IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 2:21-CV-00463-JRG
	§	
SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., SAMSUNG SEMICONDUCTOR, INC.,	§	
	§	
Defendants.	§	

VERDICT FORM

In answering the following questions and completing this Verdict Form, you are to follow all the instructions that I have given you in the Court's Final Jury Instructions. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer the questions in this Verdict Form.

As used in this Verdict Form, the following terms have the following meanings:

- "**Netlist**" refers to Plaintiff Netlist, Inc.
- "**Samsung**" refers to Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Semiconductor, Inc.
- The "'**339 Patent**" refers to U.S. Patent No. 10,949,339
- The "'**918 Patent**" refers to U.S. Patent No. 11,016,918
- The "'**054 Patent**" refers to U.S. Patent No. 11,232,054
- The "'**060 Patent**" refers to U.S. Patent No. 8,787,060
- The "'**160 Patent**" refers to U.S. Patent No. 9,318,160
- The "**Asserted Claims**" refer collectively to Claims 1, 8, and 9 of the '339 Patent; Claims 1, 5, 13, 16, 18, 19 of the '918 Patent; Claims 16 and 17 of the '054 Patent; Claims 1, 5, and 7 of the '060 Patent; and Claim 5 of the '160 Patent.

IT IS VERY IMPORTANT THAT YOU FOLLOW THE INSTRUCTIONS PROVIDED IN THIS VERDICT FORM

READ THEM CAREFULLY AND ENSURE THAT YOUR VERDICT COMPLIES WITH THEM

QUESTION NO. 1A

Did Netlist prove by a preponderance of the evidence that Samsung infringed ANY of the Asserted Claims of the **'339 Patent**?

Yes: ✓ No: _____

QUESTION NO. 1B

Did Netlist prove by a preponderance of the evidence that Samsung infringed ANY of the Asserted Claims of the **'918 and '054 Patents**?

Yes: ✓ No: _____

QUESTION NO. 1C

Did Netlist prove by a preponderance of the evidence that Samsung infringed ANY of the Asserted Claims of the **'060 and '160 Patents**?

Yes: ✓ No: _____

QUESTION NO. 2

Did Samsung prove by clear and convincing evidence that any of the following Asserted Claims are invalid?

For each patent below, please answer "Yes" or "No".

Claim 1 of the '339 Patent:	Yes: _____	No: ✓
Claim 8 of the '339 Patent:	Yes: _____	No: ✓
Claim 9 of the '339 Patent:	Yes: _____	No: ✓
Claim 1 of the '918 Patent:	Yes: _____	No: ✓
Claim 5 of the '918 Patent:	Yes: _____	No: ✓
Claim 13 of the '918 Patent:	Yes: _____	No: ✓
Claim 16 of the '918 Patent:	Yes: _____	No: ✓
Claim 18 of the '918 Patent:	Yes: _____	No: ✓
Claim 19 of the '918 Patent:	Yes: _____	No: ✓
Claim 16 of the '054 Patent:	Yes: _____	No: ✓
Claim 17 of the '054 Patent:	Yes: _____	No: ✓

<u>If you answered "NO" to Question No. 1A, then DO NOT answer Question No. 3A. Answer Question 3A ONLY as to any Asserted Claims of the '339 Patent that you have found BOTH to be infringed and not invalid.</u>

QUESTION NO. 3A

Did Netlist prove by a preponderance of the evidence that Samsung willfully infringed ANY of the asserted claims of the **'339 Patent** that you found were infringed?

Yes: ✓ No: _____

<u>If you answered "NO" to Question No. 1B, then DO NOT answer Question No. 3B. Answer Question No. 3B ONLY as to any Asserted Claims of the '918 and '054 Patents that you have found BOTH to be infringed and not invalid.</u>

QUESTION NO. 3B

Did Netlist prove by a preponderance of the evidence that Samsung willfully infringed ANY of the asserted claims of the **'918 and '054 Patents** that you found were infringed?

Yes: ✓ No: _____

<u>If you answered "NO" to Question No. 1C, then DO NOT answer Question No. 3C. Otherwise, answer Question No. 3C.</u>

QUESTION NO. 3C

Did Netlist prove by a preponderance of the evidence that Samsung willfully infringed ANY of the asserted claims of the **'060 and '160 Patents** that you found were infringed?

Yes: ✓ No: _____

If you answered "NO" to Question No. 1A, then DO NOT answer Question No. 4A. Answer Question No. 4A ONLY as to any Asserted Claims of the '339 Patent that you have found to be BOTH infringed AND not invalid.

QUESTION NO. 4A

What sum of money, if paid now in cash, has Netlist proven by a preponderance of the evidence would compensate it for the infringement of the **'339 Patent**?

Answer in United States Dollars and Cents, if any:

$ 33,150,000

If you answered "NO" to Question No. 1B, then DO NOT answer Question No. 4B. Answer Question No. 4B ONLY as to any Asserted Claims of the '918 and '054 Patents that you have found BOTH to be infringed and not invalid.

QUESTION NO. 4B

What sum of money, if paid now in cash, has Netlist proven by a preponderance of the evidence would compensate it for the infringement of the **'918 and '054 Patents**?

Answer in United States Dollars and Cents, if any:

$ 147,225,000

If you answered "NO" to Question No. 1C, then DO NOT answer Question No. 4C. Otherwise, answer Question No. 4C.

QUESTION NO. 4C

What sum of money, if paid now in cash, has Netlist proven by a preponderance of the evidence would compensate it for the infringement of the **'060 and '160 Patents**?

Answer in United States Dollars and Cents, if any:

$ 122,775,000

FINAL PAGE OF THE JURY VERDICT FORM

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your unanimous determinations. The Jury Foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The Jury Foreperson should keep the Verdict Form and bring it when the jury is brought back into the courtroom.

Signed this__21__day of April 2023.

_____ _____

Jury Foreperson