

Exhibit C

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

SLICK SLIDE LLC,	)	
	)	Case No. 23-cv-01486
Plaintiff,	)	
Counterclaim Defendant,	)	
	)	
vs.	)	
	)	
ZACHARY WITTMAN and V2	)	
ADVENTURE PRODUCTS USA, LLC,	)	
	)	
Defendants,	)	
Counterclaim Plaintiffs,	)	
	)	

DEPOSITION OF GARY ROBERT SCHMITT, JR.
CONFIDENTIAL ATTORNEYS' EYES ONLY

March 11, 2025
Phoenix, Arizona

Reported by: Cathy A. Miccolis, RPR/CRR
Certified Reporter, No. 50068

A P P E A R A N C E S

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videoconference):

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1 A. Yes.

2 Q. But you are prepared to testify as to all these
3 topics today on behalf of Slick Slide?

4 MR. SCHATZ: I'll just object to the extent we
5 have issued objections to you, Garet, regarding this
6 Notice of Deposition.

7 MR. GALSTER: Sure. Understood.

8 THE WITNESS: Yes, I'm prepared.

9 BY MR. GALSTER:

10 Q. So you understand that we're here today
11 regarding a lawsuit of captioned Slick Slide, LLC versus
12 Zachary Wittman and V2 Adventure Products. Is that your
13 understanding?

14 A. It is.

15 Q. And this is Case No. 23-cv-1486 that was filed
16 in the Eastern District of Wisconsin. Generally speaking,
17 let me know if you agree or disagree. Slick Slide is
18 complaining about actions taken by Zachary Wittman and/or
19 V2 Adventure Products in connection with certain slides,
20 that is, recreational slides that were installed at Big
21 Air in Charlotte, North Carolina; is that correct?

22 A. Yes.

23 Q. Has Slick Slide been a part of any other
24 lawsuits? I know that there has been a lawsuit against
25 Big Air University City or Big Air Charlotte, Big Air

1 Greenville, and then Big Air Franchising. Has Slick Slide
2 been in any underlying lawsuits or been a party to any
3 other lawsuits?

4 A. Around this case?

5 Q. Generally speaking.

6 A. Yes, we have several others going.

7 Q. Are they involving this slide design patent or
8 other aspects?

9 A. They're involving this particular same patent
10 that's at issue here.

11 Q. What other defendants have you sued in
12 connection with this design patent?

13 A. Ed Reed and -- or Ed Reeves and -- sorry. Chad
14 Reeves and Ed Reed and their companies. And then there
15 was one that was settled that was prior to all of these
16 against Adventure Solutions LL -- Adventure Attractions,
17 LLC.

18 Q. So those five lawsuits -- Charlotte,
19 Greenville, Big Air Franchising, Reeves and Reed and
20 Adventure Attraction -- other than the suit that we're
21 here to talk about today, primarily those are the only
22 other ones involving this patent?

23 MR. SCHATZ: Object to form.

24 THE WITNESS: I believe so. There are some
25 cases that are stayed that are attached to the Reed and

1 Reeves case as well.

2 BY MR. GALSTER:

3 Q. There's cases attached to that case?

4 A. They're associated with it, yes.

5 Q. Can you explain that?

6 A. There are companies that are using the products
7 that were sold by Reed and Reeves that are being -- that
8 were using this design patents that we filed claims using
9 this design patents. They're currently stayed pending the
10 outcome of the Reed and Reeves case.

11 Q. Got it. Understood. Have you -- has Slick
12 Slide discussed this particular lawsuit, the Wittman V2
13 Adventure Products case, with anyone other than your
14 attorneys?

15 A. Not to my knowledge.

16 Q. Who at Slick Slide has been involved in any
17 discussions with your attorneys regarding this case?

18 A. That would be me.

19 Q. You're the only one that's been discussing this
20 with your attorneys?

21 A. I'm generally the point person with regards to
22 any of the legal. My partner, Bron Launsby, is loosely
23 involved.

24 Q. In your discussions with your attorneys,
25 besides Bron, has anybody else been involved in those

1 Q. And where was it placed in Phoenix, Arizona?

2 A. It's at Lake Pleasant, which is a recreational
3 lake in the northwest side of town.

4 Q. Did H2-Whoa create any other products?

5 A. It did not.

6 Q. Was that your design, that H2-Whoa design?

7 A. It was, yes. We designed, engineered and
8 manufactured it.

9 Q. Was it placed anywhere else other than at that
10 location?

11 A. No. It's the only one of its kind.

12 Q. Hydro Platforms, does that sound familiar?

13 A. It does.

14 Q. Is that the same as H2-Whoa or just --

15 A. Yes. H2-Whoa was the d/b/a of Hydro Platforms
16 being the legal entity.

17 Q. Does Slick Slide design all of its own
18 products?

19 A. We do, yes.

20 Q. Can you walk me through the design process at
21 Slick Slide? How does that work?

22 A. Generally it kind of starts off with a cocktail
23 napkin that I create putting some ideas together. Then it
24 would graduate to Serena to bring that to a drawing
25 similar to what you're looking at on the screen, which is

1 the patent drawing. At that point it would go to our
2 engineer to put into CAD and create a shop drawing, and a
3 shop drawing is a engineered drawing that is needed in
4 order to fabricate the individual components of said
5 drawing. And then it would go to our factory for
6 production.

7 Q. And just so I'm clear on the shop drawing --
8 I'm just scrolling down in this exhibit of the patent
9 here. For instance -- oh, here. Figure 4, this looks
10 like a front view, if you will, of the slide. And it
11 looks to me -- can you see my mouse?

12 A. Yes.

13 Q. So just up to the, I'll say up, but it's left
14 under on your view, but from the Number 4, it looks like a
15 channel here that runs up along the side of the slide; is
16 that correct?

17 A. That's correct. It's a coping. Coping.

18 Q. Great. I was going to ask you what that's
19 called. Then the coping I would imagine on the
20 engineering drawings that you're referring to, the coping,
21 the drawings would have tolerances, measurements, that
22 kind of stuff; is that right?

23 A. Exactly. It's all the detail that would be
24 needed for production.

25 Q. And is this -- are these slides made of

1 fiberglass?

2 A. They are, yes.

3 Q. When I say "these," I mean the slides that
4 Slick Slide produces.

5 A. Yes, yes.

6 Q. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

1 Q. And we looked at this briefly earlier. And I'd
2 like to understand, you mentioned the coping earlier. And
3 I would like to really understand the terminology you
4 utilize regarding different portions of the slide just so
5 that we can be on the same page during questioning. And
6 so I'm just going to pull up -- let's see.

7 MR. GALSTER: Can you zoom out, Jordan, so I
8 can see Figure 2? So this is a side view. Can you rotate
9 the page, Jordan?

10 BY MR. GALSTER:

11 Q. This looks like the slide view of the Slick
12 Slide design slide that you and Serena conceived?

13 MR. SCHATZ: Object to form. Object to form.
14 You're misstating the testimony.

15 BY MR. GALSTER:

16 Q. So I am referring now to the -- I'm going to
17 call it the left end here. Would you call that the
18 entrance?

19 A. Yes.

20 Q. And then the right end, is that the exit?

21 A. Yes.

22 Q. And towards the entrance or starting at the
23 entrance, there's this, it looks like -- would you call
24 this a hood on the top?

25 A. Yeah. Correct, entrance hood.

1 Q. So the hood extends from the entrance, it looks
2 like to this -- is this a manufacturing seam here?

3 A. A joint, yes.

4 Q. Manufacturing joint. So it looks like the hood
5 extends from the entrance and to the first manufacturing
6 joint and then extends substantially vertically upward; is
7 that correct?

8 A. Yes.

9 Q. From entrance to exit, how many joints there
10 are in this design?

11 A. Seven. Seven.

12 Q. Seven joints; okay. And it looks like there's
13 a downward -- would you call this a downward curved piece
14 that starts at the entrance end?

15 A. That's one piece. So like the entry piece, and
16 then when it goes to the straight, that would be referred
17 to as the flume.

18 Q. Great. So these two straight pieces here are
19 called the flume?

20 A. Correct.

21 Q. And then it looks like after the two straight
22 ones, are those the same length? They look like the same
23 length?

24 A. The two straight pieces are. That's -- again,
25 the height of the slide varies. So that can be different.

1 Q. But here they're showing the same length; is
2 that correct?

3 A. Correct.

4 Q. I didn't catch your answer. I'm sorry?

5 A. Correct.

6 Q. So after the two flume pieces, there's a --
7 looks like a slightly upward curved piece, and what would
8 you call that piece?

9 A. A radius piece, or we refer to that bottom
10 section as the basin.

11 Q. Basin. So when you say bottom section, are you
12 referring from the -- sorry. Are you referring to the
13 section that extends from the end of the straight or flume
14 section until the exit point of the slide?

15 A. Correct. There's four equal size radius
16 pieces, that are -- that we refer to as the basin.

17 Q. And when you say "equal size radius," are they
18 all the same radius?

19 A. Yes.

20 Q. And then it looks like there's an end piece; is
21 that right?

22 A. Correct.

23 Q. I'd like to -- maybe we can see it.

24 MR. GALSTER: Jordan, can you zoom in on --

25 BY MR. GALSTER:

1 A. Correct.

2 Q. And then that third line, again from the
3 bottom, that looks to me to be like the edge of the
4 coping; is that right?

5 A. Correct.

6 Q. Then the next fourth line -- well, let's skip
7 to the fifth line. The fifth line to me looks like the
8 top edge of the edge of the slide; is that right?

9 A. Yeah. It looks like those two top lines are
10 both indicators of the corners of the coping.

11 Q. And so do you think that fourth line then is
12 similar to this second line such that it's indicating some
13 kind of a small radius on the coping?

14 A. I would assume --

15 MR. SCHATZ: Object to form.

16 THE WITNESS: I would assume so, but I don't
17 know.

18 BY MR. GALSTER:

19 Q. Let's see. And you say these are joints;
20 right?

21 A. Yes.

22 Q. And along each joint, there appears to be some
23 sort of a flange; is that correct?

24 A. Correct.

25 Q. Is that what you would call it is a flange?

1 A. Yes.

2 Q. Let me --

3 MR. GALSTER: Can you rotate this
4 counterclockwise, Jordan? That's clockwise. The other
5 way. Okay.

6 BY MR. GALSTER:

7 Q. Figure 1, now we rotate this clockwise. Are
8 these the joint flanges that we were just discussing at
9 each -- looks like there's a seam in the coping; is that
10 correct -- at each joint?

11 A. I'm not sure -- seam or joint are kind of the
12 same thing.

13 Q. Where my mouse is now along the coping side,
14 there's a line?

15 A. Yeah.

16 Q. Does that indicate a seam to you?

17 A. Or a joint, yeah. I mean, joint is where two
18 parts come together. I guess you could define seam as the
19 same.

20 Q. And it looks to me like the flange, if you
21 will, extends from one coping along the bottom of the
22 slide to the other coping. Is that your understanding?

23 A. Yes.

24 Q. But it has two gaps in it; is that correct?

25 A. Yes.

1

Category	Value (approximate)
1	95
2	85
3	92
4	88
5	78
6	98
7	96
8	97
9	94
10	45
11	93
12	91
13	15
14	65
15	95
16	93
17	94
18	98
19	88
20	96
21	98
22	62
23	38
24	68
25	55

A horizontal bar chart with 15 bars. The y-axis is labeled '1' at the top. The x-axis represents percentages from 0 to 100. The bars are black and represent the following approximate percentages: 100, 95, 90, 85, 80, 75, 70, 65, 60, 55, 50, 45, 40, 35, and 30.

Category	Percentage
1	100
2	95
3	90
4	85
5	80
6	75
7	70
8	65
9	60
10	55
11	50
12	45
13	40
14	35
15	30

A horizontal bar chart with 20 categories listed on the y-axis. The x-axis represents percentages from 0 to 100, with a vertical grid line at 50%. The bars are black. The categories and their approximate percentages are as follows:

Category	Percentage
1	100
2	100
3	95
4	15
5	65
6	90
7	95
8	95
9	95
10	95
11	15
12	30
13	95
14	90
15	95
16	95
17	95
18	95
19	95
20	65
21	90
22	100
23	95
24	100

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18 BY MR. GALSTER:

19 Q. On Figure 3 of this patent -- I have got to
20 calm down on my -- if you can rotate that -- this is fine.
21 This looks like a top view. We can scroll up to the
22 description of the figures if you'd like me to, but I
23 think this is the top view. Is that what this looks like
24 to you?

25 A. It does look like that.

1 Q. What's 7? What's this middle line?

2 A. You know, I don't know. It looks like just a
3 centerline that's -- I don't know.

4 Q. Because I notice it stops and doesn't continue.
5 So I'm curious, is this the basin pieces; right? Are
6 those two-piece?

7 A. No, they're not.

8 Q. That was line 7. And then I think 8 and 9 are
9 the reverse of 5 and 6; correct?

10 A. Yes.

11 Q. And likewise, if we continue across, it's just
12 the reverse of everything you've already talked about;
13 correct?

14 A. Yes.

15 Q. In this view, because we can see the radiused
16 portion where it transitions from the lateral side to the
17 bottom, these lateral sides are not perpendicular to the
18 bottom, are they?

19 A. You mean perfectly perpendicular?

20 Q. Well, if I look over here, the edge profile,
21 for instance, at the exit point, I mean, it almost looks
22 like a slide radius, but in any event, it doesn't go down
23 to a sharp corner; correct?

24 A. Correct.

25 Q. If we go to -- let's go to Figure 5. At the

1 exit point it appears that there's some kind of slope from
2 coping down to bottom; right?

3 A. Yes.

4 Q. Here again, we have the -- I'll call them
5 flanges again. I think that's what we talked about them
6 earlier as. These are the flanges on the bottom of the
7 slide, and those are at the joints; right -- or seams?
8 Either one?

9 A. Uh-huh. Yes.

10 Q. And, again, these are shown with the two
11 notches here?

12 A. Yes.

13 Q. Figure 5 might even show the -- I've got to
14 start using different keys. Figure 5, this looks like a
15 rear view, if you will. It looks like kind of the
16 entrance up towards the top. Is that what you see?

17 A. Yes.

18 Q. And then we see down the bottom of the slide,
19 if you will, three enforcement flanges, the notches all
20 the way down until -- because of the view, we can't see
21 the end of the slide? It's facing away from us?

22 A. Correct.

23 Q. So if we look at the slide side panels, again,
24 on this view, it appears to me that there's some kind of
25 radius, or at least the edge of the coping is not directly

1 over, above, vertical from the bottom flat portion;
2 correct?

3 A. Correct.

4 Q. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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4 BY MR. GALSTER:

5 Q. And do you recall when Slick Slide first
6 started using the term, quote/unquote, launch slide?

7 A. Since before Slick Slide was even Slick Slide,
8 we -- it's a general term that is kind of referred to for
9 this type of slide.

10 Q. So you didn't coin the term launch slide?

11 A. No.

12 Q. It's because of what it does?

13 A. Exactly.

14 Q. It functions that way because of the
15 relationship between the slide design and the parameters
16 that you put into the simulator; right?

17 MR. SCHATZ: Object to form.

18 THE WITNESS: I mean, there's a lot of
19 different ways you could do it and that it's being done.
20 We're not, you know, the first people to do this.

21 BY MR. GALSTER:

22 Q. Do you know who was?

23 A. I don't know like the first person. I know a
24 lot of people were throwing Slip 'N Slides down freestyle
25 ski ramps. That's kind of what started birthing this type

1 of attraction.

2 Q. Had you seen those Slip 'N Slides down
3 freestyle ski ramps before?

4 A. That's what inspired the creation of the
5 H2-Whoa.

6 Q. Where did you see those?

7 A. There's a place in Ohio called -- oh, what's it
8 called? Dream something.

9 Q. I hope it's not Dreamland, because that's going
10 to be confusing.

11 A. No. I forget the name. It's something Dreams.
12 It's in Ohio. There's a water park in Tijuana, Mexico,
13 that has one that's similar to that. Again, the H2-Whoa
14 slide, they were all done with water prior to that. But
15 the H2-Whoa slide to my knowledge was the third of its
16 kind.

17 Q. Okay. And when did you see this slide in Ohio
18 at the Dreams location?

19 A. I think 2014.

20 Q. What about the slide in Tijuana?

21 A. I went there specifically to experience it
22 before I committed to building the monstrosity that is the
23 H2-Whoa slide, and that would have been in summer of 2014.

24 Q. Does Slick Slide have any trademarks?

25 A. Yes.

1 Q. And are any of them registered in the United
2 States, like federally registered?

3 A. I'm pretty sure we do, but I'm not positive. I
4 know we have a China trademark for Slick Slide. And we
5 have trademarked a ton of stuff in the last couple of
6 years. I would assume that that's in there as well, the
7 U.S., but I could be mistaken.

8 Q. And why did you file -- why did you decide to
9 file patent applications in particular?

10 A. We knew that what we were doing was unique and
11 going to be copied, and we wanted to protect it.

12 Q. The design patent doesn't -- forgive me if I
13 missed it.

14 MR. GALSTER: Can you rotate this, Jordan,
15 counterclockwise. The design patent doesn't -- if that's
16 the -- sorry. Sorry. Sorry.

17 BY MR. GALSTER:

18 Q. So this just says Recreational Slide as the
19 title. The claim indicates "The ornamental design for
20 recreational slide, as shown and described." This
21 application and patent is not limited to slides that are
22 not water slides; is that correct?

23 MR. SCHATZ: Object to form. Calls for a legal
24 conclusion.

25 THE WITNESS: I don't know how to answer that.

1 BY MR. GALSTER:

2 Q. Does this patent to your knowledge mention
3 water anywhere?

4 A. I don't believe so. I don't know.

5 Q. Has Slick Slide ever filed a utility patent
6 application for any of its products?

7 A. Yes.

8 Q. And how many utility applications have been
9 filed by Slick Slide?

10 A. I don't -- I know that there is 26 or 28
11 claims, I believe.

12 Q. I guess I'm referring to the applications
13 themselves that were submitted in the patent office. How
14 many of those have you done, do you know?

15 A. I don't know. Do -- if continuations count
16 as --

17 Q. Yes, they do.

18 A. Yeah. So I don't know because I know that's
19 kind of a very fluid topic. There's kind of always -- as
20 I'm sure you know, it seems like there were -- we have
21 got -- we have got, I don't know, 55 or 60 patents at
22 various -- issued and patent pending. You know, it's
23 constant.

24 Q. Okay. And in this case I believe Slick Slide
25 is only asserting a design patent against Zach Wittman and

1 V2; is that correct?

2 A. For now.

3 Q. Has Slick Slide filed any international patent
4 applications regarding this slide?

5 A. Yes.

6 Q. How many, do you know?

7 A. I don't. I don't know the exact number.

8 Again, it's always changing and there's PCT. There's UK.
9 There's EU. There's --

10 Q. Do you know which countries you have any patent
11 applications pending or issued with?

12 A. I know the EU, which covers obviously the
13 union. The UK, and then I believe there's some -- there's
14 some talk about our time is coming -- coming here pretty
15 quick where we need to make some decisions on being more
16 strategic in other countries.

17 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

9 MR. GALSTER: And then, Jordan, if I could have
10 you pull up Exhibit 12. This will be the last few
11 questions before we take a break.

12 BY MR. GALSTER:

13 Q. Just out of curiosity, sir, what are you
14 glancing at to your right side there?

15 A. Me?

16 Q. Yeah.

17 A. Oh, my phone and my wallet and my keys are
18 sitting right there. It looked like it was going to fall
19 off. And actually, it's sliding off.

20 Q. Are these the predecessor to Slick Slide's -- I
21 think we had -- what was the name of it?

22 A. H2-Whoa?

23 Q. And H2-Whoa, but there was a company name for
24 that.

25 A. Hydro Platforms.