don't recall 15 the details. 16 And my question is, do you recall anything 17 that Mr. Brekke said to you in any phone conversation 18 during this period that you were working with him on the 19 design for this hanger? 20 A. No. I mean, I don't really even recall 21 these emails until I see them. So I certainly don't 22 recall, you know, phone conversations. And as far as 23 whether or not he said that he was already working on 24 this type of a hanger, I -- I don't recall hearing that. 25 Q. Understood. And continuing in that first</p> <p style="text-align: right;">Page 43</p>	<p>1 wall. So -- so that's why I think they -- they added the 2 slot to it, the way I remember it. 3 Q. And if you look at Mr. Brekke's description 4 of -- in his email, he says that the -- "the hanger 5 attaches directly to the double plate at the top of the 6 wall and cantilevers through the two-ply gypsum board." 7 And then, "to simplify the installation, the gypsum board 8 should not be fastened along the top edge." 9 Do you see that? 10 A. Yes. 11 Q. And -- and is -- does this refresh your 12 recollection that at this -- at least at this point in 13 time, the idea that Mr. Brekke was conceiving of was that 14 the gypsum board or drywall would be installed first but 15 you would not fasten at the top, so then -- you could 16 then, basically, slip the hanger in over the dry -- you 17 know, through -- over the drywall after the drywall was 18 already installed? 19 A. Well, the way I remember it, the intent 20 would be to install the hanger prior to the drywall. But 21 the way a lot of the job sites were doing it, you know, 22 some of them were putting the two layers of drywall up 23 and then installing, you know, their attachments somehow, 24 you know, through the drywall. 25 And so I -- I just felt like, if it could</p> <p style="text-align: right;">Page 45</p>

<p>1 be installed either way, then it would be more versatile. 2 But -- but all along, I thought that the ideal way is 3 to -- is do all the framing, dry in the building, you 4 know, so there is no rain coming into the building, then 5 install the two layers of drywall. 6 Q. Now, Mr. Brekke attached his -- his 7 drawings, his conceptual drawings to this email, right? 8 A. Yes. 9 Q. And if you -- if you scroll down to the -- 10 the second and third pages of Exhibit 5, those were the 11 drawings that he sent to you in this email on August 21, 12 2013; is that right? 13 A. That -- that's what it looks like, yeah. I 14 remember these drawings. 15 Q. You -- you do remember these drawings? 16 A. Yes. 17 Q. So if you look at the second page, these 18 are -- this is a -- drawings that show the -- the in- -- 19 the proposed installation procedure for this conceptual 20 hanger; is that right? 21 A. I -- I believe so, yes. 22 Q. And at least at this point in time, the -- 23 the -- the idea that Mr. Brekke was proposing was to cut 24 a slot in the gypsum board and install the gypsum board, 25 and then install the hanger so that the hanger fit</p> <p style="text-align: right;">Page 46</p>	<p>1 dried in. It was not, you know, prior to, you know, 2 setting the trusses and installing the hanger. It was 3 after. 4 Q. Understood, Mr. Rolf. I'm going to show 5 you -- 6 (Simultaneously speaking.) 7 BY MR. MAUCH: 8 Q. Pardon me. I didn't want to -- 9 A. Go ahead. 10 Q. I was just going to say, I'm going to show 11 you a couple more documents that may help refresh your 12 recollection of, sort of, how -- how this came about. 13 But you would agree with me that, at least in the 14 drawings here at this time, these drawings show the 15 drywall installed first and then the hanger being 16 installed through a slot in the drywall. 17 Do you agree? 18 A. Yeah, I -- I agree. 19 Q. And then if you look at the -- the last 20 page of Exhibit 5, there is some drawings of the -- the 21 hanger itself, right? 22 A. Yes. 23 Q. And if you look at the -- the -- the 24 portion of the hanger that, basically, connects from 25 where the hanger connects to the wall and where the</p> <p style="text-align: right;">Page 48</p>
<p>1 through that slot in the gypsum board. 2 Is that your understanding? 3 A. Well, he might have made it so that it 4 could be done that way but, you know, the intent was so 5 that the hanger could be attached prior to the drywall. 6 Q. But the -- these drawings here -- you would 7 agree with me that what they -- what these show here is 8 the -- the drywall installed first and then the hanger, 9 right? 10 A. No, I don't -- I don't think so. 11 Q. Would -- where do you see a drawing on this 12 second page that shows the hanger installed before the 13 drywall? 14 A. Yeah, I see what you are saying. You know, 15 it's a little confusing to me because I know, you know, 16 once we started the -- providing these hangers to the 17 field, then I -- I heard comments from our sales -- sales 18 guys as to how they were actually doing the installation. 19 And what they were doing is installing the hanger, and 20 then they would take the drywall and push it up tight 21 underneath the -- the back of the hanger and then mark 22 where the slots go, and then they would cut all the slots 23 and then install the drywall. 24 But it was after -- you know, it was when 25 the drywall installers got there and the building was</p> <p style="text-align: right;">Page 47</p>	<p>1 hanger connects to the -- the truss or the joist, that -- 2 that's the portion that would basically extend through 3 the drywall, right? 4 A. Correct, yeah. 5 Q. And -- 6 A. Yeah, in the slot. 7 Q. In the slot, exactly. 8 And if you look at, I think particularly 9 the -- the drawing that's in the side view, so sort of in 10 the bottom middle of the -- of the page, do you see that? 11 A. I see it, yes. 12 Q. Do you see that at -- at least at this 13 point in time, that flange didn't have any -- any pointed 14 or -- or cutting point on that flange, did it? 15 A. Correct. It just -- like a slat or -- or 16 yeah, a shallow angle slat, right, on that -- that part 17 of the steel that goes -- that falls within the drywall. 18 Q. Okay. So let's -- let's look at the -- one 19 more exhibit and then we'll take a break. 20 A. Okay. 21 (Rolf Exhibit 6, Bates MiTek00012870-878, 22 was marked for identification.) 23 BY MR. MAUCH: 24 Q. I've now introduced Exhibit 6. 25 A. Okay.</p> <p style="text-align: right;">Page 49</p>

<p>1 Q. Let me know when you -- when Exhibit 6 pops 2 up, Mr. Rolf. 3 A. I've got it. 4 Q. Great. And again, if you could take a 5 moment and familiarize yourself with this exhibit, it's 6 a -- it's a little bit longer. You are welcome to read 7 anything and everything. You don't necessarily need to 8 read every word but you are welcome to. I'm going to 9 have some questions about just some of the particular 10 emails. 11 And my overall question, to start, will be 12 if you are familiar with this email string that we've 13 marked as Exhibit 6, which I'll state for the record was 14 previously marked as Exhibit 39 in the deposition of 15 Steve Brekke. 16 A. Okay. Okay, I've skimmed over it. 17 Q. And do you -- do you recall this string of 18 emails, Mr. Rolf? 19 A. Yes, I -- I do now. I mean, I didn't -- I 20 didn't realize there was this much communication, but I 21 guess it happened over a, you know, period of time, so... 22 Q. And if you take a look at the email from 23 Steve Brekke to you on August 21, 2013, that begins at 24 the very bottom of the 7th page of Exhibit 6 and 25 continues on to the top of the 8th page of Exhibit 6.</p> <p style="text-align: right;">Page 50</p>	<p>1 there are -- there is an email from you to Mr. Brekke 2 that same day, August 21, 2013, and it's time-stamped 3 5:03 p.m. 4 Do you see that? 5 A. Yes, I do. 6 Q. And you're responding to Mr. Brekke's email 7 with the conceptual drawing and you are saying that 8 you're impressed, right? 9 A. Yes. 10 Q. And then you provide your initial thoughts 11 about the conceptual drawings; is that right? 12 A. Yes. 13 Q. And those initial thoughts are those -- 14 those three, sort of, bullet points that are in the 15 email, right? 16 A. Correct. 17 Q. And the -- the first bullet point of your 18 initial thoughts is an idea to create some sort of a saw 19 tooth bottom to the web so that the hanger could be 20 hammered on from the top. 21 Do you see that? 22 A. Right. Correct, yes. 23 Q. And this was an idea that you proposed to 24 Mr. Brekke so that you could basically install the hanger 25 after the drywall without having to make any cuts in the</p> <p style="text-align: right;">Page 52</p>
<p>1 A. So go to page 7? 2 Q. Yes. And it's at the very bottom. It's 3 just the from and the to lines and then it goes on to the 4 next page. Do you see that? 5 A. Okay, I see it. Yes, August 21st at 6 3:07 p.m.? 7 Q. Correct. And that's -- that's the email 8 from Mr. Brekke where he was providing his conceptual 9 drawings that we were looking at just a moment ago on 10 Exhibit 5, right? 11 A. Okay. Okay. 12 Q. Do -- do you agree that's the -- that's the 13 same email, right? 14 A. Well, I believe so, yeah. 15 Q. And if you want -- you can -- you are able 16 to, if you want, to go back and look at Exhibit 5, if you 17 want to make sure for yourself, but -- 18 A. No, that -- that makes sense. 19 Q. Yeah. So -- so then everything above that 20 is further emails back and forth between you and 21 Mr. Brekke about the -- the designs for this hanger idea. 22 Do you agree? 23 A. Right. Correct. 24 Q. And if you look at the email directly 25 above, there is -- so this is on page 7 of Exhibit 6,</p> <p style="text-align: right;">Page 51</p>	<p>1 drywall; is that right? 2 A. Right. I was just, you know, thinking that 3 would be easier for the -- for the field, and -- and a 4 lot of this is, you know, high volume and, you know. So 5 I thought that would be a better way to do it. 6 Q. And then the -- the second point of your 7 initial thoughts, you state, "Could the hanger web have 8 enough strength so that it could extend slightly farther 9 out from the frame wall? 10 "If it could extend out possibly 1 and a 11 half inches instead of 1 and a quarter inches, I could 12 see them installing the hanger and trusses first, then 13 installing the drywall after. This would be a big 14 advantage. This keeps the 'pre rock' out of the framer's 15 package and allows the drywall guy to do it all after dry 16 in." 17 Do you see that? 18 A. Yes, I do. 19 Q. And does seeing the -- this portion of your 20 email that I just read into the record, does that refresh 21 your recollection that it was at this point in time, 22 in -- in and around August 21, 2013, that you were 23 proposing to Mr. Brekke the idea of making some small 24 changes to the dimensions of the hanger so that it could 25 be installed before the drywall?</p> <p style="text-align: right;">Page 53</p>

<p>1 A. Yes. Yeah, I mean, I -- the way I remember 2 it, you know, in my mind, I was hoping it could be -- so 3 that it could be -- so the hanger could be installed 4 before or after. And after -- I mean, installing the 5 hanger before the drywall would be a better option 6 because of the -- as I explained here, it's just that in 7 the field, a lot of them were doing -- you know, 8 installing the drywall and then installing some sort of 9 attachment after the fact.</p> <p>10 So -- you know, so I figured that was a 11 change to the procedure they were doing. So a hanger 12 that would handle both situations would be best is what I 13 was thinking.</p> <p>14 Q. Understood. You -- you liked the idea of 15 the hanger allowing for, sort of, the optionality of 16 sequence in the installation either before or after the 17 drywall; is that right?</p> <p>18 A. Right, yeah. But it didn't surprise me, 19 within a short period of time after we, you know, were, 20 you know, sending the hangers out to the field that the 21 feedback I got was that they were all installed in the 22 drywall after the fact.</p> <p>23 Q. And -- and when you say that's the feedback 24 you got, how did you get that feedback?</p> <p>25 A. Probably from a couple of our sales guys.</p> <p style="text-align: right;">Page 54</p>	<p>1 Q. And then if you scroll all the way to 2 the -- the top, to the first page of Exhibit 6, you see 3 there is another email from Mr. Brekke, now on 4 September 6, 2013.</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. So that -- this has now spanned a couple 8 weeks in time between sort of mid, late August to early 9 September 2013; is that right?</p> <p>10 A. That's correct.</p> <p>11 Q. And Mr. Brekke is communicating to you that 12 MiTek is going to wait and see how the hanger tests out 13 before contacting any architects, engineers or building 14 officials?</p> <p>15 A. Yeah. Yes.</p> <p>16 Q. Do you recall -- were there discussions 17 with Mr. Brekke about the possibility of contacting 18 architects, engineers or building officials about the 19 idea that you were working on with him?</p> <p>20 A. I don't remember having any other 21 conversations about it, if that's what you're asking. 22 But I didn't even remember this until I read the email 23 here.</p> <p>24 Q. Well, what -- and I -- and again, I 25 understand that this has been a while and I understand</p> <p style="text-align: right;">Page 56</p>
<p>1 And might have gone to a job site and then actually saw 2 it done that way too. I don't remember exactly. But 3 it's a logical way to do it and that was kind of the 4 whole goal, I think.</p> <p>5 Q. If you scroll up a couple pages, you -- you 6 see that there is -- as you mentioned, there is quite a 7 few communications back and forth between you and 8 Mr. Brekke about the hanger design, right?</p> <p>9 A. Yes.</p> <p>10 Q. And would -- in these emails, you're -- 11 you're talking about ways to potentially improve the 12 design or tweak the design, do you agree?</p> <p>13 A. I agree.</p> <p>14 Q. And if you -- if you go all the way up 15 to -- there is an email from Mr. Brekke to you on 16 August 23, 2013. And this is on page 3 of the Exhibit 6.</p> <p>17 A. Okay.</p> <p>18 Q. It's at the bottom of page 3.</p> <p>19 A. Okay. I see it.</p> <p>20 Q. And Mr. Brekke is informing you that the 21 plan is to make prototypes of this hanger, right?</p> <p>22 A. Correct.</p> <p>23 Q. And to run some tests to determine the -- 24 the load capacity for the hanger, right?</p> <p>25 A. Correct.</p> <p style="text-align: right;">Page 55</p>	<p>1 how the memory works.</p> <p>2 Seeing this now, does this refresh your 3 recollection at all about the idea of sharing this idea 4 with other members of the industry to get, sort of, 5 feedback about the idea?</p> <p>6 A. Yes, that sounds familiar. And I -- I 7 believe they delivered us, you know, like a mock-up of, 8 you know, the hanger on a piece of wall, you know, just 9 at our, you know, office there. And they maybe did the 10 same thing with -- you know, for other people, but I 11 don't remember that for sure.</p> <p>12 Q. Do you recall whether this -- the idea -- 13 so before there was any actual product on the market, do 14 you recall whether the idea was shared with anyone from 15 the industry?</p> <p>16 A. Well, it wasn't shared by me. And I don't 17 recall if -- you know, if MiTek shared it.</p> <p>18 Q. You're -- you're not aware of that, though?</p> <p>19 A. Not that I'm aware of.</p> <p>20 Q. Okay. And then if you look at the -- the 21 very top email of Exhibit 6, and it's the email from you 22 on that same day, September 6th.</p> <p>23 Do you see that one?</p> <p>24 A. Yes.</p> <p>25 Q. And here, what you're relaying to</p> <p style="text-align: right;">Page 57</p>

<p>1 Mr. Brekke is right along the lines of what you just 2 testified to a couple minutes ago, about there being this 3 optionality where the hanger could be installed either 4 before the drywall or after by -- by basically hammering 5 the -- the hanger down into the drywall; is that right? 6 A. Yes. 7 Q. And you -- you were the one who had 8 proposed this, sort of, what I've been calling 9 optionality or flexibility for the hanger, right? 10 A. Yes, as I recall. 11 MR. MAUCH: We've been going for about an 12 hour and 20 minutes. Why don't we take a short 13 break to let the court reporter take a little 14 rest. She's been typing, I'm sure, very 15 vigorously. 16 THE WITNESS: Okay. 17 MR. MAUCH: We can -- why don't we come 18 back in about five, ten minutes, at around 12:40 19 or so, central time. 20 THE WITNESS: Okay. 21 MR. MAUCH: You can use the restroom, get a 22 drink of water, whatever you need to do. You 23 also -- if you -- you can -- if you look on your 24 screen at the bottom, Mr. Rolf, where it says 25 "video," if you click that, it will turn off your</p> <p style="text-align: right;">Page 58</p>	<p>1 make sense to just briefly turn back to the prior 2 Exhibit 6, Mr. Rolf. 3 Just to remind you, if you look at the -- 4 that -- that top email of Exhibit 6 which, as we talked 5 about, is the -- the last email in the string time wise, 6 that's the email from you on September 6, 2013, right? 7 A. Correct. 8 Q. Okay. And then if you now look at the -- 9 the newly marked Exhibit 7 that I -- I just introduced. 10 (Rolf Exhibit 7, Bates MiTek00012914-918, 11 was marked for identification.) 12 BY MR. MAUCH: 13 Q. I'll state for the record that the exhibit 14 marked as Exhibit 7 in this deposition was previously 15 marked as Exhibit 43 in the deposition of Steve Brekke. 16 And once again, Mr. Rolf, if you can take a 17 minute and review this Exhibit 7. And my first question 18 is going to be whether you are familiar with this email 19 string? 20 A. Okay. I've reviewed all this. 21 Q. And do you -- are you familiar with this, 22 what we've marked as Exhibit 7 here, Mr. Rolf? 23 A. Yes, it looks familiar. 24 Q. And this is another string of emails 25 primarily between you and Mr. Brekke, correct?</p> <p style="text-align: right;">Page 60</p>
<p>1 video for a minute, and you can turn it on and off 2 so that if you don't want us to see your -- your 3 screen while you are getting up and moving around, 4 you can -- you don't have to do that but you are 5 welcome to. But we go off -- we can go off the 6 record now. 7 THE WITNESS: Okay. 8 THE VIDEOGRAPHER: We are going off the 9 record. The time is 1:34 p.m. 10 (A recess is taken.) 11 THE VIDEOGRAPHER: We are back on the 12 record. The time is 1:43 p.m. 13 BY MR. MAUCH: 14 Q. Okay, Mr. Rolf. And by the way, Mr. Rolf, 15 I should have asked you at the start of today, where are 16 you located? 17 A. Right now I'm in the panhandle in Florida, 18 Crestview, Florida, small town. 19 Q. And you're in your home? 20 A. Yes. 21 Q. And you are not represented by an attorney 22 today, right? 23 A. No. 24 Q. I'm going to introduce a -- another exhibit 25 here. This will be Exhibit 7 -- but, actually, it might</p> <p style="text-align: right;">Page 59</p>	<p>1 A. Correct. 2 Q. And if you -- if you scroll down to the -- 3 I guess second-to-last page of the exhibit, there is -- 4 there is an email from Mr. Brekke to you that starts on 5 the second-to-last page and continues on to the last page 6 of Exhibit 7. 7 Do you see that? 8 A. Okay. I believe so, yes. 9 Q. And the date of Mr. Brekke's email to you 10 is October 11, 2013, right? 11 A. 9:55, correct. 12 Q. So this is a little over a month from after 13 the -- the last email that we had looked at, at the -- 14 the top of Exhibit 5 -- Exhibit 6, correct? 15 A. That sounds -- sounds right, yep. 16 Q. And Mr. Brekke, right at the beginning of 17 his email, writes to you that he -- wanted to keep you 18 informed about the development of the hanger with -- for 19 use with the fire separation wall, correct? 20 A. Correct. 21 Q. And he lets you know that they've been 22 running some preliminary tests on a prototype of the 23 hanger, right? 24 A. Right. 25 Q. And he says that the -- the testing was</p> <p style="text-align: right;">Page 61</p>

<p>1 based on two types of installation. One on a -- a wall</p> <p>2 assembly with a double top plate and no gypsum board,</p> <p>3 correct?</p> <p>4 A. Correct.</p> <p>5 Q. And then the other tested installation was</p> <p>6 by installing the hanger by hammering it down on a wall</p> <p>7 where the gypsum board had already been installed,</p> <p>8 correct?</p> <p>9 A. Correct.</p> <p>10 Q. And those are the two options that you had</p> <p>11 identified in prior emails, including that last top email</p> <p>12 that we looked at in Exhibit 6, right?</p> <p>13 A. Right.</p> <p>14 Q. And if you -- if you scroll up, you'll see</p> <p>15 that there is a response from you to Mr. Brekke's email</p> <p>16 on that same day, October 11th. And then if you keep</p> <p>17 scrolling up to what I guess is the -- the third page of</p> <p>18 Exhibit 7, it's towards the very bottom, there is an</p> <p>19 email from Mr. Brekke to you on October 11th at</p> <p>20 11:11 a.m.?</p> <p>21 A. Okay.</p> <p>22 Q. Do you see that?</p> <p>23 A. Yes, I do.</p> <p>24 Q. And Mr. Brekke is letting you know that the</p> <p>25 idea has not been presented to building officials yet, do</p> <p style="text-align: right;">Page 62</p>	<p>1 communications that you had directly with counsel.</p> <p>2 And as you are jointly working with</p> <p>3 counsel, I do want to -- with my client, I do want</p> <p>4 to preserve that attorney-client privilege to the</p> <p>5 extent this topic comes up, but I don't anticipate</p> <p>6 Joe is really doing so.</p> <p>7 THE WITNESS: Okay.</p> <p>8 MR. MAUCH: Thank you, John.</p> <p>9 BY MR. MAUCH:</p> <p>10 Q. Mr. Rolf, do you -- do you -- at any point,</p> <p>11 do you believe you were represented by counsel in</p> <p>12 connection with any patenting of the idea that you worked</p> <p>13 on with MiTek?</p> <p>14 A. Let's see. Could you explain what -- I'm</p> <p>15 not sure I understand the question.</p> <p>16 Q. Sure. Without divulging to me any -- the</p> <p>17 subject of any communications you may have had with an</p> <p>18 attorney, did you have communications with an attorney</p> <p>19 related to patenting the idea for this hanger for a</p> <p>20 two-hour firewall application?</p> <p>21 A. Not that I recall.</p> <p>22 Q. Did you have -- you know, prior to this</p> <p>23 time period in the fall of 2013, when you were working</p> <p>24 with Mr. Brekke, did you have any prior experience with</p> <p>25 patents?</p> <p style="text-align: right;">Page 64</p>
<p>1 you see that?</p> <p>2 A. Yes.</p> <p>3 Q. And then -- then he says, "If we go public,</p> <p>4 we cannot patent the idea/design." Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. Was this the -- the first you had heard</p> <p>7 of -- of patent -- patenting this idea for the firewall</p> <p>8 hanger?</p> <p>9 A. I -- I couldn't say if I had heard it prior</p> <p>10 to that or not. I don't remember.</p> <p>11 Q. Do you have any recollection of</p> <p>12 communications with Mr. Brekke or anyone at MiTek about</p> <p>13 patenting the idea that you were working on with them?</p> <p>14 A. I don't recall talking to anybody about it.</p> <p>15 At -- at that -- at this stage.</p> <p>16 MR. SCHROEDER: I do want to real quickly</p> <p>17 interject that, to the extent any of these</p> <p>18 questions that are coming up are going to ask --</p> <p>19 and I know Joe is not going to intentionally do</p> <p>20 so. But to the extent that they would make you</p> <p>21 want to discuss any conversations that you had</p> <p>22 with the attorney that was prosecuting the patent,</p> <p>23 I do want to kind of inform you, since you are not</p> <p>24 my client but, you know -- that there is an</p> <p>25 attorney-client privilege that can go with</p> <p style="text-align: right;">Page 63</p>	<p>1 A. Yes.</p> <p>2 Q. Can you explain what that prior experience</p> <p>3 was?</p> <p>4 A. Well, let's see. Back in the late '90s I</p> <p>5 -- I came with an -- with an idea, you know, for another</p> <p>6 type of hardware, and we actually got the patent. But</p> <p>7 then we never really did anything with it and I think the</p> <p>8 patent is expired now. And --</p> <p>9 Q. Were you --</p> <p>10 A. -- I through Trussway.</p> <p>11 Q. I was about to ask. So that's when you</p> <p>12 were an employee at Trussway?</p> <p>13 A. Correct.</p> <p>14 Q. And other than that experience with being</p> <p>15 an inventor of what became an issued patent, any other</p> <p>16 experience with patents prior to 2013?</p> <p>17 A. Not that I recall.</p> <p>18 Q. Do you have any experience with patents</p> <p>19 other than this particular experience after 2013?</p> <p>20 A. No.</p> <p>21 Q. If we -- if we scroll forward or towards</p> <p>22 the beginning of this Exhibit 7 --</p> <p>23 A. Towards the top?</p> <p>24 Q. Towards the top, exactly.</p> <p>25 -- you'll see that on the very bottom of</p> <p style="text-align: right;">Page 65</p>

<p>1 the first page of Exhibit 7, and continuing onto the 2 second page, there is an email from you to Mr. Brekke on 3 December 17, 2013.</p> <p>4 Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. And in your email to Mr. Brekke on that 7 day, you inform him that "it looks like Simpson already 8 has their hanger out."</p> <p>9 Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. What do you recall about, you know, this 12 time period and sending this email to Mr. Brekke?</p> <p>13 A. This is -- I mean, I kind of remember it 14 now but I didn't remember the -- you know, the timing. 15 I'm thinking that a Simpson hanger was a different 16 design. And I don't see any pictures of it so I, you 17 know, couldn't say that I remember exactly what the 18 comparison was.</p> <p>19 Q. In a moment, I can show you another 20 document that I believe has the -- what was the 21 attachment to your email. But -- but before we go to 22 that, let's just stay on this email for a moment.</p> <p>23 A. Okay.</p> <p>24 Q. In that last sentence of your -- the first 25 paragraph of your email, so this is on that top of the</p> <p style="text-align: right;">Page 66</p>	<p>1 (Rolf Exhibit 8, Bates MiTek00013035-040, 2 was marked for identification.)</p> <p>3 BY MR. MAUCH:</p> <p>4 Q. Okay, I -- I've now marked Exhibit 8, 5 Mr. Rolf.</p> <p>6 A. Okay. Got it.</p> <p>7 Q. And I'll state for the record that 8 Exhibit 8 was previously marked as Exhibit 3 in the 9 deposition of Todd Grevious.</p> <p>10 And, Mr. Rolf, if you look at the first 11 page of Exhibit 8, you'll see there is that same email to 12 Mr. Brekke and you sent him on December 17, 2013, about 13 Simpson releasing a hanger.</p> <p>14 Do you see that?</p> <p>15 A. Okay, yes.</p> <p>16 Q. And then directly above that, Mr. Brekke 17 forwards your email with an attachment to, among other 18 people, Ray Yu.</p> <p>19 Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. And then if you scroll down, you can see 22 what I believe to be the attachments that were originally 23 sent by you and then forwarded by Mr. Brekke to Mr. Yu.</p> <p>24 Does that comport with your understanding?</p> <p>25 A. Okay. Say that again, what -- where am</p> <p style="text-align: right;">Page 68</p>
<p>1 second page of Exhibit 7, you state, "The lighter version 2 with face mount is hard to beat."</p> <p>3 Seeing that, do you have any recollection 4 of what you meant by that?</p> <p>5 A. Okay. Where am I again? Let's see. I'm 6 on page 2?</p> <p>7 Q. Correct, page 2 is the beginning of the 8 substance of your email to Mr. Brekke, and there is, I 9 guess, three different paragraphs. First one begins "it 10 looks like..." and then the -- the last sentence of that 11 first paragraph, you say, "The lighter version with face 12 mount is hard to beat."</p> <p>13 Do you see that?</p> <p>14 A. Yes.</p> <p>15 Q. Do you have an understanding of what you 16 meant by that?</p> <p>17 A. Let's see. I don't recollect, you know, 18 without seeing the -- the drawing of the -- of the 19 hanger, that might jog my memory.</p> <p>20 Q. Well, let -- let's -- let's go ahead and do 21 that. Let me mark the next exhibit. And apologies if 22 you can hear my dogs barking in the background. I don't 23 know if you can, but they're -- someone is clearly 24 walking by and causing quite a ruckus.</p> <p>25 A. No problem.</p> <p style="text-align: right;">Page 67</p>	<p>1 I -- what page should I look at?</p> <p>2 Q. Sure. So you send Mr. Brekke the email on 3 December 17th that we had been looking at previously. 4 And then Mr. Brekke forwards your email and any 5 attachments to your email to Mr. Yu.</p> <p>6 Do you see that?</p> <p>7 A. Which is the top of the page, right.</p> <p>8 Q. Top of the page, exactly.</p> <p>9 A. Okay, I see it.</p> <p>10 Q. And then, I believe if you scroll down in 11 Exhibit 8, you then see the attachments.</p> <p>12 A. Okay.</p> <p>13 Q. And it's a two -- it's a two-page document 14 with a Simpson Strong-Tie trademark up in the corner, and 15 it says, DU/DHU/ --</p> <p>16 A. Right.</p> <p>17 Q. -- DUHTF drywall hanger, do you see that?</p> <p>18 A. I see that, yes.</p> <p>19 Q. And does -- does seeing this and this -- 20 the email, does this refresh your recollection that this 21 was the Simpson flyer that you had sent to Mr. Brekke and 22 that he had then forwarded on to Mr. Yu?</p> <p>23 A. Okay, yeah, I didn't remember that I had 24 sent it but I apparently did.</p> <p>25 Q. And in looking at the two pages that are</p> <p style="text-align: right;">Page 69</p>

<p>1 attached to this Exhibit 8, the email of Exhibit 8, 2 does -- does this refresh your recollection about the 3 hanger that Simpson had introduced in -- in December of 4 2013? 5 A. Yes. 6 Q. And if you look at the -- your email, here 7 in Exhibit 8, which is, again, the same email that we 8 were looking at in Exhibit 7, you had stated, "The 9 lighter version with face mount is hard to beat." 10 Now, being able to see this -- this flyer 11 with the Simpson hangers, are you able to understand what 12 you meant by "the lighter version with face mount is hard 13 to beat"? 14 And take your time for a minute, if you 15 need to. 16 A. I mean, maybe in cost, maybe that's what I 17 was thinking, but I -- but I don't remember exactly. 18 It's kind of hard to get my mind back to 2013. 19 Q. Is it your understanding that Simpson was 20 offering a few different versions of a -- of this drywall 21 hanger, including a version with -- to carry lighter 22 loads? 23 A. Yeah, that's -- I believe I understood it 24 that way. But I think that the big difference, as I 25 recall, is that it had to be installed after the drywall.</p> <p style="text-align: right;">Page 70</p>	<p>1 Q. So -- so fair to say that your 2 understanding was that, basically, the more steel used in 3 the fabrication of a connector product, the -- the higher 4 cost of that product? 5 A. Yes. 6 Q. Did you also have an understanding that 7 fabrication costs, other than just the amount of steel, 8 could also be greater for certain types of products? 9 A. Yes, that -- that makes sense. 10 Q. And did you have an understanding that 11 the -- the way, the method of fabricating the products 12 that you and Mr. Brekke had designed was a fairly 13 complicated and then, thus, costly fabrication process? 14 A. Well, I didn't really, you know, have much 15 information about that. I figured if they could come up 16 with the design and the design -- you know, the -- the 17 product handled the load, then they would figure out 18 the -- the economical way to make it. 19 Q. Did you have an understanding that that's 20 what MiTek did, that they figured out an economical way 21 to make it? 22 MR. SCHROEDER: Objection, form. 23 THE WITNESS: Well, I -- okay. 24 BY MR. MAUCH: 25 Q. You are allowed -- you're -- so this is the</p> <p style="text-align: right;">Page 72</p>
<p>1 Q. And that was true of this -- this entire 2 series of products, DU, DHU, and DHUTF that Simpson had 3 introduced in December of 2013, right? 4 A. I believe that's correct. 5 Q. Did you ever have -- at this time or later, 6 when MiTek had introduced a product in connection with 7 what you had been working on with Mr. Brekke, did you 8 ever have a concern that the hanger that had been 9 designed was more robust than was needed for many 10 applications? 11 A. Well, I was concerned that it was going to 12 be way more expensive than I -- in my mind, it needed to 13 be a lot cheaper than it was. And we ended up, you know, 14 having to charge quite -- I don't remember the prices but 15 they were way more costly than I thought the market could 16 bear. But I was incorrect because, obviously, we sold a 17 lot of them. 18 Q. Did you have an understanding as to why 19 MiTek was pricing the hanger that it ultimately released 20 to the market at -- at that high price point? 21 A. Well, once I saw it and what it took to 22 accomplish the -- you know, what we were trying to 23 accomplish, then I understood why it was so costly. 24 Because it was a -- you know, it had a lot of -- lot of 25 steel.</p> <p style="text-align: right;">Page 71</p>	<p>1 first instance -- experience we've had with this, 2 Mr. Rolf. Mr. Schroeder is absolutely allowed to make an 3 objection. And then, if you understand the question, you 4 can answer it. And then later, a judge will determine 5 whether or not, you know, your answer will be admitted. 6 So you can go ahead and answer now. 7 A. Okay. Can you repeat the question? I've 8 forgotten it already. 9 Q. Sure. Let me see if I can. Did you have 10 an understanding that MiTek was able to develop a 11 cost-efficient manner to fabricate the -- the product 12 that was the result of the -- what you had designed with 13 Mr. Brekke? 14 MR. SCHROEDER: I'm going to ob- -- object 15 again. I think it was stated a little 16 differently. But you may answer it, to the extent 17 you can. I just want to get my objection on the 18 record. 19 THE WITNESS: Let's -- let's put it this 20 way. I -- I figured the market would let us know 21 if it was cost-effective or not. I mean, I had no 22 idea if they could, you know, come up with a 23 cheaper way to make it or not. I didn't really 24 think about that. 25</p> <p style="text-align: right;">Page 73</p>

<p>1 BY MR. MAUCH:</p> <p>2 Q. Understood. Going back to your email to</p> <p>3 Mr. Brekke that we've been looking at, you state -- and</p> <p>4 this is now in the -- the next paragraph. You say, "I</p> <p>5 guess the big question is, which is easier to install?"</p> <p>6 Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. Was ease of installation, in your mind,</p> <p>9 another factor that was important to the market?</p> <p>10 A. I -- I really -- and I may be saying this</p> <p>11 because I -- I know how it ended up as far as how they</p> <p>12 were installing them, but I -- I really think that the</p> <p>13 easier method to install was the most important thing,</p> <p>14 even more so than the cost, in hindsight.</p> <p>15 Q. And in the next -- the very next sentence</p> <p>16 you say, "Their version looks pretty low-cost too." And</p> <p>17 first of all, that's a reference to the Simpson hangers,</p> <p>18 correct?</p> <p>19 A. Right. I guess that's in reference to</p> <p>20 the -- these other pages, the -- the drawings from</p> <p>21 Simpson.</p> <p>22 Q. And did you have an understanding, at this</p> <p>23 point or later on, as to the -- the price that Simpson</p> <p>24 was charging for that -- that DU series of products</p> <p>25 that's in that flyer?</p> <p style="text-align: right;">Page 74</p>	<p>1 one that identified the problem and a possible solution.</p> <p>2 Q. And did you ultimately assign your rights</p> <p>3 in the patent to MiTek?</p> <p>4 A. Yes.</p> <p>5 Q. And if we look at the next exhibit I'm</p> <p>6 going to introduce here.</p> <p>7 (Rolf Exhibit 9, Bates ROLF0000001-6, was</p> <p>8 marked for identification.)</p> <p>9 BY MR. MAUCH:</p> <p>10 Q. I've now marked Exhibit 9. And as you</p> <p>11 start to look at Exhibit 9, Mr. Rolf, I'll state for the</p> <p>12 record that Exhibit 9 is a six-page document that begins</p> <p>13 with that very small Bates stamp in the bottom right-hand</p> <p>14 corner of Rolf 001 to Rolf 006.</p> <p>15 Are you familiar with this Exhibit 9,</p> <p>16 Mr. Rolf?</p> <p>17 A. I am.</p> <p>18 Q. And this is another one of the documents</p> <p>19 that you provided to my law firm after we sent you the</p> <p>20 subpoena; is that right?</p> <p>21 A. That's correct.</p> <p>22 Q. And what is Exhibit 9?</p> <p>23 A. It's an assignment where I basically signed</p> <p>24 off, I guess for a dollar, my rights to the patent.</p> <p>25 Q. Are you familiar with a company called</p> <p style="text-align: right;">Page 76</p>
<p>1 A. Not that I recall. But just looking at it,</p> <p>2 looks like it's less steel involved, so therefore it</p> <p>3 would be, you know, lower cost.</p> <p>4 Q. Okay. We can -- we can put those exhibits</p> <p>5 aside now, Mr. Rolf.</p> <p>6 A. Okay.</p> <p>7 Q. Did you understand -- so did you understand</p> <p>8 at some point during your work with Mr. Brekke that MiTek</p> <p>9 was going to pursue a patent in connection with the</p> <p>10 hanger that you were designing with him?</p> <p>11 A. I guess I knew that. I -- I don't</p> <p>12 remember, specifically.</p> <p>13 Q. Did you at some point understand that you</p> <p>14 would be identified as an inventor on that patent</p> <p>15 application?</p> <p>16 A. During the process, I did not understand it</p> <p>17 that way. I think when -- when they were applying for</p> <p>18 the patent, they asked me if I wanted to be on it. Now I</p> <p>19 wish I wouldn't have been. But, you know, when they</p> <p>20 asked me and then I said, Well, what are the -- well, the</p> <p>21 qualifications or what -- you know, what -- should I be</p> <p>22 on it or should I not be.</p> <p>23 And then when they defined what the -- what</p> <p>24 the qualifications to be on the patent were, then it kind</p> <p>25 of made sense that I would be on it. Because I was the</p> <p style="text-align: right;">Page 75</p>	<p>1 Columbia Insurance Company, Mr. Rolf?</p> <p>2 A. No.</p> <p>3 Q. If I told you that Columbia Insurance owns</p> <p>4 patents that cover MiTek products, would that refresh</p> <p>5 your recollection at all?</p> <p>6 A. No.</p> <p>7 Q. Okay. Are you aware that MiTek or Columbia</p> <p>8 received multiple patents related to the original</p> <p>9 invention that you had worked on with Mr. Brekke?</p> <p>10 A. I don't believe so. It seems like the</p> <p>11 patent was applied for earlier than -- because the other</p> <p>12 day, I did try to look up the patent and it looked like</p> <p>13 there was a 2018 patent, and I just assumed that was</p> <p>14 updated from the original patent. But I -- I haven't</p> <p>15 been -- I hadn't paid any attention to any of that for a</p> <p>16 long time.</p> <p>17 Q. Okay. So -- so you don't -- you don't have</p> <p>18 any understanding that there were multiple -- there may</p> <p>19 have been multiple patents that -- that MiTek or one of</p> <p>20 its related entities received in connection with that</p> <p>21 original application back in late December 2013?</p> <p>22 A. I do not.</p> <p>23 Q. Okay. Let's look at the next exhibit.</p> <p>24 And -- and we're almost done, Mr. Rolf.</p> <p>25 A. Okay.</p> <p style="text-align: right;">Page 77</p>

<p>1 MR. MAUCH: Sorry, bear with me a second.</p> <p>2 Something is malfunctioning in my...</p> <p>3 Sorry, Mr. Rolf, something is not working</p> <p>4 right. Yeah, give me one second. Let me figure</p> <p>5 out what's going on here. Let me -- it's -- it's</p> <p>6 giving me an error now when I try to look at any</p> <p>7 of these documents. Just give me one -- maybe</p> <p>8 we -- if we just go off the record for just a</p> <p>9 minute. Let me see if I can resolve this quickly,</p> <p>10 and if not we'll come up with a work-around.</p> <p>11 THE VIDEOGRAPHER: We're going off the</p> <p>12 record. The time is 2:14 p.m.</p> <p>13 (A recess is taken.)</p> <p>14 THE VIDEOGRAPHER: We're back on the</p> <p>15 record. The time is 2:16 p.m.</p> <p>16 BY MR. MAUCH:</p> <p>17 Q. Okay, Mr. Rolf, sorry for that short</p> <p>18 technical difficulty. It wouldn't be a Zoom deposition</p> <p>19 without some technical difficulty.</p> <p>20 I've just introduced and, hopefully, you</p> <p>21 can now see in your folder Exhibit 10.</p> <p>22 (Rolf Exhibit 10, Post Grant Review</p> <p>23 Certificate, was marked for identification.)</p> <p>24 THE WITNESS: I got it.</p> <p>25</p> <p style="text-align: right;">Page 78</p>	<p>1 subject to a post-grant review proceeding?</p> <p>2 A. No.</p> <p>3 Q. Do you ever recall hearing that the</p> <p>4 original claims of any of the patent -- of any patents or</p> <p>5 patents that MiTek or its affiliated companies had been</p> <p>6 issued in relation to the invention that you and</p> <p>7 Mr. Brekke had made had been found unpatentable or</p> <p>8 invalid?</p> <p>9 A. Oh, I never heard anything like that.</p> <p>10 Q. Okay. And if you look at the second page</p> <p>11 of Exhibit 10, Mr. Rolf -- and I realize this -- the font</p> <p>12 is -- is quite small. So if you need to use that plus</p> <p>13 sign to make it a little bigger, you certainly -- you</p> <p>14 can.</p> <p>15 A. All right.</p> <p>16 Q. I know you said you had been an inventor on</p> <p>17 a prior patent. Based on that experience, do you recall</p> <p>18 ever hearing about what are known as the claims of a</p> <p>19 patent?</p> <p>20 A. I -- yes, I remember the -- the term.</p> <p>21 Q. Okay. And do you have any understanding</p> <p>22 about what the claims of a patent are?</p> <p>23 A. I --</p> <p>24 MR. SCHROEDER: Object to form but you may</p> <p>25 answer.</p> <p style="text-align: right;">Page 80</p>
<p>1 BY MR. MAUCH:</p> <p>2 Q. Okay. And what -- what I was originally</p> <p>3 trying to show you, Mr. Rolf, was a -- the ori- -- the</p> <p>4 patent that is at issue in this litigation, which has</p> <p>5 the -- the US patent number of US 10,316,510, and we</p> <p>6 refer to it as the '510 patent.</p> <p>7 And if you look in the top right-hand</p> <p>8 corner of what I've now marked as Exhibit 10, you'll see</p> <p>9 that same number. Do you see that in the right-hand</p> <p>10 corner?</p> <p>11 A. Correct.</p> <p>12 Q. And what I've marked as Exhibit 10 was</p> <p>13 previously marked as Exhibit 2 in the deposition of Todd</p> <p>14 Grevious. And you see there, it states at the top of</p> <p>15 this document that -- it says "post-grant review</p> <p>16 certificate."</p> <p>17 Do you see that, Mr. Rolf?</p> <p>18 A. I do.</p> <p>19 Q. I assume you don't have any idea what a</p> <p>20 post-grant review proceeding is, Mr. Rolf?</p> <p>21 A. I do not.</p> <p>22 Q. Do you ever remember hearing from anyone</p> <p>23 that the -- one of the patents that had been issued to</p> <p>24 MiTek or its affiliated companies relating to the</p> <p>25 invention that you and Mr. Brekke had made had been</p> <p style="text-align: right;">Page 79</p>	<p>1 THE WITNESS: I do not think I could define</p> <p>2 it.</p> <p>3 BY MR. MAUCH:</p> <p>4 Q. Sure. If you look at what we see here on</p> <p>5 this second page of Exhibit 10, it says, "As a result of</p> <p>6 the post-grant review proceeding, it has been determined</p> <p>7 that." And then it says, first of all, "Claims 1-20 are</p> <p>8 canceled."</p> <p>9 Do you see that, Mr. Rolf?</p> <p>10 A. I do, yes.</p> <p>11 Q. And then it has the number 40, and -- and</p> <p>12 it says "(substitute for claim 20)," do you see that?</p> <p>13 A. Yes.</p> <p>14 Q. And then it goes on in -- in -- in italics,</p> <p>15 there is -- the -- the next column -- column -- next two</p> <p>16 columns, there is some text.</p> <p>17 Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. In -- in looking at that text, that's in</p> <p>20 italicized font, have you seen this -- this language</p> <p>21 before, Mr. Rolf?</p> <p>22 A. No.</p> <p>23 Q. Do you see anywhere in this -- in this</p> <p>24 italicized language where it -- it says anything about a</p> <p>25 fire-resistive wall assembly?</p> <p style="text-align: right;">Page 81</p>

<p>1 MR. SCHROEDER: I'm going to object to form 2 but you may answer. 3 THE WITNESS: I don't see anything about it 4 being a firewall. 5 BY MR. MAUCH: 6 Q. Do you see anything about a two-hour rating 7 or a two-hour firewall in this italicized language? 8 A. I do not. 9 Q. Do you see anything in the italicized 10 language about minimizing any penetration through 11 drywall? 12 MR. SCHROEDER: I will, again, object to 13 form but you may answer. 14 THE WITNESS: I do not. 15 BY MR. MAUCH: 16 Q. Do you see any -- anything or any -- pardon 17 me. Do you see anywhere in this italicized language 18 anything about insta- -- installing the hanger before the 19 drywall is installed or mounted on the wall? 20 MR. SCHROEDER: I am going to object to 21 form but you may answer. 22 THE WITNESS: Well, does -- doesn't the 23 very first question say that? The very first 24 line, "A hanger for connecting a structural 25 component to a wall adapted to have drywall</p> <p style="text-align: right;">Page 82</p>	<p>1 A. No. 2 Q. Well, with that understanding of what I've 3 just described a commercial embodiment to be, do you know 4 whether there are any commercial embodiments of the 5 hanger that you helped invent with Mr. Brekke? 6 A. I'm not -- I'm not sure I understand the 7 question. 8 Q. Let me -- let me ask it this way. Are you 9 familiar with MiTek's FWH line of hangers? 10 A. FW -- I haven't looked at it for -- for a 11 long time but I'm familiar. 12 Q. Do you have an understanding that the FWH 13 hangers were hangers that were -- you know, encompassed 14 the -- the invention that you and Mr. Brekke had made, 15 the design that you had made for the hanger to be used in 16 a two-hour firewall application? 17 A. Yes. 18 Q. And for a period of time, do you recall 19 that MiTek was offering its line of FWH hangers to be 20 used in firewall applications, and Simpson was offering 21 its line of DU hangers, that line we had looked at in 22 that flyer a few minutes ago? 23 Do you recall that there was a moment in 24 time when the companies were each offering those two 25 products?</p> <p style="text-align: right;">Page 84</p>
<p>1 mounted thereon." 2 BY MR. MAUCH: 3 Q. Does that language say whether the drywall 4 is mounted before or after the hanger, Mr. Rolf? 5 A. It doesn't say it the way you are saying 6 it, but that would be kind of what I would think that it 7 means. 8 Q. Okay. And what -- and why do you say that? 9 A. I guess because it's saying the -- the 10 hanger first and then the drywall in the -- in the 11 sentence. And, you know, all along in my mind, that's 12 kind of what this product was supposed to accomplish. 13 But maybe it's not spelled out, you know, as clearly as, 14 you know, what you are looking for here. 15 Q. Understood. We can move on from this 16 Exhibit 10. And nearly at the finish line here, 17 Mr. Rolf. 18 A. Okay. 19 Q. Have you ever heard the phrase "commercial 20 embodiment" before, in connection with the patent? 21 A. No. 22 Q. If I told you that a commercial embodiment 23 is a product sold by a patent owner that em- -- embodies 24 or practices a claimed invention, would that refresh your 25 recollection at all?</p> <p style="text-align: right;">Page 83</p>	<p>1 A. That's correct, yes. 2 Q. And do you have any understanding of the 3 differences between MiTek's FWH product line and 4 Simpson's DU product line? 5 A. Well -- 6 MR. SCHROEDER: Object to form but you may 7 answer. 8 THE WITNESS: As we just saw in the -- the 9 different drawings, it looked like the Simpson 10 product had to go on after the drywall was 11 installed, and the -- the MiTek product was able 12 to be installed either way, before or after the 13 drywall. 14 BY MR. MAUCH: 15 Q. Are you aware of Simpson ever releasing a 16 hanger that could be used in a firewall application that 17 could be installed before the drywall? 18 A. After I got this subpoena to be on this 19 call, I did a little looking online, and I found that the 20 drawings of this Simpson hanger, where the flanges are 21 angled at the top and there is, like, two cuts in the 22 drywall instead of one cut in the drywall. So I did see 23 that hanger. 24 Q. Do you recall the name of that hanger that 25 you were looking at?</p> <p style="text-align: right;">Page 85</p>

<p>1 A. I do not.</p> <p>2 Q. And other than what you just described, do</p> <p>3 you have any other -- you know, basically, when you are</p> <p>4 looking at that hanger that you just described, do you</p> <p>5 have any additional differences that you noted, if any,</p> <p>6 between the -- that Simpson hanger and MiTek's FWH</p> <p>7 hanger?</p> <p>8 MR. SCHROEDER: Object to form. You may</p> <p>9 answer.</p> <p>10 THE WITNESS: Let's see. As far as, you</p> <p>11 know, physical differences, quite a bit. I mean,</p> <p>12 they're -- they're made completely different as</p> <p>13 far as the -- how they accomplish the goal. One</p> <p>14 of them, you know, the Simpson hanger, requires a</p> <p>15 bigger notch in the drywall which, you know,</p> <p>16 that's -- if it's been tested in -- in a firewall</p> <p>17 application, it's probably -- you know, maybe it's</p> <p>18 okay. But it looks like there is a section where</p> <p>19 the wood is exposed to fire, you know.</p> <p>20 And the way I understood the -- the details</p> <p>21 of the -- of the firewall assembly, it couldn't be</p> <p>22 done that way. But if it's tested and approved,</p> <p>23 then I'm sure it's okay.</p> <p>24 BY MR. MAUCH:</p> <p>25 Q. Now, I believe you testified earlier today</p> <p style="text-align: right;">Page 86</p>	<p>1 and then framing the whole building. And if it's a</p> <p>2 four-story, five-story building, it doesn't have a roof</p> <p>3 on it for maybe a month. So the drywall is all getting</p> <p>4 wet, I would think, you know.</p> <p>5 So being able to install all the drywall at</p> <p>6 one time instead of, you know, as the building is being,</p> <p>7 you know, framed up, seems like a huge advantage.</p> <p>8 Q. And I -- I know you characterized your</p> <p>9 testimony just now as a guess. But am I correct that</p> <p>10 what you just described is what you believe the positive</p> <p>11 attributes to be is based on your experience in the</p> <p>12 industry for over 50 years?</p> <p>13 A. I'm not sure I understand that question</p> <p>14 but -- because this problem only happened the last couple</p> <p>15 years I was there, really, you know. Last -- last ten</p> <p>16 years that I was there, definitely not 50 years, yeah.</p> <p>17 Q. Under -- a very good point. So -- so</p> <p>18 the -- the issue with sequencing was an issue that arose,</p> <p>19 you know, in or around 2013. By "sequencing," I mean</p> <p>20 having to install the -- the hanger after the drywall</p> <p>21 created a sequencing issue in your mind; is that right?</p> <p>22 MR. SCHROEDER: Object to form but you may</p> <p>23 answer.</p> <p>24 THE WITNESS: Yeah, I -- I think so.</p> <p>25 And -- and like I had stated earlier, there were</p> <p style="text-align: right;">Page 88</p>
<p>1 that your -- your recollection is that when MiTek</p> <p>2 released its FWH hangers, that they were well received by</p> <p>3 customers; is that correct?</p> <p>4 A. I don't -- I don't know how well received</p> <p>5 they -- they were but they -- they certainly bought them.</p> <p>6 Q. And what's the -- what's the reason for</p> <p>7 your hesitation in -- in saying that they were well</p> <p>8 received?</p> <p>9 A. Well, I guess because of the price.</p> <p>10 Q. And -- and do you recall customers -- do</p> <p>11 you recall hearing that there were some complaints or</p> <p>12 concerns about the price of the FWH hanger?</p> <p>13 A. Not as much as I would have expected. But,</p> <p>14 you know, again, looking at all the details, I had looked</p> <p>15 up many details from across the country, and what they</p> <p>16 were doing was so expensive, that this -- you know, even</p> <p>17 though it seemed expensive for a hanger, it was probably</p> <p>18 not expensive compared to what they were having to do in</p> <p>19 the field, you know, prior to the hanger.</p> <p>20 Q. And did you have an understanding as to</p> <p>21 what the attributes of the FWH hanger customers liked?</p> <p>22 A. Probably the main thing was that they could</p> <p>23 install it prior to the drywall. That would be my guess.</p> <p>24 Because the -- having the framer install the drywall,</p> <p>25 he's not a drywall guy. So he's installing the drywall</p> <p style="text-align: right;">Page 87</p>	<p>1 so many different details, because I'm sure the</p> <p>2 architect and engineers understood that the</p> <p>3 drywall couldn't be installed until after</p> <p>4 everything was framed.</p> <p>5 So they came up with all these different</p> <p>6 details that allowed the -- the truss to be built</p> <p>7 with FRT and it penetrated the wall, and a lot of</p> <p>8 different configurations. And so many different</p> <p>9 details that it was just hard to -- hard to keep</p> <p>10 it all straight.</p> <p>11 So, you know, be so hard to solve that</p> <p>12 problem made total sense to me.</p> <p>13 MR. MAUCH: Okay. I don't have any further</p> <p>14 questions for you, Mr. Rolf, although I believe</p> <p>15 Mr. Schroeder may have some. And his questions</p> <p>16 may, you know, compel me to ask a couple more.</p> <p>17 But for -- for -- for the most part, I -- I think</p> <p>18 we're done here. I'm done here.</p> <p>19 THE WITNESS: All right.</p> <p>20 MR. MAUCH: So I'll turn over to</p> <p>21 Mr. Schroeder now.</p> <p>22 MR. SCHROEDER: Would you mind if we go off</p> <p>23 record for about ten, 15 minutes, just so I can</p> <p>24 get my notes in order before we start. And I</p> <p>25 don't anticipate my questions taking terribly</p> <p style="text-align: right;">Page 89</p>

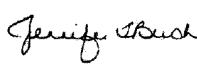
<p>1 long. I just want to organize a little in 2 advance. 3 THE WITNESS: Okay. 4 THE VIDEOGRAPHER: We are going off the 5 record. The time is 2:33 p.m. 6 (A recess is taken.) 7 THE VIDEOGRAPHER: We're back on the 8 record. The time is 2:49 p.m. 9 MR. SCHROEDER: Thank you for bearing with 10 me and giving me a few minutes to collect my -- my 11 thoughts. 12 CROSS-EXAMINATION 13 BY MR. SCHROEDER: 14 Q. If you could go back to Exhibit 2 for me. 15 A. Okay. 16 Q. And if you recall, this would have been the 17 first email that you sent to MiTek, which then got 18 forwarded to Mr. Brekke; is that correct? 19 A. I don't know if that's the -- the first 20 email I ever sent to them about this subject, but yeah, I 21 don't know -- I don't recall. I don't even remember this 22 email. 23 Q. Okay. But this is the email that we 24 discussed earlier that Mr. Brekke reached out to you 25 after you sent, correct?</p> <p style="text-align: right;">Page 90</p>	<p>1 this trend begin? 2 A. Yeah, at -- at -- you know, at least a 3 year, maybe -- maybe longer, because usually we wouldn't, 4 you know, do a one point lesson or something like this 5 unless it was, you know, becoming a problem, you know. 6 And they were trying to make it easier for our design 7 guys to know what to do and so forth. So -- so it would 8 have been probably at least a year. 9 Q. All right. And would it be fair to say 10 that this document that you put together was detailing 11 your concerns that as of August 12, 2013, there was an 12 unmet need in the industry pertaining to hanging joists 13 on wood frame walls of multi-family projects with this 14 Type 3 exterior wall construction? 15 MR. MAUCH: Objection, leading. You may 16 answer, Mr. Rolf. 17 THE WITNESS: Yes, you know, I identified 18 it as a problem because every time we looked at a 19 new set of plans, there was a new detail. And it 20 was -- you know, some of the stuff that the 21 architects were drawing was not really even 22 feasible or possible for us to build the trusses, 23 you know, so -- so I knew there was, you know, a 24 problem. 25 And the fact that the details varied so</p> <p style="text-align: right;">Page 92</p>
<p>1 A. Correct. 2 Q. Okay. And as part of this exhibit, there 3 were two attachments to this email, if you recall; is 4 that correct? 5 A. Right, correct. The details. 6 Q. And that first attachment was a write-up 7 that is called "Design: One point lesson number two, FRT 8 details and trusses, 8/12/2013"; is that correct? 9 A. That's correct. 10 Q. And I'm assuming that the 8/12/2013 was the 11 date that you created this document; is that correct? 12 A. That's correct. 13 Q. And within this document, it discusses, in 14 the first sentence that continues from the first line to 15 the second line, that multi-family projects push for 16 buildings beyond four stories using wood framing and 17 Type 3 exterior wall construction. 18 Do you see that? 19 A. Yes. 20 Q. So as of I guess this would have been 21 August 12, 2013, you were already seeing this in the 22 field; is that correct? 23 A. Right, for, you know, maybe a year or two. 24 Q. Okay. And that was actually where I was 25 going next was, approximately when did you start seeing</p> <p style="text-align: right;">Page 91</p>	<p>1 much between, you know, one part of the country 2 and another, or from one architect and one 3 engineer and another. And most of those guys I 4 don't think really communicated with each other. 5 So it just seemed like, you know, we have 6 -- we at Trussway, you know, me and the designers 7 that worked on this stuff, probably identified it 8 before anybody else did. The inconsistency of the 9 details. 10 BY MR. SCHROEDER: 11 Q. And as of August 12, 2013, there was no 12 accepted solution for hanging joist on wood frame walls 13 of these Type 3 constructions; is that correct? 14 MR. MAUCH: Objection, leading. 15 THE WITNESS: I'm going to say I didn't -- 16 you know, we were basically following the details 17 the architect suggested, but I was aware of -- of 18 them being able to attach something to the outside 19 of it, but it -- it had to be over the drywall. 20 BY MR. SCHROEDER: 21 Q. And just because there were a few 22 objections there, I want to maybe ask the question just a 23 little cleaner. 24 A. Okay. 25 Q. So as of 2013 -- August 2013, were you</p> <p style="text-align: right;">Page 93</p>

<p>1 aware of any solutions to how to frame or how to hang 2 hangers on a Type 3 exterior wall construction that were 3 accepted in the industry as a whole?</p> <p>4 MR. MAUCH: Objection, vague. You may 5 answer.</p> <p>6 THE WITNESS: Well, are you asking if I 7 knew that Simpson had a hanger that you could 8 attach to the outside of the drywall, is that 9 basically the question?</p> <p>10 BY MR. SCHROEDER:</p> <p>11 Q. That wasn't really the question. I'll try 12 to rephrase them. I'm just trying to avoid the leading 13 objection that Mr. Mauch presented.</p> <p>14 So my question is, as of August 12, 2013, 15 was there any common solution that was available in the 16 market for how to attach a joist hanger to a Type 3 17 exterior wall construction?</p> <p>18 MR. MAUCH: Objection, vague, calls for 19 speculation. Lacks foundation. You can answer, 20 Mr. Rolf, if you understand the question.</p> <p>21 THE WITNESS: Yeah, not to my knowledge, 22 because if there would have been, then we would 23 have seen it, you know, in the architectural 24 details more often. 25</p> <p style="text-align: right;">Page 94</p>	<p>1 hangers on the outside of the drywall. All the details 2 that concerned me and concerned us as, you know, 3 designers were the details like what I said --</p> <p>4 Q. Okay.</p> <p>5 A. -- in the details, yeah, where the -- with 6 the FRT at the end of the truss or ledgers attached to 7 the wall, you know, so many different details that were 8 complicated.</p> <p>9 Q. Moving on to Exhibit 4. Let me know when 10 you have it open.</p> <p>11 A. I got it.</p> <p>12 Q. And you testified earlier that these 13 were -- that these were two different sets of drawings, 14 correct, these two pages were two different sets of 15 drawings; is that correct?</p> <p>16 A. Well, let's see. Yeah, I believe that, you 17 know, the -- the sketches on the second page, I had done 18 earlier. And then, when I was going to give something to 19 Simpson and then later to MiTek, then I -- I cleaned it 20 up so it would make more sense to whoever was looking at 21 it. And that's when I did -- you know, did the hand 22 drawings on the architect's details.</p> <p>23 Q. And as far as the second page that you said 24 you cleaned up, did you -- you did not provide the second 25 page to MiTek, correct?</p> <p style="text-align: right;">Page 96</p>
<p>1 BY MR. SCHROEDER:</p> <p>2 Q. And indeed there were multiple solutions 3 that you were seeing that architects were presenting for 4 how to hang drywall; is that correct?</p> <p>5 MR. MAUCH: Objection, leading.</p> <p>6 THE WITNESS: When you say "how to hang 7 drywall," are you --</p> <p>8 BY MR. SCHROEDER:</p> <p>9 Q. I'm sorry, let me rephrase that.</p> <p>10 A. Okay.</p> <p>11 Q. Were you seeing multiple proposals on how 12 to attach hangers to Type 3 exterior wall constructions?</p> <p>13 MR. MAUCH: Objection, vague.</p> <p>14 THE WITNESS: Well, I don't remember seeing 15 any details like that.</p> <p>16 BY MR. SCHROEDER:</p> <p>17 Q. All right. Were you seeing different 18 architecture plans as to ways of attaching hangers or 19 joists to Type 3 exterior wall constructions?</p> <p>20 MR. MAUCH: Objection, asked and answered, 21 vague. You may answer, Mr. Rolf.</p> <p>22 BY MR. SCHROEDER:</p> <p>23 Q. You may answer.</p> <p>24 A. Okay. I don't remember actually seeing 25 any, drawn by the architecture or engineer showing</p> <p style="text-align: right;">Page 95</p>	<p>1 A. I don't -- I don't think so but it -- you 2 know, it's possible that I did that as -- I'm pretty -- 3 I'm almost a hundred percent sure I did not.</p> <p>4 Q. Do you know if you provided the second page 5 to Simpson?</p> <p>6 A. Probably not. Probably not to either. But 7 it -- but it's possible. But let's see the second page, 8 those are all, you know, ways -- basically ways to do it 9 without a hanger, you know. And I wouldn't think that 10 MiTek or Simpson would be interested in how to do it 11 without a hanger. They want to sell hangers.</p> <p>12 Q. And as far as this first page that you did 13 provide to Simpson and to USP or MiTek, I believe you 14 testified earlier that it was your recollection that you 15 would have created this in 2013; is that correct?</p> <p>16 A. I believe so. Well, I don't know. Let's 17 see. If I would have given -- I don't know. See, I 18 didn't date it. But I'm reasonably sure I gave both 19 sides the exact same drawing. That's why I put that note 20 on there. But I put the note on just a couple of years 21 ago, when I was cleaning out my files. That -- that note 22 in the cloud.</p> <p>23 Q. And you do not specifically recall when you 24 would have provided this drawing to Simpson; is that 25 correct?</p> <p style="text-align: right;">Page 97</p>

<p>1 A. No, but it seems like it was so long that I 2 had forgotten that -- you know, almost forgotten about 3 it. And then when -- you know, when we switched 4 suppliers and then the -- USP or MiTek guys came to call 5 on us and talk to us in design, then I, you know, 6 remembered it and, you know, and gave them the details. 7 But whether or not I modified it in between, I couldn't 8 tell you for sure.</p> <p>9 Q. And you just don't recall the -- when you 10 would have provided that to Simpson; is that correct?</p> <p>11 A. No, but I remember thinking that when I did 12 provide it to USP, and I couldn't believe how fast they 13 responded, I mean, within a -- you know, seemed like a 14 few days and a week they were already, you know, calling 15 me and talking about the -- those emails with the, you 16 know, testing and so forth.</p> <p>17 And -- and I felt like Simpson had just 18 forgotten about it or were not interested in -- in 19 pursuing it, you know, because I never heard a word, 20 nobody contacted me or asked any questions or -- or 21 anything.</p> <p>22 Q. For -- moving to Exhibit 5, let me know 23 when you have that open.</p> <p>24 A. Okay, got it.</p> <p>25 Q. Exhibit 5, this is the email that</p> <p style="text-align: right;">Page 98</p>	<p>1 Exhibit 3 a few minutes ago, and you can take a second to 2 go back to it, that email was from August -- or wait a 3 second. Actually, it was exhibit -- I'm messing it up. 4 It's Exhibit 2. The -- the email from Exhibit 2 that we 5 were looking at a few minutes ago was from August 15th, 6 correct?</p> <p>7 A. August 15th, yes.</p> <p>8 Q. And so the email in Exhibit 5 was from not 9 quite a week later but a couple days later, correct?</p> <p>10 A. That sounds right, yep.</p> <p>11 Q. And in this email, the first line of the 12 email actually says, "As I mentioned in our phone 13 conversation..."</p> <p>14 Correct?</p> <p>15 A. Are we on...</p> <p>16 Q. Exhibit 5 again. I'm sorry.</p> <p>17 A. Okay. Okay. Yes, okay, I'm -- I've seen 18 it. What's the question?</p> <p>19 Q. So my recollection is, when my opposing 20 counsel asked you about this email earlier, you didn't 21 really recall this phone conversation; is that correct?</p> <p>22 A. That's -- yeah, that's correct.</p> <p>23 Q. And so I'm going to ask a few questions 24 about what may have been discussed in this phone 25 conversation, just to see if it refreshes your</p> <p style="text-align: right;">Page 100</p>
<p>1 Mr. Brekke sent you basically after he had already had a 2 conversation -- or at least it says he had a conversation 3 with you. And then it would have been after you had sent 4 the initial -- or that email that we looked at for 5 Exhibit 4, correct -- or I mean Exhibit 3?</p> <p>6 A. Say that again.</p> <p>7 Q. Yeah, I'll -- I'll clean it up. So 8 Exhibit 5 is the email that Mr. Brekke sent you after you 9 had sent the email that was in Exhibit 2; is that 10 correct?</p> <p>11 A. Let's see. Are you referring to the -- the 12 one we just looked at as part of this one?</p> <p>13 Q. Yes.</p> <p>14 A. Oh, okay. See, I think I -- I gave those 15 details -- I don't think I emailed those details to them 16 but maybe I did. Yeah, I -- I guess I did. I just don't 17 remember it. Because I know with Simpson I gave it to 18 somebody, you know, that was in their office. And I 19 guess with USP, I -- I might have emailed it, those 20 details.</p> <p>21 Q. Okay. Well, I was really more of just 22 trying to -- to place the timing of this. So this email 23 was sent on 8/21/2013, correct?</p> <p>24 A. Okay, yes.</p> <p>25 Q. And the email that we looked at from</p> <p style="text-align: right;">Page 99</p>	<p>1 recollection.</p> <p>2 But do you recall if, in this phone 3 conversation that is being discussed, if -- if you might 4 have discussed that there was a practice in the field as 5 to how hangers were being installed on Type 3 6 constructions?</p> <p>7 MR. SCHROEDER: Objection, lacks 8 foundation, calls for speculation.</p> <p>9 THE WITNESS: So should -- should I try to 10 answer?</p> <p>11 BY MR. SCHROEDER:</p> <p>12 Q. Yes, to the extent you can.</p> <p>13 A. Yeah. All I really remember is that the 14 details that were so complicated for us, from the truss 15 standpoint, and they were not hangers. If they were 16 hangers -- if the architect or the engineer had specified 17 any kind of hanger, that would be easy for a truss 18 designer. He just basically draws it that way and -- and 19 calls out the hanger.</p> <p>20 And the reason it was -- and from my 21 recollection, the reason it was -- needed to be solved 22 was because the -- the details were not hangers. Most of 23 time they were, you know, FRT on the end of the truss and 24 ledgers and complicated attachments that -- you know, 25 sometimes you couldn't even do what -- what they were</p> <p style="text-align: right;">Page 101</p>

<p>1 showing.</p> <p>2 And the architects, it seemed like they</p> <p>3 didn't know what to draw, you know. And they weren't all</p> <p>4 communicating and coming up with one detail. It was just</p> <p>5 kind of a -- you know, it looked like a problem that</p> <p>6 needed to be solved.</p> <p>7 And had there been a hanger that could be</p> <p>8 attached to the outside of the drywall easily and the</p> <p>9 architects were specifying it, then maybe we wouldn't</p> <p>10 have even, you know, thought that we needed to solve the</p> <p>11 problem.</p> <p>12 Q. Do you recall if you would have explained</p> <p>13 to Mr. Brekke before he sent this email that it would</p> <p>14 have been your goal to have a hanger that could be</p> <p>15 installed prior to the drywall?</p> <p>16 MR. MAUCH: Objection, asked and answered,</p> <p>17 lacks foundation and calls for speculation. You</p> <p>18 may answer if you -- if you understand the</p> <p>19 question.</p> <p>20 THE WITNESS: Yeah, as far as I can</p> <p>21 remember, I thought that all along it should be a</p> <p>22 hanger that could be installed that -- prior to</p> <p>23 the drywall. But I knew that, in some cases, they</p> <p>24 had -- there were details with the drywall already</p> <p>25 there. So if it would work for either condition,</p> <p style="text-align: right;">Page 102</p>	<p>1 Q. And then my -- my follow-up question is --</p> <p>2 I know that you said that it -- it's -- was your goal all</p> <p>3 along that the hanger would be able to be able -- or to</p> <p>4 be installed prior to the drywall.</p> <p>5 My -- my question that I'm trying to ask</p> <p>6 is, you know, going back in time to, you know,</p> <p>7 August 21st of 2013, that one phone call that you had had</p> <p>8 with Mr. Brekke, do you know if you had expressed that</p> <p>9 goal in that one phone call?</p> <p>10 MR. MAUCH: Objection, asked and answered</p> <p>11 multiple times now. Calls for speculation. Lacks</p> <p>12 foundation. You can answer again, Mr. Rolf.</p> <p>13 THE WITNESS: Yeah, now whether or not we</p> <p>14 discussed that on the phone, I don't know. But --</p> <p>15 but as important as that detail was, I would</p> <p>16 imagine we -- we did talk about it.</p> <p>17 BY MR. SCHROEDER:</p> <p>18 Q. But you just don't recall, as we sit here,</p> <p>19 whether or not that came up at that time?</p> <p>20 A. That's correct.</p> <p>21 Q. If we go to Exhibit 6.</p> <p>22 A. Okay.</p> <p>23 Q. And if you recall, Exhibit 6 is a email</p> <p>24 chain between yourself and Mr. Brekke, correct?</p> <p>25 A. Correct.</p> <p style="text-align: right;">Page 104</p>
<p>1 it would be a more -- you know, an easier-to-sell</p> <p>2 hanger with more applications. And -- you know,</p> <p>3 and I wasn't sure that -- that maybe -- you know,</p> <p>4 that wouldn't be a better way to do it for the</p> <p>5 field.</p> <p>6 BY MR. SCHROEDER:</p> <p>7 Q. Well, and -- and if you would go to the</p> <p>8 exhibit that was attached to this Email Number 5 -- or</p> <p>9 Exhibit Number 5 email?</p> <p>10 A. Okay, the details down below?</p> <p>11 Q. Yes. And do you recall Joe asking you</p> <p>12 about the order of installation of the drywall and the</p> <p>13 hanger in this -- this attachment that Mr. Brekke sent</p> <p>14 you?</p> <p>15 A. Well, can you refresh my memory?</p> <p>16 Q. So on the second page of Exhibit 5 --</p> <p>17 A. Okay.</p> <p>18 Q. -- do you recall Mr. Brekke asking you if</p> <p>19 the order of insula- -- installation that is detailed was</p> <p>20 that the drywall was being installed before the hanger?</p> <p>21 A. You are asking if Mr. Brekke asked me that?</p> <p>22 Q. I'm asking you if Mr. Mauch asked you about</p> <p>23 that earlier today?</p> <p>24 A. Oh, yeah, I -- I think so, yeah. That</p> <p>25 sounds familiar.</p> <p style="text-align: right;">Page 103</p>	<p>1 Q. And if you recall, going to the very last</p> <p>2 email in the chain, so the oldest email in the chain,</p> <p>3 this email chain started with the -- the email that we</p> <p>4 had just looked at a minute ago as Exhibit 5, correct?</p> <p>5 A. Correct.</p> <p>6 Q. And I'm wanting to go to the third to the</p> <p>7 last page, and your response to Mr. Brekke on August 21,</p> <p>8 2013, at 5:03.</p> <p>9 A. What -- what page number is that?</p> <p>10 Q. It's the third to the last page. It should</p> <p>11 be the one that's ending in 876. If you look at the</p> <p>12 bottom right corner.</p> <p>13 A. Yeah, I -- I've got it. Okay.</p> <p>14 Q. And in this first line and a half, you</p> <p>15 state -- or this first line, actually, "I'm impressed.</p> <p>16 The web that goes in the drywall slot seems like a very</p> <p>17 good idea. That idea never occurred to me."</p> <p>18 Do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. As you are sitting here now, do you have</p> <p>21 any idea why that idea had not occurred to you</p> <p>22 previously?</p> <p>23 A. Well, I do. And -- and these are -- that's</p> <p>24 some of the sketches that I have, obviously, thrown away</p> <p>25 because I don't have them anymore. But I know I had some</p> <p style="text-align: right;">Page 105</p>

<p>1 ideas for the top flange of the hanger to go on top of 2 the wall, and then maybe a square piece of metal tubing, 3 an inch and a quarter by inch and an quarter, being a -- 4 you know, a triangle piece of metal tubing underneath 5 the -- the cantilever portion of the top flange of the 6 hanger. And then the hanger dropping down from there, so 7 that you would maybe cut a little notch out of the top of 8 the drywall, but not a saw tooth down through it. 9 You know, I was thinking, you know, to -- 10 to stiffen the cantilever metal when it goes over the 11 drywall, you know, square too. But had -- had never 12 really thought of the way they were doing it. And -- and 13 if I did, I didn't want to do it because then the drywall 14 installers would have to cut the slot. 15 But, you know, after I, you know, saw the 16 drawings and thought about it more, I thought it was a 17 better idea than -- than what -- what I had probably 18 chimed off in my mind, you know, if that -- if that makes 19 sense. 20 Q. I think it does. And those ideas that you 21 had, did you share them with Simpson prior to reaching 22 out to MiTek? 23 A. I don't think anything beyond that -- that 24 drawing. You know, because I -- I figured that it was a 25 simple enough problem once -- once somebody understood</p> <p style="text-align: right;">Page 106</p>	<p>1 Do you see that? 2 A. Yes. 3 Q. When you were saying that "their version 4 looks pretty low-cost," what was -- what were you 5 comparing it to when you made that statement? 6 MR. MAUCH: Objection, lacks foundation, 7 assumes facts not in evidence. 8 BY MR. SCHROEDER: 9 Q. You may answer. 10 A. Okay. As I said earlier, I believe it was 11 just because the -- it looked like a lighter gauge and 12 less steel. So it would be cheaper, lower cost. 13 Q. Okay. So you were talking about the actual 14 cost of the hanger itself, not the cost of the 15 installation? 16 A. Correct. 17 Q. Okay. And that's I think what I was 18 wanting to clarify. 19 In the paragraph below that, you mentioned, 20 "We got this info from one of our EORs we work with." 21 What is an EOR? 22 A. Engineer of record; in other words, the -- 23 the guy working for the architect, the engineer that 24 seals all the structural drawings. 25 Q. And the last sentence of this paragraph</p> <p style="text-align: right;">Page 108</p>
<p>1 what we were trying to do, we were trying to cantilever 2 off the top plate and then support the truss, and not 3 rely on the drywall for any structural stability at all. 4 So once somebody understood that, then 5 the -- you know, the hanger engineers could come up with 6 something better than me, I -- I figured. 7 Q. So the -- the -- the solution of extending 8 through the drywall itself, though, is not something that 9 you've shared with Simpson, correct? 10 A. No. No, I -- I don't -- I don't think so, 11 because I didn't even know it at the time. 12 Q. If we could turn to Exhibit 7. 13 A. Okay. Got it. 14 Q. And if you will recall, this is the email 15 chain that from I guess about December 17, 2013, after 16 Simpson's product came out; is that correct? 17 A. Apparently. 18 Q. And taking you to the email that you 19 sent -- give me a second. Yeah, taking you to the email 20 that you sent at 10 o'clock on that date, which starts at 21 the bottom of the first page and then continues on. And 22 you have three paragraphs that you have here. The middle 23 one, you are talking about, "I guess the big question is, 24 which is easier to install? Their version looks pretty 25 low-cost, too."</p> <p style="text-align: right;">Page 107</p>	<p>1 states, "We have multiple jobs going right now that could 2 be converted if the EORs wanted to." 3 Do you see that? 4 A. Yes. 5 Q. And when you say "that could be converted," 6 you were saying could be converted to this hanger that 7 Simpson had just released, correct? 8 MR. MAUCH: Objection, leading. 9 THE WITNESS: No, it wouldn't have been 10 Simpson, I don't think. 11 BY MR. SCHROEDER: 12 Q. Okay. You were saying that when MiTek gets 13 their product out, that that hanger -- that those jobs 14 could be converted to the MiTek hanger? 15 MR. MAUCH: Object -- hold on. Hold on, 16 Mr. Rolf. Make sure you pause for a second so I 17 can -- It's important that I get my objection. 18 And then you can understand, if you understand the 19 question. 20 Objection, leading and misstates his prior 21 testimony. 22 BY MR. SCHROEDER: 23 Q. Let me rephrase it. What product were you 24 saying that the EORs could convert to if they wanted to 25 do so?</p> <p style="text-align: right;">Page 109</p>

<p>1 A. I -- I'm reasonably sure I was talking</p> <p>2 about the -- the USP hanger. And that would be on</p> <p>3 projects that were, you know, maybe in the design stage</p> <p>4 but not, you know, already permitted and building and</p> <p>5 shipping.</p> <p>6 Q. I believe you -- that you were asked</p> <p>7 earlier if you were familiar with the FWH product that</p> <p>8 MiTek eventually released, correct?</p> <p>9 A. Correct.</p> <p>10 Q. Do you recall any specific customers that</p> <p>11 converted to the FWH product once it was released?</p> <p>12 MR. MAUCH: Objection, vague -- hold on.</p> <p>13 Objection, vague. You may answer if you</p> <p>14 understand the question, Mr. Rolf.</p> <p>15 THE WITNESS: I don't recall any, you know,</p> <p>16 but that doesn't mean it didn't happen. I just --</p> <p>17 I wouldn't have been involved in that.</p> <p>18 MR. SCHROEDER: Okay. I have no</p> <p>19 further con- -- or questions at this time.</p> <p>20 Mr. Mauch does have the right to ask you rebuttal</p> <p>21 questions to what I asked, and so there could be</p> <p>22 some further question that comes up once he does</p> <p>23 that. But I don't have anything else at this</p> <p>24 time.</p> <p>25 THE WITNESS: Okay.</p> <p style="text-align: right;">Page 110</p>	<p>1 MR. SCHROEDER: I'm ready.</p> <p>2 THE VIDEOGRAPHER: Okay. We are going off</p> <p>3 the record at 3:22 p.m. This concludes the</p> <p>4 deposition.</p> <p>5 MS. REPORTER: Mr. Mauch, are you ordering</p> <p>6 the transcript?</p> <p>7 MR. MAUCH: I do need -- and if I could get</p> <p>8 an expedited version, if I could have it by, I</p> <p>9 guess, next Friday.</p> <p>10 MS. REPORTER: And, Mr. Schroeder, do you</p> <p>11 want it at the same time?</p> <p>12 MR. SCHROEDER: I want a transcript but I</p> <p>13 do not believe I need it expedited at this time.</p> <p>14 (The deposition is adjourned at 3:22 p.m.)</p> <p style="text-align: right;">Page 112</p>
<p>1 MR. MAUCH: Yeah, I have a few more hours</p> <p>2 of questions. I'm just kidding, Mr. Rolf. I'm</p> <p>3 all done, I have no further questions. So thank</p> <p>4 you for your time.</p> <p>5 THE WITNESS: Okay, it was fun.</p> <p>6 MR. MAUCH: You are supposed to -- you are</p> <p>7 supposed to tell the truth, Mr. Rolf. I think</p> <p>8 that's the first answer today that was not</p> <p>9 truthful.</p> <p>10 THE WITNESS: Well, you kind of reminded me</p> <p>11 of the good old days. I did get involved in</p> <p>12 lawsuits and stuff occasionally, but, you know.</p> <p>13 THE VIDEOGRAPHER: Before we go off the</p> <p>14 record, are there any video orders at this time?</p> <p>15 MR. MAUCH: Not -- we will -- we will</p> <p>16 probably ultimately need one, Tony, but not at</p> <p>17 this moment.</p> <p>18 THE VIDEOGRAPHER: No problem.</p> <p>19 Mr. Schroeder?</p> <p>20 MR. SCHROEDER: I believe we're probably in</p> <p>21 that same boat.</p> <p>22 THE VIDEOGRAPHER: No problem. They keep</p> <p>23 the video, so no problem. Any other business or</p> <p>24 shall we go off the record?</p> <p>25 MR. MAUCH: We can go off. For -- for me.</p> <p style="text-align: right;">Page 111</p>	<p>1 CERTIFICATE OF REPORTER</p> <p>2</p> <p>3 I, Jennifer L. Bush, Registered</p> <p>4 Professional Reporter, Florida Professional Reporter, do</p> <p>5 hereby certify that I was authorized to and did</p> <p>6 stenographically report the deposition of MARK ROLF; and</p> <p>7 that a review of the transcript was requested; and that</p> <p>8 pages 1 through 117, inclusive, are a true record of my</p> <p>9 stenographic notes.</p> <p>10 I further certify that I am not a relative,</p> <p>11 employee, attorney or counsel of any of the parties, nor</p> <p>12 am I a relative or employee of any of the parties,</p> <p>13 attorneys or counsel connected with the action, nor am I</p> <p>14 financially interested in the action.</p> <p>15 Dated this February 7, 2025.</p> <p>16</p> <p>17</p> <p>18 </p> <p>19 Jennifer Bush, RPR, FPR, FPR-C</p> <p>20</p> <p>21</p> <p>22 The foregoing certification of the</p> <p>23 transcript does not apply to any reproduction of the same</p> <p>24 by and means unless under the direct control and/or</p> <p>25 direction of the certifying reporter.</p> <p style="text-align: right;">Page 113</p>

<p>1 Joseph V. Mauch, Esquire 2 Jmauch@sflaw.com</p> <p style="text-align: center;">February 7, 2025</p> <p>3 RE: Columbia Insurance Co. And Mitek, Inc. v. 4 Simpson Strong-Tie Company, Inc. 5 1/31/2025, Mark Rolf, (#7124133). 6 The above-referenced transcript has been 7 completed by Veritext Legal Solutions and 8 review of the transcript is being handled as follows: 9 __ Per CA State Code (CCP 2025.520 (a)-(e)) – Contact Veritext 10 to schedule a time to review the original transcript at 11 a Veritext office. 12 __ Per CA State Code (CCP 2025.520 (a)-(e)) – Locked .PDF 13 Transcript - The witness should review the transcript and 14 make any necessary corrections on the errata pages included 15 below, notating the page and line number of the corrections. 16 The witness should then sign and date the errata and penalty 17 of perjury pages and return the completed pages to all 18 appearing counsel within the period of time determined at 19 the deposition or provided by the Code of Civil Procedure. 20 Contact Veritext when the sealed original is required. 21 __ Waiving the CA Code of Civil Procedure per Stipulation of 22 Counsel - Original transcript to be released for signature 23 as determined at the deposition. 24 __ Signature Waived – Reading & Signature was waived at the 25 time of the deposition.</p> <p style="text-align: right;">Page 114</p>	
<p>1 __ Federal R&S Requested (FRCP 30(e)(1)(B)) – Locked .PDF 2 Transcript - The witness should review the transcript and 3 make any necessary corrections on the errata pages included 4 below, notating the page and line number of the corrections. 5 The witness should then sign and date the errata and penalty 6 of perjury pages and return the completed pages to all 7 appearing counsel within the period of time determined at 8 the deposition or provided by the Federal Rules. 9 10 xx Federal R&S Not Requested - Reading & Signature was not 11 requested before the completion of the deposition. 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 115</p>	

&	12:09 1:17 4:2	93:11,25,25	34 3:14
& 114:24 115:10	15 14:7 16:4 89:23	94:14 97:15 104:7 105:8 107:15	35 13:2
0	15th 100:5,7	2018 77:13	36 35:4,7,10
0001 10:19 0002 12:20 001 76:14 006 76:14 04683 1:3	17 66:3 68:12 107:15 17th 69:3 1:34 59:9 1:43 59:12	2022 7:9 2025 1:16 4:3 113:15 114:2 2025.520 114:9 114:12	37 3:15 38 41:22,25 39 50:14 3:07 51:6 3:19 1:3 3:22 1:17 112:3 112:14
1	2	21 42:7 46:11 50:23 52:2 53:22 105:7 21st 51:5 104:7 23 55:16 2:14 78:12 2:16 78:15 2:17 16:4 2:33 90:5 2:49 90:8	4
1 1:25 3:12 4:11 10:5,7 11:6 30:8 32:9 32:10 53:10,11 113:8 115:1 1-20 81:7 1/31/2025 114:5 10 3:12,21 78:21,22 79:8 79:12 80:11 81:5 83:16 107:20 10,316,510 79:5 11 61:10 1100 2:6 115 1:25 117 113:8 11:11 62:20 11th 2:14 62:16 62:19 12 3:13 91:21 92:11 93:11 94:14	2 3:13 12:13 13:1,13,19 14:5 15:14 16:3 28:1,4,16 32:16 33:19,20 35:9 67:6,7 79:13 90:14 99:9 100:4,4 20 5:15 58:12 81:12 2013 9:4,5,10 14:7,22 15:1,3 16:4 18:23 19:8 21:8 22:23 24:3,19 40:22 42:7 46:12 50:23 52:2 53:22 55:16 56:4,9 60:6 61:10 64:23 65:16,19 66:3 68:12 70:4,18 71:3 77:21 88:19 91:21 92:11	3 3 3:14 19:1 34:19,23 35:1 35:4,9,18 55:16,18 68:8 91:17 92:14 93:13 94:2,16 95:12,19 99:5 100:1 101:5 30 115:1 3003 113:19 31 1:16 4:2 314-863-0800 2:8	4 3:15 17:6,8 37:2,5,10 38:5 38:19,24 39:8 39:8,23,25 40:20 96:9 99:5 40 81:11 41 3:16 415-421-6500 2:16 425 2:14 43 60:15 49 3:17
			5
			5 3:4,16 17:8 41:15,18,21 42:4 46:10 48:20 51:10,16 61:14 98:22,25 99:8 100:8,16 103:8,9,16 105:4

[5/16th - angle]

5/16th 30:8 32:10 50 7:15 88:12 88:16 510 79:6 5:03 52:3 105:8	7th 50:24	acceptable 22:12,14 accepted 93:12 94:3 accomplish 17:4 30:24 71:22,23 83:12 86:13 accounting 14:12,20 accurate 7:3 21:1,2 acquired 36:23 acronym 25:9 action 113:13 113:14 activities 8:4 actual 57:13 108:13 actually 14:3 14:14,16 47:18 55:1 59:25 65:6 91:24 95:24 100:3,12 105:15 adapted 82:25 added 28:21 37:18 38:10 45:1 additional 13:8 86:5 adjourned 112:14 admitted 73:5	advance 90:2 advantage 53:14 88:7 affiliated 79:24 80:5 afternoon 4:1 ago 5:15 7:8 10:11 11:14 25:6 27:19,20 33:10 51:9 58:2 84:22 97:21 100:1,5 105:4 agree 4:10 47:7 48:13,17,18 51:12,22 55:12 55:13 agreed 34:4 agreement 34:4 34:9,11,13 ahead 6:2 12:11 23:3 26:2 48:9 67:20 73:6 allow 20:24 29:20 allowed 18:24 19:2,4 72:25 73:2 89:6 allowing 54:15 allows 31:14 32:11 53:15 amount 72:7 angle 49:16
	8		
6 3:17 17:7,8 49:21,24 50:1 50:13,24,25 51:25 55:16 56:2,4 57:21 60:2,4,6 61:14 62:12 104:21 104:23 60 3:18 63105 2:7 68 3:19 6th 57:22	8 3:19 68:1,4,8 68:11 69:11 70:1,1,7 8/12/2013 91:8 91:10 8/21/2013 99:23 876 105:11 8th 50:25	a	
	9		
7	9 3:20 76:7,10 76:11,12,15,22 90 3:5 90s 65:4 94105 2:15 95 33:14 9:55 61:11		
	a		
7 3:18 51:1,25 59:25 60:9,10 60:14,17,22 61:6 62:18 65:22 66:1 67:1 70:8 107:12 113:15 114:2 7124133 1:24 114:5 76 3:20 7700 2:6 78 3:21	a.m. 62:20 ability 26:15 able 10:23 18:3 51:15 70:10,11 73:10 85:11 88:5 93:18 104:3,3 above 1:22 14:2,14 29:9 31:6 51:19,25 68:16 114:6 absolutely 73:2 abutting 32:2		

angled 85:21 answer 6:3,17 6:21,24 73:4,5 73:6,16 80:25 82:2,13,21 85:7 86:9 88:23 92:16 94:5,19 95:21 95:23 101:10 102:18 104:12 108:9 110:13 111:8 answered 95:20 102:16 104:10 answering 5:24 27:17 answers 27:6,9 27:10 anticipate 64:5 89:25 anybody 40:14 40:16 63:14 93:8 anymore 105:25 apologies 67:21 apparently 69:24 107:17 appear 11:16 11:18 41:19 appearing 2:3 2:11 37:5 114:18 115:7	application 12:5 14:25 27:1 43:4 44:8 64:20 75:15 77:21 84:16 85:16 86:17 applications 21:10 27:23 71:10 84:20 103:2 applied 77:11 apply 113:23 applying 75:17 approved 86:22 approximate 40:18 approximately 5:14 7:10,14 15:1 91:25 architect 20:16 29:14 89:2 93:2,17 101:16 108:23 architect's 20:8 96:22 architects 18:2 19:20,22 20:5 20:22 22:7 56:13,18 92:21 95:3 102:2,9 architectural 20:8 28:18 29:7 94:23	architecture 95:18,25 arizona 8:20 arose 36:23 88:18 arrow 31:21 aside 75:5 asked 16:8 59:15 75:18,20 95:20 98:20 100:20 102:16 103:21,22 104:10 110:6 110:21 asking 34:3,12 56:21 94:6 103:11,18,21 103:22 aspects 25:23 assemblies 40:8 assembly 62:2 81:25 86:21 assign 76:2 assignment 76:23 assume 6:3 79:19 assumed 77:13 assumes 108:7 assuming 91:10 atlanta 8:23,23 attach 23:11 93:18 94:8,16 95:12	attached 20:7 30:22 46:6 47:5 70:1 96:6 102:8 103:8 attaches 45:5 attaching 16:13 44:2 95:18 attachment 54:9 66:21 68:17 91:6 103:13 attachments 13:9 35:14,21 45:23 68:22 69:5,11 91:3 101:24 attempting 28:17 attempts 20:12 attention 77:15 attorney 5:9 59:21 63:22,25 64:4,18,18 113:11 attorneys 113:13 attributes 87:21 88:11 audibly 6:17,24 audio 4:8 auditing 8:8 audits 8:10 august 14:7,22 15:1 16:4 19:8 21:8 22:23
--	---	--	--

<p>24:19 42:7,24 46:11 50:23 51:5 52:2 53:22 55:16 56:8 91:21 92:11 93:11,25 94:14 100:2,5 100:7 104:7 105:7 authorized 113:5 available 94:15 avoid 94:12 aware 17:1 19:3,6 57:18 57:19 77:7 85:15 93:17 94:1</p>	<p>barking 67:22 barlow 2:20 4:16 based 62:1 80:17 88:11 basically 8:8 28:25 30:16 38:6 45:16 48:24 49:2 52:24 58:4 72:2 76:23 86:3 93:16 94:9 97:8 99:1 101:18 bates 3:13,14 3:15,16,17,18 3:19,20 12:13 34:19 37:2,19 41:15 49:21 60:10 68:1 76:7,13 bear 34:17 71:16 78:1 bearing 90:9 beat 67:2,12 70:9,13 becoming 92:5 began 10:2 12:9 14:24 beginning 61:16 65:22 67:7 begins 50:23 67:9 76:12</p>	<p>behalf 1:19 2:3 2:11 4:24 believe 8:18 9:5 17:11 24:22 25:11 33:15,17 34:14 36:4,25 42:11 46:21 51:14 57:7 61:8 64:11 66:20 68:22 69:10 70:23 71:4 77:10 86:25 88:10 89:14 96:16 97:13,16 98:12 108:10 110:6 111:20 112:13 beneficial 34:5 best 5:21 28:5 54:12 better 14:19 31:2 40:15 53:5 54:5 103:4 106:17 107:6 beyond 91:16 106:23 big 22:15 53:13 70:24 74:5 107:23 bigger 80:13 86:15 bit 30:14 40:4 41:9 44:25 50:6 86:11</p>	<p>blank 17:15 block 14:16 15:9 blvd 2:6 board 22:8 45:6,7,14 46:24,24 47:1 62:2,7 boat 111:21 bottom 10:4,16 11:4 14:1 33:21 37:9 49:10 50:24 51:2 52:19 55:18 58:24 62:18 65:25 76:13 105:12 107:21 bought 25:4,12 87:5 break 41:6 49:19 58:13 brekke 13:2 15:20 35:5,10 35:21,25 36:2 41:23 42:6,15 42:23 43:2,8 43:17 44:1 45:13 46:6,23 50:15,23 51:8 51:21 52:1,24 53:23 55:8,15 55:20 56:3,11 56:17 58:1 60:15,25 61:4</p>
b			
<p>b 115:1 back 12:15 17:18 24:23 27:18,25 33:19 42:15 47:21 51:16,20 55:7 58:18 59:11 60:1 65:4 70:18 74:2 77:21 78:14 90:7,14 100:2 104:6 background 67:22 bar 31:6</p>			

[brekke - clips]

<p>61:16 62:19,24 63:12 64:24 66:2,6,12 67:8 68:12,16,23 69:2,4,21 71:7 72:12 73:13 74:3 75:8 77:9 79:25 80:7 84:5,14 90:18 90:24 99:1,8 102:13 103:13 103:18,21 104:8,24 105:7 brekke's 42:17 45:3 52:6 61:9 62:15 brief 5:17 briefly 9:25 33:23 60:1 broad 43:12 broader 23:17 build 18:13 19:9 92:22 builder 15:10 builders 19:9 19:21 building 7:23 18:25,25 19:7 29:2,21 46:3,4 47:25 56:13,18 62:25 88:1,2,6 110:4 buildings 18:3 18:5,14 20:21 20:22,25 91:16</p>	<p>built 19:16,16 20:22 89:6 bullet 52:14,17 bunch 37:11,12 bush 1:20 4:18 113:3,20 business 7:21 23:18 36:16 111:23 button 12:18</p> <p>c</p> <p>c 2:1 113:20 ca 2:15 114:9 114:12,21 california 1:2 call 16:16 33:1 33:6 37:19 85:19 98:4 104:7,9 called 4:24 12:20 18:6 76:25 91:7 calling 58:8 98:14 calls 94:18 101:8,19 102:17 104:11 camera 4:6 canceled 81:8 cantilever 30:19 106:5,10 107:1 cantilevers 45:6</p>	<p>capacity 26:5 55:24 career 7:18 9:21 24:13 carry 30:23 70:21 case 1:3 6:23 cases 102:23 cause 1:22 causing 67:24 ccp 114:9,12 central 4:3 58:19 certain 19:15 19:16,17 23:16 23:22 37:22 72:8 certainly 43:21 80:13 87:5 certificate 3:21 78:23 79:16 113:1 certification 113:22 certify 113:5,10 certifying 113:25 chain 104:24 105:2,2,3 107:15 chance 42:1 change 18:23 19:7 24:4 54:11</p>	<p>changed 18:24 changes 53:24 characterized 88:8 charge 14:12 71:14 charging 74:24 cheaper 71:13 73:23 108:12 chief 14:17 chimed 106:18 cities 22:10 city 22:13,14 civil 114:19,21 claim 81:12 claimed 83:24 claims 80:4,18 80:22 81:7 clarify 108:18 clean 99:7 cleaned 40:4,14 96:19,24 cleaner 93:23 cleaning 38:11 97:21 clear 5:21 clearly 67:23 83:13 click 12:22 31:12 58:25 clicked 12:18 client 63:24,25 64:3,4 clips 23:11</p>
--	---	---	--

close 24:3,19 cloud 38:8 97:22 code 18:6,23,25 19:3,7,22 22:11 114:9,12 114:19,21 collect 90:10 colorado 8:21 columbia 1:5 4:12 77:1,3,7 114:3 column 81:15 81:15 columns 81:16 come 21:25 58:17 72:15 73:22 78:10 107:5 comes 64:5 110:22 coming 20:23 46:4 63:18 102:4 comments 47:17 commercial 83:19,22 84:3 84:4 common 6:21 94:15 communicated 93:4 communicating 56:11 102:4	communication 50:20 communicati... 55:7 63:12 64:1,17,18 companies 79:24 80:5 84:24 company 1:9 4:14 5:9 24:14 25:4 76:25 77:1 114:4 compared 87:18 comparing 11:15 108:5 comparison 66:18 compel 89:16 competitor 25:14 complaints 87:11 completed 114:7,17 115:6 completely 86:12 completion 115:11 complicated 19:24,25 72:13 96:8 101:14,24 complicating 21:4	component 82:25 components 36:17 comport 68:24 computer 28:19 con 110:19 conceiving 45:13 concept 28:22 conceptual 44:2,6 46:7,19 51:8 52:7,11 concern 71:8 concerned 71:11 96:2,2 concerns 87:12 92:11 concierge 2:21 concise 5:22 concludes 112:3 condition 102:25 conducted 4:4 4:14 configurations 89:8 confusing 13:24 29:6 47:15 congratulations 7:18	connect 20:24 connected 113:13 connecting 82:24 connection 4:6 9:22 12:8 20:18 21:9 23:17 27:22 36:9 37:18,20 39:2 40:9 64:12 71:6 75:9 77:20 83:20 connections 20:24 23:10,10 27:9 connector 24:11,15 25:15 27:1 36:20 72:3 connectors 23:6,17,23 24:21 25:18 27:13,14 36:14 connects 48:24 48:25 49:1 construction 91:17 92:14 94:2,17 constructions 93:13 95:12,19 101:6 consult 26:8
---	---	---	--

[consultants - day]

consultants 27:10 contact 34:3 114:9,20 contacted 98:20 contacting 56:13,17 continue 4:9 continues 50:25 61:5 91:14 107:21 continuing 33:21 43:25 66:1 control 31:6 39:15 113:24 controls 31:10 conversation 6:21 22:3 42:19,22 43:17 99:2,2 100:13 100:21,25 101:3 conversations 36:12 43:9,22 56:21 63:21 convert 109:24 converted 109:2,5,6,14 110:11 coordinator 8:3,5 9:6,15 copies 15:22	copy 38:20 corner 10:5 11:4 31:19 69:14 76:14 79:8,10 105:12 correct 7:5,7,12 7:13,16 8:24 9:2 10:20 11:14,22,23 15:3,23 16:14 17:8,11,13 18:21 19:12,18 19:19 20:18,19 21:3,6 23:15 23:21,25 25:8 25:16 27:24 31:25 35:16 36:24 38:22 41:4 42:8,10 44:4 49:4,15 51:7,23 52:16 52:22 55:22,25 56:10 60:7,25 61:1,11,14,19 61:20 62:3,4,8 62:9 65:13 67:7 71:4 74:18 76:21 79:11 85:1 87:3 88:9 90:18,25 91:1 91:4,5,8,9,11 91:12,22 93:13 95:4 96:14,15 96:25 97:15,25	98:10 99:5,10 99:23 100:6,9 100:14,21,22 104:20,24,25 105:4,5 107:9 107:16 108:16 109:7 110:8,9 corrections 114:14,15 115:3,4 correctly 19:14 20:15,21 32:25 cost 70:16 72:4 73:11,21 74:14 74:16 75:3 107:25 108:4 108:12,14,14 costly 71:15,23 72:13 costs 72:7 counsel 4:21 64:1,3,11 100:20 113:11 113:13 114:18 114:22 115:7 country 8:10 8:16,19 19:21 87:15 93:1 couple 5:12 11:14 18:15 24:24 41:7 42:25 48:11 54:25 55:5 56:7 58:2 88:14 89:16	97:20 100:9 court 1:1 4:18 4:20 6:15 58:13 courtroom 6:9 cover 77:4 create 52:18 created 88:21 91:11 97:15 crestview 59:18 cross 3:5 90:12 cst 1:17 cursor 11:9 13:5 customer 26:8 customers 87:3 87:10,21 110:10 cut 44:16,18 46:23 47:22 85:22 106:7,14 cuts 52:25 85:21 cutting 49:14 cv 1:3
			d
			date 14:22 40:24 42:12 61:9 91:11 97:18 107:20 114:16 115:5 dated 113:15 day 52:2 57:22 62:16 66:7 77:12

[days - divulging]

days 42:9 98:14 100:9 111:11 dealing 25:21 dealings 36:19 december 66:3 68:12 69:3 70:3 71:3 77:21 107:15 defendant 1:11 1:19 2:11 4:24 define 81:1 defined 75:23 definitely 88:16 delays 26:22 delivered 57:7 denser 19:2 20:21 departments 8:9,9 depends 4:5 deposition 1:15 1:22 3:3 4:4,14 5:10,14 6:23 10:1 11:18 13:2,13 34:23 35:5 41:22,23 50:14 60:14,15 68:9 78:18 79:13 112:4,14 113:6 114:19 114:23,25 115:8,11 described 9:10 84:3 86:2,4 88:10	description 3:10 45:3 design 8:7,8,9 8:12 9:7,9,13 9:23 12:4 18:3 21:9,15,25 22:15 26:19 31:17 33:7 43:19 55:8,12 55:12 63:4 66:16 72:16,16 84:15 91:7 92:6 98:5 110:3 designed 71:9 72:12 73:12 designer 20:16 101:18 designers 8:13 9:14 16:17 17:1 20:1,23 93:6 96:3 designing 27:4 27:8 75:10 designs 27:3 30:4 51:21 detail 20:15 24:6 28:6,13 28:21 29:4,7 29:13,23 38:13 40:3 92:19 102:4 104:15 detailed 20:17 103:19	detailing 92:10 details 13:14 16:18 17:2,22 17:25 18:2 19:5,24 20:5,7 20:8,11,12 21:22 22:9,14 28:18 29:13 38:17 43:15 86:20 87:14,15 89:1,6,9 91:5,8 92:25 93:9,16 94:24 95:15 96:1,3,5,7,22 98:6 99:15,15 99:20 101:14 101:22 102:24 103:10 determine 55:23 73:4 determined 81:6 114:18,23 115:7 develop 73:10 development 61:18 dhu 69:15 71:2 dhutf 71:2 difference 70:24 differences 9:8 85:3 86:5,11 different 19:21 19:23 20:23 22:9,10 24:18	30:4,16 36:12 39:2 66:15 67:9 70:20 85:9 86:12 89:1,5,8,8 95:17 96:7,13 96:14 differently 19:23 22:12 73:16 difficult 39:14 difficulty 78:18 78:19 digital 10:4 11:5 dimensions 53:24 direct 3:4 5:3 113:24 direction 20:3 113:25 directly 14:14 45:5 51:24 64:1 68:16 director 9:11 discuss 63:21 discussed 90:24 100:24 101:3,4 104:14 discusses 91:13 discussions 32:20 56:16 district 1:1,2 divulging 64:16
---	---	---	---

document 10:3 10:24 11:12,13 11:25 12:23 13:6 14:1,4 16:15,25 17:6 17:9,15 28:3,9 31:6,14,19 37:17 38:19 42:2 66:20 69:13 76:12 79:15 91:11,13 92:10 documentation 27:21 documents 13:8 16:12 37:20,23 48:11 76:18 78:7 dogs 67:22 doing 8:8 26:5 44:23 45:21 47:18,19 54:7 54:11 64:6 87:16 106:12 dollar 76:24 double 45:5 62:2 draw 102:3 drawing 20:17 28:19,20 30:9 31:18,22 44:2 44:6 47:11 49:9 52:7 67:18 92:21 97:19,24	106:24 drawings 13:15 30:24 32:15 40:8 46:7,7,11 46:14,15,18 47:6 48:14,14 48:20 51:9 52:11 74:20 85:9,20 96:13 96:15,22 106:16 108:24 drawn 95:25 draws 101:18 drew 29:14 dried 29:21 48:1 drink 58:22 dropping 106:6 dry 29:3 45:16 46:3 53:15 drywall 18:10 29:2,8,10,14,16 29:17,20,22 30:9,20 32:7 32:10 39:4 44:6,12,12,18 44:19,21,25 45:14,17,17,20 45:22,24 46:5 47:5,8,13,20,23 47:25 48:15,16 49:3,17 52:25 53:1,13,15,25 54:5,8,17,22 58:4,5 69:17	70:20,25 82:11 82:19,25 83:3 83:10 85:10,13 85:17,22,22 86:15 87:23,24 87:25,25 88:3 88:5,20 89:3 93:19 94:8 95:4,7 96:1 102:8,15,23,24 103:12,20 104:4 105:16 106:8,11,13 107:3,8 du 69:15 71:2 74:24 84:21 85:4 duhtf 69:17 duly 4:25 e e 2:1,1 33:15 114:9,12 115:1 earlier 27:21 33:23 38:7 40:2,23 77:11 86:25 88:25 90:24 96:12,18 97:14 100:20 103:23 108:10 110:7 early 38:9 56:8 ease 74:8 easier 29:23 31:5,14 53:3 74:5,13 92:6	103:1 107:24 easily 102:8 easy 101:17 economical 72:18,20 edge 45:8 effective 73:21 effectively 6:9 efficient 73:11 eight 37:13 either 40:24 44:12 46:1 54:16 58:3 85:12 97:6 102:25 elements 31:22 em 83:23 email 13:7,9,16 13:25 14:1,3,6 14:15,21 15:5 15:9,22 16:3 16:11,13 17:10 17:18 22:22 33:20,22 34:2 35:12,13,19,20 36:3,6 42:6,18 44:1,2 45:4 46:7,11 50:12 50:22 51:7,13 51:24 52:1,6 52:15 53:20 55:15 56:3,22 57:21,21 60:4 60:5,6,18 61:4 61:9,13,17
---	---	---	--

[email - explain]

62:11,15,19 66:2,6,12,21,22 66:25 67:8 68:11,17 69:2 69:4,5,20 70:1 70:6,7 74:2 90:17,20,22,23 91:3 98:25 99:4,8,9,22,25 100:2,4,8,11,12 100:20 102:13 103:8,9 104:23 105:2,2,3,3 107:14,18,19 emailed 99:15 99:19 emails 13:23 42:10 43:21 50:10,18 51:20 55:10 60:24 62:11 98:15 embodies 83:23 embodiment 83:20,22 84:3 embodiments 84:4 employee 12:2 14:10 65:12 113:11,12 emptied 38:15 encompassed 84:13 endeavor 6:16 ended 71:13 74:11	engineer 20:17 93:3 95:25 101:16 108:22 108:23 engineering 15:10,19 engineers 22:8 56:13,18 89:2 107:5 entire 71:1 entities 77:20 eor 108:21 eors 108:20 109:2,24 equally 27:16 equipment 36:19 errata 114:14 114:16 115:3,5 error 78:6 esquire 2:4,12 114:1 eventually 110:8 evidence 108:7 exact 22:14 97:19 exactly 12:10 14:11 49:7 55:2 65:24 66:17 69:8 70:17 examination 3:4,5 5:3 90:12	examined 4:25 example 6:20 exc 11:3 excellent 11:3 excuse 12:5 exhibit 3:12,13 3:14,15,16,17 3:18,19,20,21 10:1,3,5,7,11 10:18 11:6,10 12:12,13,20 13:1,2,13,19,19 15:13 16:3 27:25 28:4,16 32:16 33:19,20 33:22 34:16,19 34:23 35:1,4,4 35:7,9,9,10,18 37:1,2,5,10 38:5,19,24 39:23,25 40:20 41:13,15,18,21 41:22,25 42:4 46:10 48:20 49:19,21,24 50:1,5,13,14,24 50:25 51:10,16 51:25 55:16 56:2 57:21 59:24,25 60:2 60:4,9,10,13,14 60:15,17,22 61:3,6,14,14 62:12,18 65:22 66:1 67:1,21	68:1,4,8,8,11 69:11 70:1,1,7 70:8 76:5,7,10 76:11,12,15,22 77:23 78:21,22 79:8,12,13 80:11 81:5 83:16 90:14 91:2 96:9 98:22,25 99:5 99:5,8,9 100:1 100:3,4,4,8,16 103:8,9,16 104:21,23 105:4 107:12 exhibits 3:9 10:3 12:16 75:4 expected 87:13 expedited 112:8,13 expensive 30:11 39:11 71:12 87:16,17 87:18 experience 22:21 25:19 26:15 27:8,14 64:24 65:2,14 65:16,18,19 73:1 80:17 88:11 expired 65:8 explain 8:4 9:8 16:22 20:4
---	---	---	--

[explain - fit]

<p>64:14 65:2 explained 54:6 102:12 explanation 5:17,24 exposed 29:17 86:19 expressed 104:8 extend 49:2 53:8,10 extending 107:7 extent 63:17,20 64:5 73:16 101:12 exterior 18:4,8 91:17 92:14 94:2,17 95:12 95:19</p>	<p>facility 9:1 fact 34:9 43:3 54:9,22 92:25 factor 21:4 74:9 facts 108:7 fair 72:1 92:9 fairly 7:5 24:19 72:12 fall 64:23 falls 49:17 familiar 13:13 13:15,16 42:1 50:12 57:6 60:18,21,23 76:15,25 84:9 84:11 103:25 110:7 familiarize 50:5 family 16:18 17:22 91:15 92:13 far 26:2,4 27:15 30:20 34:11 43:22 74:11 86:10,13 96:23 97:12 102:20 farther 53:8 fashion 9:22 fast 98:12 fasten 45:15 fastened 45:8</p>	<p>feasible 92:22 february 113:15 114:2 federal 115:1,8 115:10 feedback 54:21 54:23,24 57:5 feels 6:7 felt 26:1 45:25 98:17 field 47:17 53:3 54:7,20 87:19 91:22 101:4 103:5 figure 31:1 44:15 72:17 78:4 figured 15:19 31:1 54:10 72:15,20 73:20 106:24 107:6 file 38:20 39:21 files 38:11 97:21 financial 14:17 34:11 financially 113:14 fine 31:15 41:11 finish 83:16 fire 12:8 18:6 18:19 19:17 21:5 22:11 39:5 61:19</p>	<p>81:25 86:19 firewall 12:5,9 14:25 21:10 27:23 43:4 63:7 64:20 82:4,7 84:16 84:20 85:16 86:16,21 firm 4:19 11:18 37:23 76:19 first 4:25 5:8 7:17 10:1,23 10:24 13:21,25 14:3 16:2,15 17:19 18:18 23:1 33:21 35:18 38:4,18 39:6,25 40:20 40:21 41:3 42:17 43:25 44:7 45:14 47:8 48:15 52:17 53:12 56:2 60:17 63:6 66:1,24 67:9,11 68:10 73:1 74:17 81:7 82:23,23 83:10 90:17,19 91:6,14,14 97:12 100:11 105:14,15 107:21 111:8 fit 46:25</p>
<p>f</p>			
<p>f 33:15 fabricate 8:15 73:11 fabricating 36:21 72:11 fabrication 23:7,8 72:3,7 72:13 fabrications 9:23 fabricator 7:22 face 67:2,11 70:9,12</p>			

[five - going]

five 58:18 88:2 flange 49:13,14 106:1,5 flanges 85:20 flexibility 58:9 floor 2:14 18:11 20:13,24 florida 1:21 7:23 8:21 59:17,18 113:4 flyer 69:21 70:10 74:25 84:22 focus 8:16 11:24 focused 9:13 folder 10:2 37:6 41:19 78:21 follow 18:15 104:1 following 93:16 follows 5:1 114:8 font 80:11 81:20 foregoing 113:22 forget 18:5 forgotten 73:8 98:2,2,18 form 72:22 80:24 82:1,13 82:21 85:6 86:8 88:22	forsyth 2:6 forth 13:15 24:24 26:3 29:8,22 36:22 51:20 55:7 92:7 98:16 forward 35:25 65:21 forwarded 68:23 69:22 90:18 forwarding 35:20 forwards 68:17 69:4 found 80:7 85:19 foundation 94:19 101:8 102:17 104:12 108:6 four 16:19 17:23 88:2 91:16 fpr 113:20,20 frame 19:9,16 20:21 29:2 30:20 32:12 53:9 92:13 93:12 94:1 framed 88:7 89:4 framer 87:24 framer's 53:14	framing 18:11 18:12 20:13 46:3 88:1 91:16 francisco 2:15 franks 2:21 frcp 115:1 frequently 16:18 17:22,25 friday 1:16 112:9 friese 2:13 10:15,25 frit 18:9,18 39:5 39:8,10,12,16 39:17 89:7 91:7 96:6 101:23 fun 111:5 functions 8:12 further 5:23 51:20 89:13 110:19,22 111:3 113:10 fw 84:10 fwh 38:9 84:9 84:12,19 85:3 86:6 87:2,12 87:21 110:7,11 g gap 30:9 gauge 108:11 generally 26:11 26:14 43:14	generated 28:19 gesture 6:22 getting 23:1 26:22 29:12,22 59:3 88:3 give 5:17 78:4,7 96:18 107:19 given 24:7 97:17 giving 78:6 90:10 glass 41:8 go 4:10 5:18 6:2 10:2 12:11 12:15 14:3 24:23 30:22 47:22 48:9 51:1,16 55:14 59:5,5 63:3,25 66:21 67:20 73:6 78:8 85:10 89:22 90:14 100:2 103:7 104:21 105:6 106:1 111:13,24,25 goal 31:3 55:4 86:13 102:14 104:2,9 goes 17:7 49:17 51:3 81:14 105:16 106:10 going 4:2 5:21 6:3 10:21
--	--	--	--

[going - heard]

11:11 13:12 17:18 27:18 37:1 40:3,13 41:5,9,12 48:4 48:10,10 50:8 56:12 58:11 59:8,24 60:18 63:18,19 71:11 73:14 74:2 75:9 76:6 78:5 78:11 82:1,20 90:4 91:25 93:15 96:18 100:23 104:6 105:1 109:1 112:2 good 4:1 5:6 11:3 25:21 27:16 88:17 105:17 111:11 gosh 5:15 grant 3:21 78:22 79:15,20 80:1 81:6 great 44:11 50:4 greater 16:18 17:22 72:8 greivous 68:9 79:14 ground 5:19 guess 11:10 14:20 17:2,7 24:17,17 38:25 50:21 61:3	62:17 67:9 74:5,19 75:11 76:24 83:9 87:9,23 88:9 91:20 99:16,19 107:15,23 112:9 guessed 15:3 guy 33:15 53:15 87:25 108:23 guys 21:25 27:3 32:8 47:18 54:25 92:7 93:3 98:4 gypsum 45:6,7 45:14 46:24,24 47:1 62:2,7 h half 39:10 53:11 105:14 hammer 44:20 hammered 52:20 hammering 58:4 62:6 hand 10:5 11:4 28:20 31:17 39:24 76:13 79:7,9 96:21 handle 54:12 handled 72:17 114:8 hang 94:1 95:4 95:6	hanger 12:4,9 14:24 21:9 22:6 27:22 30:11,12,21 32:2,6,9 39:24 41:2 43:4,10 43:19,24 44:7 44:11,20 45:4 45:16,20 46:20 46:25,25 47:5 47:8,12,19,21 48:2,15,21,24 48:25 49:1 51:21 52:19,24 53:7,12,24 54:3,5,11,15 55:8,21,24 56:12 57:8 58:3,5,9 61:18 61:23 62:6 63:8 64:19 66:8,15 67:19 68:13 69:17 70:3,21 71:8 71:19 75:10 82:18,24 83:4 83:10 84:5,15 85:16,20,23,24 86:4,6,7,14 87:12,17,19,21 88:20 94:7,16 97:9,11 101:17 101:19 102:7 102:14,22 103:2,13,20	104:3 106:1,6 106:6 107:5 108:14 109:6 109:13,14 110:2 hangers 23:2,6 30:4,17 36:22 47:16 54:20 70:11 74:17 84:9,13,13,19 84:21 87:2 94:2 95:12,18 96:1 97:11 101:5,15,16,22 hanging 92:12 93:12 happen 33:11 110:16 happened 25:3 42:13 50:21 88:14 happening 18:13 happy 26:11 hard 38:20 67:2,12 70:9 70:12,18 89:9 89:9,11 hardware 29:19 65:6 head 39:19 hear 26:23 67:22 heard 4:7 24:7 47:17 63:6,9
---	--	---	---

[heard - installers]

80:9 83:19 98:19 hearing 35:25 42:15 43:24 79:22 80:3,18 87:11 hello 5:5 help 32:1 48:11 helped 84:5 hesitation 87:7 high 30:12 53:4 71:20 higher 72:3 hindsight 74:14 hold 109:15,15 110:12 home 6:7 59:19 honest 7:3 hope 5:18 29:25,25 hopefully 78:20 hoping 44:18 54:2 hour 12:5,9 14:25 21:5,10 41:6 43:4 58:12 64:20 82:6,7 84:16 hours 111:1 hoyd 14:7,9,16 15:22 33:23 hoyd's 34:2 huge 88:7 huh 6:22	hundred 33:13 97:3 hurricane 23:11 i icon 31:7 idea 21:15 28:23 31:25 32:2,14 33:12 39:8 43:10 44:5 45:13 46:23 51:21 52:18,23 53:23 54:14 56:19 57:3,3,5,12,14 62:25 63:4,7 63:13 64:12,19 65:5 73:22 79:19 105:17 105:17,21,21 106:17 ideal 46:2 ideas 27:22 32:21 39:18 43:5 106:1,20 identification 10:8 12:14 34:20 37:3 41:16 49:22 60:11 68:2 76:8 78:23 identified 14:15 16:12 34:22 62:11 75:14 76:1	92:17 93:7 identifies 14:17 31:22 identify 14:17 iiia 18:6 imagine 104:16 important 6:16 6:23 74:9,13 104:15 109:17 impressed 52:8 105:15 impressive 7:18 improve 55:11 inch 106:3,3 inches 53:11,11 included 114:14 115:3 including 23:6 62:11 70:21 inclusive 113:8 inconsistency 93:8 incorporated 12:3 incorrect 71:16 index 3:1 industry 7:24 57:4,15 88:12 92:12 94:3 info 108:20 inform 63:23 66:7 informal 6:8 information 16:8 72:15	informed 61:18 informing 35:20 55:20 initial 52:10,13 52:18 53:7 99:4 inside 44:25 insta 82:18 install 29:16 45:20 46:5,24 46:25 47:23 52:24 74:5,13 87:23,24 88:5 88:20 107:24 installation 45:7 46:19 47:18 54:16 62:1,5 74:8 103:12,19 108:15 installed 29:2 29:21 44:7,11 44:19,24 45:14 45:18 46:1 47:8,12 48:15 48:16 53:25 54:3,21 58:3 62:7 70:25 82:19 85:11,12 85:17 89:3 101:5 102:15 102:22 103:20 104:4 installers 47:25 106:14
---	--	---	---

[installing - know]

installing 32:6 45:23 47:19 48:2 53:12,13 54:4,8,8 62:6 74:12 82:18 87:25 instance 73:1 instructions 44:10 insula 103:19 insurance 1:5 4:12 77:1,3 114:3 intent 45:19 47:4 intentionally 63:19 interact 36:5 interested 97:10 98:18 113:14 interject 63:17 internal 16:25 40:17 international 18:25 19:7 internet 4:6 interpreting 19:22 22:11 introduce 59:24 76:6 introduced 36:3 49:24 60:9 70:3 71:3 71:6 78:20	invalid 80:8 invent 84:5 invention 77:9 79:25 80:6 83:24 84:14 inventor 65:15 75:14 80:16 involved 15:18 21:19 24:12 26:18 75:2 110:17 111:11 issue 79:4 88:18,18,21 issued 65:15 79:23 80:6 issues 26:21,24 italicized 81:20 81:24 82:7,9 82:17 italics 81:14 j jake 2:21 january 1:16 4:2 jennifer 1:20 4:18 113:3,20 jmauch 2:17 114:2 job 1:24 29:11 32:8 45:21 55:1 jobs 109:1,13 joe 5:7 63:19 64:6 103:11	jog 67:19 john 2:4 64:8 john.schroeder 2:9 jointly 64:2 joist 49:1 93:12 94:16 joists 92:12 95:19 joseph 2:12 114:1 judge 73:4 k keen 30:10 keep 41:8 61:17 62:16 89:9 111:22 keeps 53:14 kendall 14:7,9 14:10,16 15:22 16:8 33:23 kept 22:5,16 38:16 kicking 39:19 kidding 111:2 kind 7:21 9:16 17:3 22:2 23:13 26:1 30:15 31:8 34:13 42:24 55:3 63:23 66:13 70:18 75:24 83:6,12 101:17 102:5 111:10	kinds 19:23 knew 31:3 75:11 92:23 94:7 102:23 knife 44:17,20 know 6:6,21,24 7:23 8:12,13 9:14,16,17,18 11:15 14:9,12 15:5,6 16:25 17:1 18:1,2,3,9 18:11,23 19:20 19:25 20:2,2 20:11,12 21:13 21:22,24 22:1 22:1,3,7,13,15 22:17,18 23:3 23:9,12 24:3,6 24:18,23,24 25:2,3,21,25 26:2,3,4,6,8,16 26:16,19,19,21 26:22 27:3,3,5 27:16 28:7,9 28:12,22,23,25 29:3,10,12,19 29:23 30:15,16 30:21,25 31:3 32:5,8,9,9,12 32:14,24 33:10 34:25 36:2,12 36:13,13,19,21 36:22 38:8 39:1,7,16,20 40:2,3,4,5,13
---	---	--	--

[know - look]

43:22 44:10,12 44:14,16,17,22 45:17,21,23,24 46:4 47:4,14 47:15,15,24 48:1,1 50:1,21 53:2,4,4 54:2,7 54:10,19,20 57:7,8,8,9,10 57:17 61:21 62:24 63:19,24 64:22 65:5 66:11,14,17 67:17,23 71:13 71:22,24 72:14 72:16 73:5,20 73:22 74:11 75:3,19,21 80:16 83:11,13 83:14 84:3,13 86:3,11,14,15 86:17,19 87:4 87:14,16,19 88:4,6,7,8,15 88:19 89:11,16 90:19,21 91:23 92:2,4,5,5,7,17 92:20,23,23 93:1,5,6,16 94:23 96:2,7,9 96:17,21 97:2 97:4,8,9,16,17 98:2,3,5,6,13 98:14,16,19,22 99:17,18	101:23,24 102:3,3,5,10 103:1,2,3 104:2,6,6,8,14 105:25 106:4,9 106:9,11,15,15 106:18,24 107:5,11 110:3 110:4,15 111:12 knowing 30:16 knowledge 28:5 94:21 known 80:18 I I 1:20 33:15 113:3 lacks 94:19 101:7 102:17 104:11 108:6 language 81:20 81:24 82:7,10 82:17 83:3 large 1:21 late 42:23 56:8 65:4 77:21 law 37:23 76:19 lawsuits 111:12 layers 18:10 32:7 44:21 45:22 46:5 leading 92:15 93:14 94:12 95:5 109:8,20	ledger 29:23 ledgers 29:7 96:6 101:24 left 31:9 legal 4:17,19 114:7 lesson 16:16,23 17:9 20:7 91:7 92:4 letter 3:12 10:7 11:17,21 letterhead 10:15,25 lettering 28:19 letting 62:24 level 18:12 levels 18:4 lighter 67:1,11 70:9,12,21 108:11 liked 25:21 54:14 87:21 line 82:24 83:16 84:9,19 84:21,21 85:3 85:4 91:14,15 100:11 105:14 105:15 114:15 115:4 lines 51:3 58:1 litigation 79:4 little 25:2 29:6 29:12 30:14 31:6,7,13,21 38:8 40:4 41:9	44:25 47:15 50:6 58:13 61:12 73:15 80:13 85:19 90:1 93:23 106:7 llp 2:5,13 10:15 10:25 load 55:24 72:17 loads 70:22 located 59:16 locater 31:25 32:1 location 9:7,13 9:15 25:4 locations 9:16 9:18 24:25 25:3,5 locator 31:21 32:2,11 locked 114:12 115:1 logical 55:3 long 7:8 24:4 24:13 25:25 31:3 33:10 77:16 84:11 90:1 98:1 longer 41:9 50:6 92:3 look 9:25 13:15 13:18 14:5 27:25 31:17 34:16 35:6,25
--	--	--	---

[look - mean]

37:9 40:14 42:17 45:3 46:17 48:19,23 49:8,18 50:22 51:16,24 57:20 58:23 60:3,8 68:10 69:1 70:6 76:5,11 77:12,23 78:6 79:7 80:10 81:4 105:11 looked 61:13 62:12 77:12 84:10,21 85:9 87:14 92:18 99:4,12,25 102:5 105:4 108:11 looking 22:22 28:1 30:7 31:4 35:2,13 38:7 40:5 51:9 69:3 69:25 70:8 74:3 75:1 81:19 83:14 85:19,25 86:4 87:14 96:20 100:5 looks 11:13 13:16 17:15 46:13 60:23 66:7 67:10 74:16 75:2 86:18 107:24 108:4	lost 29:12 lot 8:11 18:5,5 26:6 36:7,11 36:12 38:12,13 38:25 39:3,20 40:15 45:21 53:4 54:7 71:13,17,24,24 89:7 lots 36:7 louis 2:7 low 74:16 107:25 108:4 lower 75:3 108:12 m made 18:9 20:18 22:4,6 22:17 24:4 39:4,23 40:19 41:1 47:3 75:25 79:25 80:7 84:14,15 86:12 89:12 108:5 main 87:22 maintain 19:17 21:5 majority 36:18 make 18:4 20:13,23 28:9 30:17 39:2 51:17 52:25 55:21 60:1 63:20 72:18,21	73:2,23 80:13 92:6 96:20 109:16 114:14 115:3 makes 31:12 51:18 72:9 106:18 making 17:1 21:21 41:2 53:23 malfunctioning 78:2 manager 9:7,9 9:13 manner 26:17 73:11 manufacture 36:20 mark 1:15 3:3 4:12,23 12:11 37:1 41:12 47:21 67:21 113:6 114:5 marked 10:1,2 10:8 12:14 13:1,2 34:20 35:4 37:3,10 41:16,18,22 49:22 50:13,14 60:9,11,14,15 60:22 68:2,4,8 76:8,10 78:23 79:8,12,13 market 2:14 57:13 71:15,20	73:20 74:9 94:16 marshals 22:11 material 18:10 39:5,8,9,10,17 materials 39:11 matter 4:12 26:6 mauch 2:12 3:4 5:4,7 10:13 12:17 34:21 37:4 41:5,12 41:17 48:7 49:23 58:11,17 58:21 59:13 60:12 64:8,9 68:3 72:24 74:1 76:9 78:1 78:16 79:1 81:3 82:5,15 83:2 85:14 86:24 89:13,20 92:15 93:14 94:4,13,18 95:5,13,20 102:16 103:22 104:10 108:6 109:8,15 110:12,20 111:1,6,15,25 112:5,7 114:1 mean 20:4 27:9 28:12 38:7 43:20 50:19 54:1,4 66:13
--	--	--	--

[mean - need]

70:16 73:21 86:11 88:19 98:13 99:5 110:16 means 29:17 83:7 113:24 meant 67:4,16 70:12 measure 32:9 media 4:11 members 20:25 20:25 57:4 memory 57:1 67:19 103:15 mentioned 5:8 25:6 27:20 42:18 55:6 100:12 108:19 menu 31:13 messing 100:3 metal 106:2,4 106:10 method 72:11 74:13 mid 42:23 56:8 middle 31:8 49:10 107:22 mike 33:15 mind 30:15 54:2 70:18 71:12 74:8 83:11 88:21 89:22 106:18 minimize 39:12	minimizing 82:10 minute 10:11 13:5,11 41:24 59:1 60:17 70:14 78:9 105:4 minutes 27:20 41:7 58:2,12 58:18 84:22 89:23 90:10 100:1,5 misstates 109:20 mitek 1:6 4:13 12:3,8 14:24 15:10,17 21:9 21:15,20 22:18 22:22 23:4,24 24:11,20,25 25:12 27:13,14 31:1 32:25 33:7 34:2,3,3,8 35:21 36:6,10 36:12,19,23 40:10 56:12 57:17 63:12 64:13 71:6,19 72:20 73:10 75:8 76:3 77:4 77:7,19 79:24 80:5 84:19 85:11 87:1 90:17 96:19,25 97:10,13 98:4	106:22 109:12 109:14 110:8 114:3 mitek's 36:15 84:9 85:3 86:6 mitek000127... 3:13 12:13 mitek000128... 3:14 34:19 mitek000128... 3:17 49:21 mitek000129... 3:18 60:10 mitek000129... 3:16 41:15 mitek000130... 3:19 68:1 mo 2:7 mock 57:7 modified 98:7 moment 11:8 12:20 17:5 25:6 34:23 41:19 50:5 51:9 66:19,22 84:23 111:17 momentarily 37:6 moments 27:19 monitor 8:12 month 61:12 88:3 months 21:24 morning 5:6	mount 67:2,12 70:9,12 mounted 82:19 83:1,4 mouse 13:6 move 32:13 83:15 moving 59:3 96:9 98:22 multi 16:18 17:22 91:15 92:13 multiple 8:9 10:24 20:11 77:8,18,19 95:2,11 104:11 109:1 mutually 34:5
			n
			n 2:1 nailed 29:7,23 nails 32:12 name 4:16 5:7 15:7 85:24 named 14:6,7 33:15 nearly 83:16 necessarily 50:7 necessary 114:14 115:3 need 5:23 50:7 58:22 70:15 80:12 92:12 111:16 112:7

[need - open]

112:13 needed 71:9,12 101:21 102:6 102:10 needs 20:18 never 65:7 80:9 98:19 105:17 106:11 new 12:23 92:19,19 newly 60:9 non 18:9 39:17 noncombusti... 18:7,9 normal 6:20 northern 1:2 notary 1:20 notating 114:15 115:4 notch 86:15 106:7 note 4:3 38:7 38:10,17 97:19 97:20,21 noted 86:5 notes 89:24 113:9 notice 1:21 number 3:10 15:14 28:1 37:13 79:5,9 81:11 91:7 103:8,9 105:9 114:15 115:4	numbers 39:16 39:16 o o 33:15 o'clock 107:20 oath 6:8 ob 73:14 object 73:14 80:24 82:1,12 82:20 85:6 86:8 88:22 109:15 objection 72:22 73:3,17 92:15 93:14 94:4,13 94:18 95:5,13 95:20 101:7 102:16 104:10 108:6 109:8,17 109:20 110:12 110:13 objections 93:22 obviously 71:16 105:24 occasionally 111:12 occurred 24:1 105:17,21 october 61:10 62:16,19 odd 6:8 offering 70:20 84:19,20,24	office 8:14 21:20 32:23 57:9 99:18 114:11 officer 14:17 offices 9:20 33:12 38:20 officials 56:14 56:18 62:25 oh 5:15 80:9 99:14 103:24 okay 5:13,16 5:19,20,25 6:1 6:4,5 7:10 10:21,21 11:8 11:20 12:1,21 12:24 13:3,10 13:14,20 14:21 15:4,8,15,15,24 16:7,15 17:17 17:20 18:15 21:7,17 27:12 28:2,17 29:5 30:3 31:11,16 31:20 34:16,22 34:24 35:8,11 37:7 38:25 41:12,14,20 42:3 49:18,20 49:25 50:16,16 51:5,11,11 55:17,19 57:20 58:16,20 59:7 59:14 60:8,20 61:8 62:21	64:7 66:23 67:5 68:4,6,15 68:25 69:9,12 69:23 72:23 73:7 75:4,6 77:7,17,23,25 78:17 79:2 80:10,21 83:8 83:18 86:18,23 89:13 90:3,15 90:23 91:2,24 93:24 95:10,24 96:4 98:24 99:14,21,24 100:17,17,17 103:10,17 104:22 105:13 107:13 108:10 108:13,17 109:12 110:18 110:25 111:5 112:2 old 111:11 oldest 105:2 once 6:2 9:18 41:25 47:16 60:16 71:21 106:25,25 107:4 110:11 110:22 online 85:19 open 10:18,22 12:23 96:10 98:23
--	--	---	--

opportunity 26:7 36:5 opposing 100:19 option 54:5 optionality 54:15 58:3,9 options 62:10 order 89:24 103:12,19 ordering 112:5 orders 111:14 organize 90:1 ori 79:3 orientation 31:13 original 44:5 77:8,14,21 80:4 114:10,20 114:22 originally 68:22 79:2 outside 93:18 94:8 96:1 102:8 overall 25:19 50:11 oversaw 8:11 9:16 owned 25:12 owner 83:23 owns 77:3	<p>p</p> <p>p 2:1,1 p.m. 1:17,17 4:2 16:4 51:6 52:3 59:9,12 78:12,15 90:5 90:8 112:3,14 package 53:15 page 3:10 10:23,24,24 13:7,18 14:5 15:13 16:3 17:6,7,15,15,19 28:4,16 30:5,7 31:13 32:16 33:21,22 35:7 35:13,18 37:12 38:4,6,18,18,23 38:24 39:7,23 39:25 40:7,10 40:20,20,21 41:2,3 46:17 47:12 48:20 49:10 50:24,25 51:1,4,25 55:16,18 56:2 61:3,5,5 62:17 66:1,2 67:1,6,7 68:11 69:1,7,8 69:13 76:12 80:10 81:5 96:17,23,25 97:4,7,12 103:16 105:7,9 105:10 107:21</p>	114:15 115:4 pages 1:25 11:10 17:8 37:9 38:1,1 46:10 55:5 69:25 74:20 96:14 113:8 114:14,17,17 115:3,6,6 paid 77:15 panhandle 59:17 paper 28:24 31:7 paragraph 66:25 67:11 74:4 108:19,25 paragraphs 67:9 107:22 pardon 35:9 48:8 82:16 part 15:19 19:13 26:18 34:14 39:3 49:16 89:17 91:2 93:1 99:12 participants 4:6 particular 20:18 27:1 50:9 65:19 particularly 21:4 25:24 49:8	parties 4:10 113:11,12 parts 8:19 past 18:23 30:19 patent 63:4,7 63:22 65:6,8 65:15 75:9,14 75:18,24 76:3 76:24 77:11,12 77:13,14 79:4 79:5,6 80:4,17 80:19,22 83:20 83:23 patenting 63:7 63:13 64:12,19 patents 64:25 65:16,18 77:4 77:8,19 79:23 80:4,5 pause 109:16 pdf 10:18,22 12:22 17:6,7 114:12 115:1 penalty 114:16 115:5 penetrated 39:4 89:7 penetration 82:10 people 27:8 36:7,13 57:10 68:18 percent 33:14 33:14 97:3

[perform - probably]

<p>perform 8:5</p> <p>performance 8:13 9:14</p> <p>performed 8:12 9:9</p> <p>period 9:4,10 23:16,18 24:3 24:18 25:17 33:17 42:23 43:18 50:21 54:19 64:23 66:12 84:18 114:18 115:7</p> <p>perjury 114:17 115:6</p> <p>permitted 110:4</p> <p>pertaining 92:12</p> <p>phone 42:19,22 43:1,9,17,22 100:12,21,24 101:2 104:7,9 104:14</p> <p>phrase 83:19</p> <p>physical 6:22 86:11</p> <p>pictures 66:16</p> <p>piece 29:19 30:21 31:7 39:8 57:8 106:2,4</p> <p>place 4:9 23:18 99:22</p>	<p>plaintiffs 1:7 2:3</p> <p>plan 55:21</p> <p>plans 20:8 92:19 95:18</p> <p>plant 39:15</p> <p>plants 8:19</p> <p>plate 30:19 32:3 45:5 62:2 107:2</p> <p>plates 36:20</p> <p>please 4:3,20 10:20</p> <p>plus 80:12</p> <p>ply 45:6</p> <p>point 8:20 9:17 16:16,23 17:9 20:7 23:22 45:12 46:22 49:13,14 52:17 53:6,21 64:10 71:20 74:23 75:8,13 88:17 91:7 92:4</p> <p>pointed 49:13</p> <p>points 52:14</p> <p>pop 34:23</p> <p>pops 50:1</p> <p>portion 33:20 48:24 49:2 53:19 106:5</p> <p>positioning 32:1</p> <p>positive 24:22 26:15 88:10</p>	<p>possibility 56:17</p> <p>possible 43:6 76:1 92:22 97:2,7</p> <p>possibly 53:10</p> <p>post 3:21 78:22 79:15,20 80:1 81:6</p> <p>potential 21:9</p> <p>potentially 55:11</p> <p>practice 101:4</p> <p>practices 83:24</p> <p>pre 53:14</p> <p>precipitated 21:14</p> <p>prefer 41:10</p> <p>preliminary 61:22</p> <p>present 2:19 40:13</p> <p>presented 62:25 94:13</p> <p>presenting 95:3</p> <p>preserve 64:4</p> <p>pretty 19:25 20:1 22:15 24:2 25:2 28:12 74:16 97:2 107:24 108:4</p> <p>previously 13:1 19:2,10 24:21 35:4,13 36:10</p>	<p>41:22 50:14 60:14 68:8 69:3 79:13 105:22</p> <p>price 71:20 74:23 87:9,12</p> <p>prices 71:14</p> <p>pricing 71:19</p> <p>primarily 60:25</p> <p>primary 36:16</p> <p>print 37:8</p> <p>printed 13:24</p> <p>prior 7:13 18:23 19:14 22:22 24:18 29:10 36:6,15 41:2 44:11 45:20 47:5 48:1 60:1 62:11 63:9 64:22,24 65:2 65:16 80:17 87:19,23 102:15,22 104:4 106:21 109:20</p> <p>privilege 63:25 64:4</p> <p>probably 5:15 9:6 19:4 21:18 40:22 54:25 86:17 87:17,22 92:8 93:7 97:6 97:6 106:17</p>
--	--	--	--

[probably - quite]

111:16,20 problem 22:7 22:15 28:23 29:1 67:25 76:1 88:14 89:12 92:5,18 92:24 102:5,11 106:25 111:18 111:22,23 problems 22:2 procedure 46:19 54:11 114:19,21 proceed 4:21 proceeding 79:20 80:1 81:6 proceedings 3:1 process 43:10 72:13 75:16 product 21:15 21:16 23:13 26:22 34:5,10 36:10 57:13 71:6 72:3,4,17 73:11 83:12,23 85:3,4,10,11 107:16 109:13 109:23 110:7 110:11 production 26:20 products 15:10 24:11,15 25:10	25:15,20,24 26:3,12,16,17 26:20 71:2 72:8,11 74:24 77:4 84:25 professional 113:4,4 project 27:4 projects 16:18 17:22 91:15 92:13 110:3 proposals 95:11 proposed 46:19 52:23 58:8 proposing 46:23 53:23 prosecuting 63:22 protect 18:10 protection 19:17 prototype 61:22 prototypes 55:21 provide 7:2 26:16 40:3,16 52:10 96:24 97:13 98:12 provided 20:5 27:21 32:15 37:20 40:10 76:19 97:4,24 98:10 114:19	115:8 providing 6:10 20:17 28:4 47:16 51:8 public 1:20 63:3 purchase 23:5 23:16,19 36:16 purchased 24:15,21,25 purchasing 23:23,24 24:10 24:20 25:18 27:13 36:10 pursuant 1:21 pursue 75:9 pursuing 98:19 push 47:20 91:15 put 10:11 32:11 32:12 38:17 39:8,12 73:19 75:4 92:10 97:19,20 putting 16:17 45:22	question 5:23 5:24 6:3,4 11:11 13:12 21:12 24:18 33:18 41:25 43:12,16 50:11 60:17 64:15 73:3,7 74:5 82:23 84:7 88:13 93:22 94:9,11,14,20 100:18 102:19 104:1,5 107:23 109:19 110:14 110:22 questions 5:22 6:13 18:16 26:9,25,25 27:3,5,17 50:9 63:18 89:14,15 89:25 98:20 100:23 110:19 110:21 111:2,3 quick 27:6,6,9 27:9 quickly 42:13 63:16 78:9 quite 6:21 24:8 41:5 55:6 67:24 71:14 80:12 86:11 100:9
		q	
		qualifications 75:21,24 quality 4:5,5 26:12 30:12 quarter 21:24 32:10 53:11 106:3,3	

[r - relaying]

r	rebuttal 110:20	recess 59:10	reference 74:17
r 2:1,4	rec 33:5	78:13 90:6	74:19
r&s 115:1,10	recall 12:7	recognize	referenced
rain 46:4	14:11 18:22	11:12 13:12	114:6
rating 21:5	19:8 24:1	42:4	referred 42:14
82:6	26:10 27:11,15	recollect 67:17	referring 17:9
ray 14:6 15:6	28:3 32:19,20	recollection	31:18 99:11
16:3 34:2	33:3,11 37:22	14:22 15:16	refers 18:19
68:18	40:7,9,12,18,24	33:5 40:25	reflect 37:19
reached 90:24	42:22 43:1,2,7	45:12 48:12	refresh 14:22
reaching 21:8	43:8,14,14,16	53:21 57:3	15:16 45:11
21:14 106:21	43:20,22,24	63:11 67:3	48:11 53:20
read 50:6,8	50:17 56:16	69:20 70:2	57:2 69:20
53:20 56:22	57:12,14,17	77:5 83:25	70:2 77:4
reading 114:24	58:10 63:14	87:1 97:14	83:24 103:15
115:10	64:21 65:17	100:19 101:1	refreshes
ready 112:1	66:11 70:25	101:21	100:25
real 30:12	75:1 80:3,17	record 4:2,10	regarding
63:16	84:18,23 85:24	12:25 35:3	34:10 36:13
realize 50:20	87:10,11 90:16	37:17 41:21	regional 8:16
80:11	90:21 91:3	50:13 53:20	registered
really 26:4,5,23	97:23 98:9	59:6,9,12	113:3
43:20 64:6	100:21 101:2	60:13 68:7	regular 39:9,17
65:7 72:14	102:12 103:11	73:18 76:12	regulations
73:23 74:10,12	103:18 104:18	78:8,12,15	8:11
88:15 92:21	104:23 105:1	89:23 90:5,8	related 8:7
93:4 94:11	107:14 110:10	108:22 111:14	14:24 20:17
99:21 100:21	110:15	111:24 112:3	36:16 38:12
101:13 106:12	receive 32:17	113:8	64:19 77:8,20
reason 7:2	received 11:14	recorded 4:8	relating 79:24
38:16 87:6	37:17,23 77:8	4:11 6:14	relation 80:6
101:20,21	77:20 87:2,4,8	recording 4:5,9	relative 113:10
reasonably	recent 18:23	refer 16:12,16	113:12
40:16 97:18	recently 7:5	18:18 79:6	relaying 57:25
110:1			

released 71:19 87:2 109:7 110:8,11 114:22 releasing 68:13 85:15 rely 107:3 remember 12:10 14:11 15:7 18:1 21:18,20 22:20 22:25 28:12 33:4,9 42:11 42:12 44:9 45:2,19 46:14 46:15 54:1 55:2 56:20,22 57:11 63:10 66:13,14,17 69:23 70:17 71:14 75:12 79:22 80:20 90:21 95:14,24 98:11 99:17 101:13 102:21 remembered 98:6 remembering 32:25 remind 60:3 reminded 111:10 remotely 4:15 rep 21:20 22:19 23:3,4 24:5	32:23 33:11,16 repeat 43:11 73:7 rephrase 21:12 94:12 95:9 109:23 replies 14:2 report 113:6 reporter 4:18 4:20 6:15 58:13 112:5,10 113:1,4,4,25 represented 59:21 64:11 representing 4:16 represents 5:9 reproduction 113:23 reps 21:23 requested 113:7 115:1,10 115:11 requesting 11:18 required 114:20 requirements 19:15 21:4 requires 86:14 resistive 81:25 resolve 78:9 respond 35:24 responded 98:13	responding 52:6 responds 15:22 response 32:17 62:15 105:7 responses 14:2 27:6 responsive 27:16 rest 39:9 58:14 restroom 41:7 58:21 result 73:12 81:5 resulting 34:5 34:10 retardant 18:19 39:5 retire 7:8 retired 7:6 38:15,21 39:21 retirement 7:14 7:19 8:1,25 return 114:17 115:6 review 3:21 41:25 60:17 78:22 79:15,20 80:1 81:6 113:7 114:8,10 114:13 115:2 reviewed 60:20 right 10:5 11:4 15:18 16:1,9 16:13 17:14	18:17,20 22:23 23:7,20,25 25:7,10 27:23 30:14 31:18 32:4 33:8 35:15 36:18 37:7 38:8 39:16 41:3 42:7 44:3 46:7 46:12,20 47:9 48:21 49:3,16 51:10,13,23 52:8,11,15,22 53:1,2 54:17 54:18 55:8,21 55:24 56:9 58:1,5,9 59:17 59:22 60:6 61:10,15,16,23 61:24 62:12,13 69:7,16 71:3 74:19 76:13,20 78:4 79:7,9 80:15 88:21 89:19 91:5,23 92:9 95:17 100:10 105:12 109:1 110:20 rights 76:2,24 robust 71:9 rock 53:14 role 7:25 9:3 rolf 1:15 3:3,9 4:12,23 5:5,10 7:3 9:25 10:5,7
--	---	--	---

[rolf - see]

11:6,12 12:2 12:12,13 13:1 13:5,19 27:20 31:5 33:19 34:17,19 35:1 35:6 37:2,6,8 37:11,12 41:6 41:15,24 42:4 48:4 49:21 50:2,18 58:24 59:14,14 60:2 60:10,16,22 64:10 68:1,5 68:10 73:2 75:5 76:7,11 76:14,14,16 77:1,24 78:3 78:17,22 79:3 79:17,20 80:11 81:9,21 83:4 83:17 89:14 92:16 94:20 95:21 104:12 109:16 110:14 111:2,7 113:6 114:5 rolf's 41:22 rolf0000001-6 3:20 76:7 rolf0000007-8 3:15 37:2 roof 7:23 20:24 88:2 rotate 28:8 31:14	rotated 30:7 rounds 21:21 rpr 1:20 113:20 ruckus 67:24 rules 5:19 8:11 115:8 run 55:23 running 61:22 runs 29:14 s s 2:1 sales 47:17,17 54:25 san 2:15 saw 20:11 52:18 55:1 71:21 85:8 106:8,15 saying 47:14 52:7 74:10 83:5,9 87:7 108:3 109:6,12 109:24 says 10:2,5,15 11:6 31:9,21 34:3 37:11 38:9 44:17 45:4 58:24 61:25 63:3 69:15 79:15 81:5,7,12,24 99:2 100:12 schedule 114:10	schroeder 2:4 3:5 63:16 72:22 73:2,14 80:24 82:1,12 82:20 85:6 86:8 88:22 89:15,21,22 90:9,13 93:10 93:20 94:10 95:1,8,16,22 101:7,11 103:6 104:17 108:8 109:11,22 110:18 111:19 111:20 112:1 112:10,12 scrabble 39:1 screen 4:7 58:24 59:3 screws 32:13 scribble 39:1 scroll 11:9 13:6 15:4,21 17:5 33:19 35:17 38:23 46:9 55:5 56:1 61:2 62:14 65:21 68:21 69:10 scrolling 62:17 sealed 114:20 seals 108:24 second 13:18 13:22 15:13 31:9 33:22 34:17 35:6,12	38:23 39:7,23 40:7,10,20 41:1 46:10,17 47:12 53:6 61:3,5 66:2 67:1 78:1,4 80:10 81:5 91:15 96:17,23 96:24 97:4,7 100:1,3 103:16 107:19 109:16 seconds 12:19 section 86:18 see 8:18,21 9:12 10:3,6,9,9 10:17,23 11:1 11:2,7 12:20 12:21 13:6,8 13:15,21 14:5 14:8,10,11,15 15:11,12,15,21 15:25 16:1,5,6 16:20,24 22:24 27:2 28:7,11 29:5 31:23,24 32:22 33:13,24 34:1,6,22,25 35:2,18,22,23 35:25 37:7,14 38:25 39:22 40:21 42:20 43:21 45:9 47:11,14 49:10 49:11,12 51:4 51:5 52:4,21
--	--	---	---

[see - simpson]

53:12,17 55:6 55:19 56:2,5 56:12 57:23 59:2 61:7 62:14,22 63:1 63:4 64:14 65:4,25 66:4,9 66:16 67:5,13 67:17 68:11,14 68:19,21 69:6 69:9,11,17,18 70:10 73:9 74:6 78:9,21 79:8,9,14,17 81:4,9,12,17,23 82:3,6,9,16,17 85:22 86:10 91:18 96:16 97:7,17,17 99:11,14 100:25 105:18 108:1 109:3 seeing 14:21 15:8 16:17 17:21,25 19:4 19:9,19,23 20:22 22:9 40:15 53:19 57:2 67:3,18 69:19 91:21,25 95:3,11,14,17 95:24 seeking 19:9 seemed 87:17 93:5 98:13	102:2 seems 32:24 77:10 88:7 98:1 105:16 seen 4:7 19:10 81:20 94:23 100:17 sell 97:11 103:1 send 16:3,8 34:17 69:2 sending 16:23 17:2 35:14,19 37:22 54:20 66:12 sense 51:18 60:1 72:9 75:25 89:12 96:20 106:19 sent 11:17,21 13:16 38:2,9 42:6 43:5 44:1 46:11 68:12,23 69:21,24 76:19 90:17,20,25 99:1,3,8,9,23 102:13 103:13 107:19,20 sentence 42:18 44:1 66:24 67:10 74:15 83:11 91:14 108:25 separate 18:11 20:13	separation 61:19 september 56:4 56:9 57:22 60:6 sequence 54:16 sequencing 88:18,19,21 series 71:2 74:24 services 8:2,5 9:6,11,15 set 29:16 92:19 sets 96:13,14 setting 6:7 17:25 48:2 seven 11:10 37:11 sflaw.com 2:17 114:2 shallow 49:16 share 10:3 106:21 shared 21:21 22:18 23:2 24:6 57:14,16 57:17 107:9 sharing 23:3 57:3 shartsis 2:13 10:15,25 ship 26:16 shipping 26:21 110:5	short 54:19 58:12 78:17 show 28:17 46:18 47:7 48:4,10,14 66:19 79:3 showing 95:25 102:1 shown 32:16 44:6 shows 29:7 30:8,8 31:7 40:8 47:12 side 38:8 49:9 sides 97:19 sign 80:13 114:16 115:5 signature 14:16 15:8 113:19 114:22,24,24 115:10 signed 76:23 simple 106:25 simplify 45:7 simpson 1:9 4:13 5:9 21:23 22:17 23:2,3,6 23:19,23 24:7 24:10,16,21 25:1,14,18,19 25:22,23 26:8 27:1,10,22 28:4 31:1 32:16,18,21 33:2,6,11
---	---	--	--

[simpson - states]

<p>38:10 66:7,15 68:13 69:14,21 70:3,11,19 71:2 74:17,21 74:23 84:20 85:9,15,20 86:6,14 94:7 96:19 97:5,10 97:13,24 98:10 98:17 99:17 106:21 107:9 109:7,10 114:4</p> <p>simpson's 26:12,15 85:4 107:16</p> <p>simultaneously 48:6</p> <p>sit 104:18</p> <p>site 32:8 55:1</p> <p>sites 29:11 45:21</p> <p>sitting 6:6 105:20</p> <p>situations 54:12</p> <p>six 8:19 76:12</p> <p>sketch 30:6,8 30:13 39:7 40:17</p> <p>sketched 31:2</p> <p>sketches 22:5 38:9,12 39:1 39:20,22,24 40:2,19 41:1,2 96:17 105:24</p>	<p>sketching 28:20</p> <p>skimmed 50:16</p> <p>slat 49:15,16</p> <p>slightly 53:8</p> <p>slip 45:16</p> <p>slit 44:15</p> <p>slot 44:18 45:2 46:24 47:1 48:16 49:6,7 105:16 106:14</p> <p>slots 47:22,22</p> <p>small 37:10 39:8 53:23 59:18 76:13 80:12</p> <p>software 36:13 36:17,20</p> <p>sold 25:14 71:16 83:23</p> <p>solution 76:1 93:12 94:15 107:7</p> <p>solutions 4:17 4:19 94:1 95:2 114:7</p> <p>solve 22:6 28:23 89:11 102:10</p> <p>solved 101:21 102:6</p> <p>somebody 31:1 99:18 106:25 107:4</p>	<p>sorry 20:9 35:10 78:1,3 78:17 95:9 100:16</p> <p>sort 5:17 10:4 28:10 48:12 49:9 52:14,18 54:8,15 56:8 57:4 58:8</p> <p>sounds 15:3 22:21 57:6 61:15,15 100:10 103:25</p> <p>spanned 56:7</p> <p>speak 28:24</p> <p>speaking 48:6</p> <p>specific 110:10</p> <p>specifically 75:12 97:23</p> <p>specified 101:16</p> <p>specify 26:19 27:1</p> <p>specifying 102:9</p> <p>speculation 94:19 101:8 102:17 104:11</p> <p>spelled 83:13</p> <p>spoken 43:14</p> <p>square 106:2 106:11</p> <p>st 2:7</p> <p>stability 107:3</p>	<p>stage 63:15 110:3</p> <p>stalled 44:11</p> <p>stamp 37:19 76:13</p> <p>stamped 52:2</p> <p>standpoint 101:15</p> <p>star 31:8</p> <p>start 19:4 42:24 50:11 59:15 76:11 89:24 91:25</p> <p>started 23:24 33:7 47:16 105:3</p> <p>starting 14:1 29:9</p> <p>starts 17:6 61:4 107:20</p> <p>state 1:20 12:25 35:3 37:16 41:21 50:13 53:7 60:13 67:1 68:7 74:3 76:11 105:15 114:9,12</p> <p>stated 70:8 73:15 88:25</p> <p>statement 108:5</p> <p>states 1:1 15:9 42:18 79:14 109:1</p>
---	---	--	---

[stay - testimony]

<p>stay 66:22</p> <p>ste 2:6</p> <p>steel 25:9 30:19 49:17 71:25 72:2,7 75:2 108:12</p> <p>stenographic 113:9</p> <p>stenographic... 6:15 113:6</p> <p>steve 13:2 15:20 35:5,21 36:2 41:23 50:15,23 60:15</p> <p>sticker 10:4,16 11:5</p> <p>stiffen 106:10</p> <p>stinson 2:5</p> <p>stinson.com 2:9</p> <p>stipulation 114:21</p> <p>stop 13:22</p> <p>stopped 23:23</p> <p>stopping 29:8</p> <p>stories 16:19 17:23 91:16</p> <p>story 88:2,2</p> <p>straight 89:10</p> <p>strap 30:22</p> <p>street 2:14</p> <p>strength 53:8</p> <p>string 13:7,9,25 14:3 28:10 36:3,6 50:12 50:17 60:5,19</p>	<p>60:24</p> <p>strong 1:9 4:13 5:9 23:20 69:14 114:4</p> <p>structural 20:16 23:5,17 25:14 82:24 107:3 108:24</p> <p>structures 18:25 19:1,10 19:16,18</p> <p>stuff 28:20,21 38:11,14 44:23 92:20 93:7 111:12</p> <p>subject 64:17 80:1 90:20</p> <p>subpoena 3:12 10:7 11:17,21 37:18,21,24 76:20 85:18</p> <p>substance 67:8</p> <p>substitute 81:12</p> <p>suggest 40:6</p> <p>suggested 22:5 93:17</p> <p>supplied 23:9</p> <p>suppliers 98:4</p> <p>support 26:9 29:1,20 107:2</p> <p>supposed 83:12 111:6,7</p> <p>sure 21:11,13 24:23 25:3</p>	<p>27:2 31:16 33:14,14 40:1 40:16 42:25 43:12 51:17 57:11 58:14 64:15,16 69:2 73:9 81:4 84:6 86:23 88:13 89:1 97:3,18 98:8 103:3 109:16 110:1</p> <p>surprise 54:18</p> <p>svp 15:10</p> <p>swear 4:20</p> <p>switched 24:10 24:20 27:13 98:3</p> <p>sworn 4:25</p> <p>system 20:14</p> <p>t</p> <p>tab 31:22 32:1 32:1,2,11</p> <p>take 4:9 11:8 13:4,11 41:6 41:24 47:20 49:19 50:4,22 58:12,13 60:16 70:14 100:1</p> <p>taken 1:19 5:11 5:14 6:8 59:10 78:13 90:6</p> <p>takes 12:19</p> <p>talk 6:17 21:25 98:5 104:16</p>	<p>talked 32:24 33:12,23 42:25 60:4</p> <p>talking 21:22 43:2 55:11 63:14 98:15 107:23 108:13 110:1</p> <p>taller 18:3,13 18:14 19:2,10 20:21</p> <p>technical 8:2,5 9:5,11,15 26:25 27:10 78:18,19</p> <p>technology 4:15</p> <p>tedious 20:1</p> <p>tell 16:7 21:17 28:15 38:4,24 98:8 111:7</p> <p>ten 58:18 88:15 89:23</p> <p>term 80:20</p> <p>terribly 89:25</p> <p>tested 62:5 86:16,22</p> <p>testified 4:25 43:13 58:2 86:25 96:12 97:14</p> <p>testimony 6:10 6:13,14 7:3 19:14 20:20 27:19 88:9</p>
--	---	--	--

[testimony - transcript]

109:21 testing 44:23 61:25 98:16 tests 55:23 56:12 61:22 texas 8:20 text 81:16,19 thank 7:20 18:16 30:2 33:18 64:8 90:9 111:3 thanking 35:19 thereon 83:1 thing 30:25 44:17 57:10 74:13 87:22 things 5:18 6:16 13:23 22:12 28:9 think 13:8 20:6 24:4 30:8 31:15 38:10 40:12 43:13 44:22 45:1 47:10 49:8 55:4 65:7 70:24 73:15,24 74:12 75:17 81:1 83:6 88:4 88:24 89:17 93:4 97:1,9 99:14,15 103:24 106:20 106:23 107:10 108:17 109:10	111:7 thinking 22:5 22:16 30:14,15 32:4 53:2 54:13 66:15 70:17 98:11 106:9 third 46:10 62:17 105:6,10 thought 30:10 30:18 44:24 46:2 53:5 71:15 102:10 102:21 106:12 106:16,16 thoughts 52:10 52:13,18 53:7 90:11 three 7:11 17:8 17:15 52:14 67:9 107:22 throwing 38:11 thrown 105:24 thursday 16:4 tie 1:9 4:13 5:9 23:20 69:14 114:4 tight 32:12 47:20 time 4:3 5:13 5:22 8:24 9:4,6 9:10 14:23 19:8 21:8 23:16,18 24:3 24:18 26:1	27:5 33:6,10 33:16,17 39:24 40:11,19 42:23 43:9 45:13 46:22 48:14 49:13 50:21 52:2 53:21 54:19 56:8 58:19 59:9,12 60:5 64:23 66:12 70:14 71:5 77:16 78:12,15 84:11 84:18,24 88:6 90:5,8 92:18 101:23 104:6 104:19 107:11 110:19,24 111:4,14 112:11,13 114:10,18,25 115:7 timely 26:17 times 5:12 24:24 39:3,11 43:1 104:11 timing 22:25 33:4 66:14 99:22 tiny 37:8 title 8:2 14:12 today 5:8,18,22 6:16 7:3 11:20 59:15,22 86:25 103:23 111:8	todd 68:9 79:13 together 92:10 told 77:3 83:22 tony 2:20 4:16 111:16 took 38:21 71:21 tooth 52:19 106:8 top 10:15,24 30:6 32:3 33:22 39:7 45:5,8,15 50:25 52:20 56:2 57:21 60:4 61:14 62:2,11 65:23 65:24 66:25 69:7,8 79:7,14 85:21 106:1,1 106:5,7 107:2 topic 17:3 64:5 tore 44:24 tossed 39:21 total 89:12 tough 20:1 towards 14:4 62:18 65:21,23 65:24 town 59:18 trademark 69:14 transcript 112:6,12 113:7 113:23 114:6,8
--	--	---	---

<p>114:10,13,13 114:22 115:2,2 travel 9:17 treated 18:19 39:5 trend 92:1 triangle 106:4 tried 29:4 true 71:1 113:8 truss 14:23 23:10,10,10 29:1,15,20 30:23,23 36:16 36:17,17 39:3 39:4,9,13 40:8 40:9 49:1 89:6 96:6 101:14,17 101:23 107:2 trusses 7:22,23 8:15 9:23 23:7 23:8,11,13,14 29:16 32:7 36:13,14,20,21 48:2 53:12 91:8 92:22 trussway 7:14 7:21,22,25 8:6 8:15,17 9:1,4 9:21 12:2 14:10,13,18,24 16:25 21:8,14 21:18 23:5,16 23:19,23 24:10 24:13,14,20,20 25:17,18 26:17</p>	<p>27:12 33:12 34:4,9 36:10 38:20 65:10,12 93:6 truth 111:7 truthful 111:9 try 77:12 78:6 94:11 101:9 trying 17:4 18:13 20:2 28:22 29:1,11 29:18 39:12 40:6 44:14 71:22 79:3 92:6 94:12 99:22 104:5 107:1,1 tsh 1:3 tubing 106:2,4 turn 26:20 58:25 59:1 60:1 89:20 107:12 tweak 55:12 twice 9:19 two 7:11 12:4,4 12:5,9 13:7 14:25 16:12 18:10 21:5,10 30:4,21 32:7 35:14 37:9 38:1,1 39:10 43:4 44:21 45:6,22 46:5 62:1,10 64:20</p>	<p>69:13,13,25 81:15 82:6,7 84:16,24 85:21 91:3,7,23 96:13,14,14 type 8:4 19:1 22:3 26:9 36:14,21 37:10 43:24 65:6 91:17 92:14 93:13 94:2,16 95:12,19 101:5 types 20:11 62:1 72:8 typically 24:14 27:5 typing 58:14</p>	<p>75:7,7,13,16 84:6 88:13 94:20 102:18 109:18,18 110:14 understanding 17:24 21:7 24:9 25:13 34:8 44:8 47:2 67:15 68:24 70:19 71:18 72:2,6,10,19 73:10 74:22 77:18 80:21 84:2,12 85:2 87:20 understood 6:4 17:16 23:15 25:11 40:18,25 43:25 48:4 54:14 70:23 71:23 74:2 83:15 86:20 89:2 106:25 107:4 unfortunately 40:24 unit 4:11 united 1:1 25:9 unmet 92:12 unpatentable 80:7 updated 77:14 upper 31:18 38:8</p>
		<p>u</p>	
		<p>uh 6:22 ultimately 71:19 76:2 111:16 under 27:7 88:17 113:24 underneath 47:21 106:4 understand 5:19,23 6:11 6:18,19,25 7:1 17:3 19:14 20:15,20 21:11 22:19 29:25 32:6 40:6 56:25,25 64:15 70:11 73:3</p>	

[usa - welcome]

usa 15:10 use 23:7 41:7 58:21 61:19 80:12 used 12:4 72:2 84:15,20 85:16 using 4:15 13:5 91:16 usp 22:18 24:5 24:16 25:6,9 25:12,13 26:2 34:3 36:10,16 36:24 38:9 97:13 98:4,12 99:19 110:2 usually 12:19 92:3	versus 4:13 9:10 video 3:3 4:8 4:11 6:14 58:25 59:1 111:14,23 videoconfere... 1:13 videographer 2:20 4:1,18 59:8,11 78:11 78:14 90:4,7 111:13,18,22 112:2 videotaped 1:15 view 9:17 31:9 49:9 vigorously 58:15 virginia 8:20 8:25 9:7,18 virtual 4:15 virtually 4:4 volume 53:4 vs 1:8	wall 12:4 18:6 18:8,11 20:13 20:25 23:10 29:8,15,24 30:20 32:3,12 39:3 40:9 45:1 45:6 48:25 53:9 57:8 61:19 62:1,6 81:25 82:19,25 89:7 91:17 92:14 94:2,17 95:12,19 96:7 106:2 walls 18:4 19:15 21:5 23:12 32:3 92:13 93:12 want 9:25 28:9 32:8 48:8 51:15,16,17 59:2 63:16,21 63:23 64:3,3 73:17 90:1 93:22 97:11 106:13 112:11 112:12 wanted 61:17 75:18 109:2,24 wanting 105:6 108:18 water 41:8 58:22 way 14:19 15:5 19:17 22:19	27:11 28:8 29:3 31:2,4 33:9 44:9,13 44:15,20,24 45:2,19,21 46:1,2 47:4 53:5 54:1 55:2 55:3,14 56:1 59:14 70:24 71:12,15 72:11 72:18,20 73:20 73:23 75:17 83:5 84:8 85:12 86:20,22 101:18 103:4 106:12 ways 20:23 30:16 39:2 55:11 95:18 97:8,8 we've 13:1 22:22 28:1 37:10,18 41:5 50:12 58:11 60:22 73:1 74:3 weather 29:17 web 52:19 53:7 105:16 week 98:14 100:9 weeks 11:14 56:8 welcome 50:6,8 59:5
v			
v 2:12 114:1,3 vague 94:4,18 95:13,21 110:12,13 valued 25:24 varied 92:25 various 8:19 40:8 veritext 4:17,19 114:7,9,11,20 versatile 46:1 version 67:1,11 70:9,12,21 74:16 107:24 108:3 112:8 versions 70:20	w w 33:15 wait 56:12 100:2 waived 114:24 114:24 waiving 114:21 walking 67:24		

[welded - zoom]

welded 30:11	75:8 78:10	101:13 102:20
went 23:13	102:25 108:20	103:24,24
wet 29:22 88:4	worked 7:14	104:13 105:13
wise 60:5	9:22 19:20	107:19 111:1
wish 75:19	33:1 64:12	year 9:19,19
witness 4:7,21	77:9 93:7	23:3 27:21
4:24 5:2 10:9	working 8:25	40:23 91:23
12:15 41:11,14	12:3 14:24	92:3,8
58:16,20 59:7	23:1 33:7 43:4	years 5:15 7:11
64:7 72:23	43:10,18,23	7:15 36:8
73:19 78:24	56:19 63:13	88:12,15,16,16
81:1 82:3,14	64:2,23 71:7	97:20
82:22 85:8	78:3 108:23	yellow 10:4
86:10 88:24	works 57:1	11:5
89:19 90:3	write 91:6	yep 61:15
92:17 93:15	writes 61:17	100:10
94:6,21 95:6	x	yu 14:6 15:5,6
95:14 101:9	xx 115:10	15:17 16:3,7
102:20 104:13	y	16:23 17:3
109:9 110:15	yeah 13:14,16	34:2 35:14,19
110:25 111:5	14:19 15:2,19	42:10 68:18,23
111:10 114:13	20:10 25:11	69:5,22
114:16 115:2,5	28:11,11 36:7	yu's 15:8,22
wolfe 33:15	36:18 37:16	z
wood 7:22	42:11 46:13	zeros 37:11,12
18:14,19 19:1	47:14 48:18	zoom 1:13 5:8
19:9,15 20:21	49:4,6,16	6:7 78:18
30:20 32:12	51:14,19 54:1	
86:19 91:16	54:18 56:15	
92:13 93:12	69:23 70:23	
word 50:8	78:4 88:16,24	
98:19	90:20 92:2	
words 108:22	94:21 96:5,16	
work 9:9 12:7	99:7,16 100:22	
34:4,9 42:24		

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.