

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

| | | |
|-----------------------------------|---|--------------------|
| UNITED STATES OF AMERICA, ET AL., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | CV No. 20-3010 |
| |) | Washington, D.C. |
| |) | September 20, 2023 |
| GOOGLE LLC, |) | 9:45 a.m. |
| |) | |
| Defendant. |) | Day 7 |
| |) | Morning Session |

TRANSCRIPT OF BENCH TRIAL PROCEEDINGS
BEFORE THE HONORABLE AMIT P. MEHTA
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For DOJ Plaintiffs:

Kenneth M. Dintzer
U.S. DEPARTMENT OF JUSTICE
1100 L Street, NW
Washington, D.C.
(202) 307-0340
Email:
kenneth.dintzer2@usdoj.gov

Joshua Hafenbrack
DOJ-ATR
455 5th Street NW
Washington, D.C. 20530
(202) 603-0857
Email:
joshua.hafenbrack@usdoj.gov

For Plaintiff
State of Colorado:

Jonathan Bruce Sallet
COLORADO DEPARTMENT OF LAW
Consumer Protection Section,
Antitrust Unit
Ralph L. Carr
Colorado Judicial Center
1300 Broadway
Suite 7th Floor
Denver, CO 80203
(720) 508-6000
Email: jon.sallet@coag.gov

William F. Cavanaugh, Jr.
PATTERSON BELKNAP
WEBB & TYLER LLP
1133 Avenue of the Americas
Suite 2200
New York, NY 10036-6710
(212) 335-2793
Email: wfcavanaugh@pbwt.com

APPEARANCES CONTINUED:

For Defendant Google:

John E. Schmittlein
Kenneth Charles Smurzynski
WILLIAMS & CONNOLLY LLP
725 12th St., NW
Washington, D.C. 20005
(202) 434-5000
Email: jschmittlein@wc.com

Edward John Bennett
WILLIAMS & CONNOLLY LLP
680 Maine Avenue, SW
Washington, D.C. 20024
(202) 434-5083
Email: ebennett@wc.com

Court Reporter:

William P. Zaremba
Registered Merit Reporter
Certified Realtime Reporter
Official Court Reporter
E. Barrett Prettyman CH
333 Constitution Avenue, NW
Washington, D.C. 20001
(202) 354-3249

Proceedings recorded by mechanical stenography; transcript
produced by computer-aided transcription

- - -

WITNESS INDEX

- - -

| WITNESSES | DIRECT | CROSS | REDIRECT | RECROSS |
|-----------|--------|-------|----------|---------|
|-----------|--------|-------|----------|---------|

PLAINTIFF'S:

| | | | | |
|-------------|------|------|--|--|
| MIKE ROSZAK | 1601 | 1699 | | |
|-------------|------|------|--|--|

- - -

INDEX OF EXHIBITS

- - -

| DEFENDANT'S | ADMITTED |
|-------------|----------|
|-------------|----------|

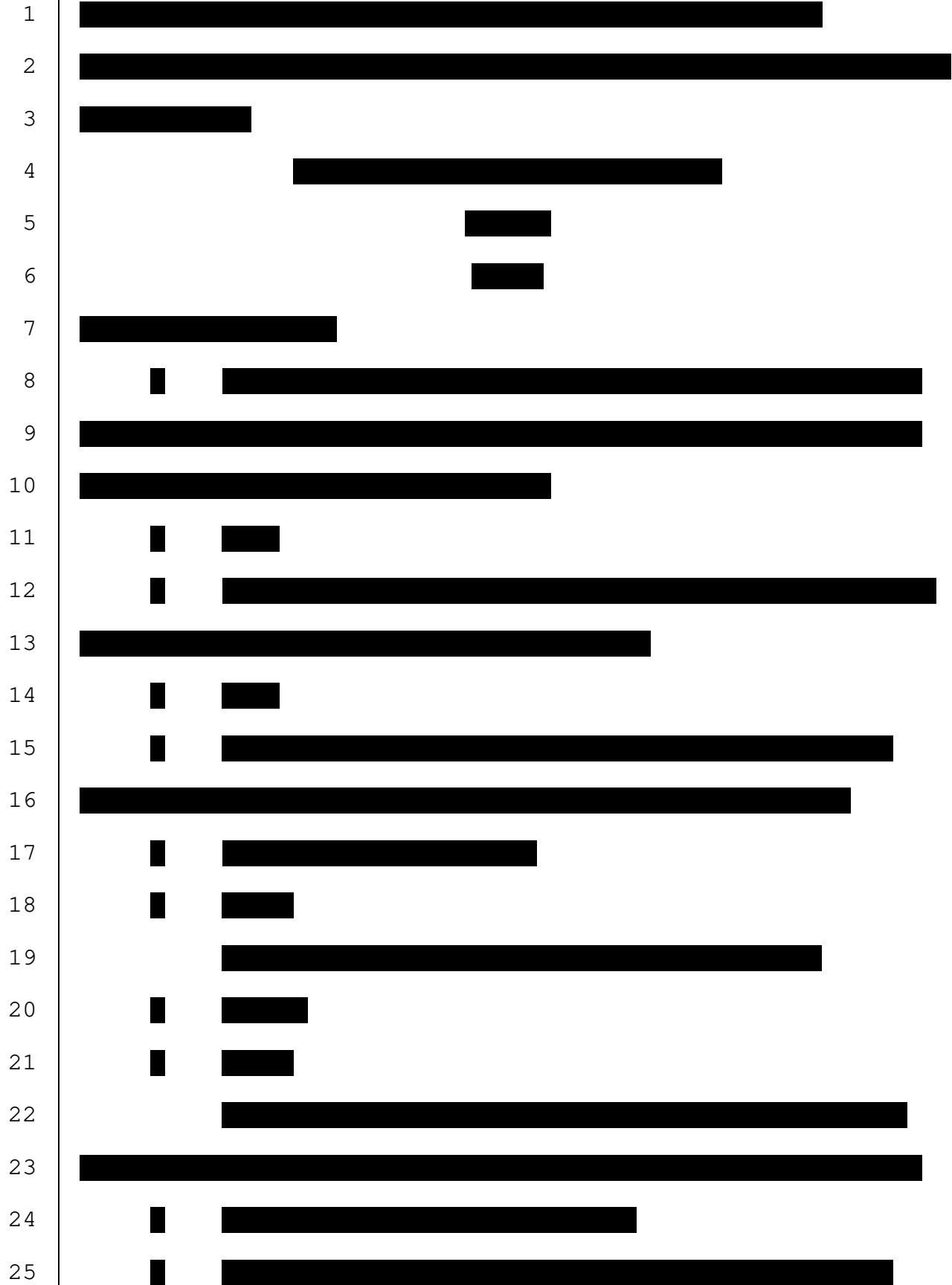
| | |
|--------|------|
| DX1019 | 1614 |
|--------|------|

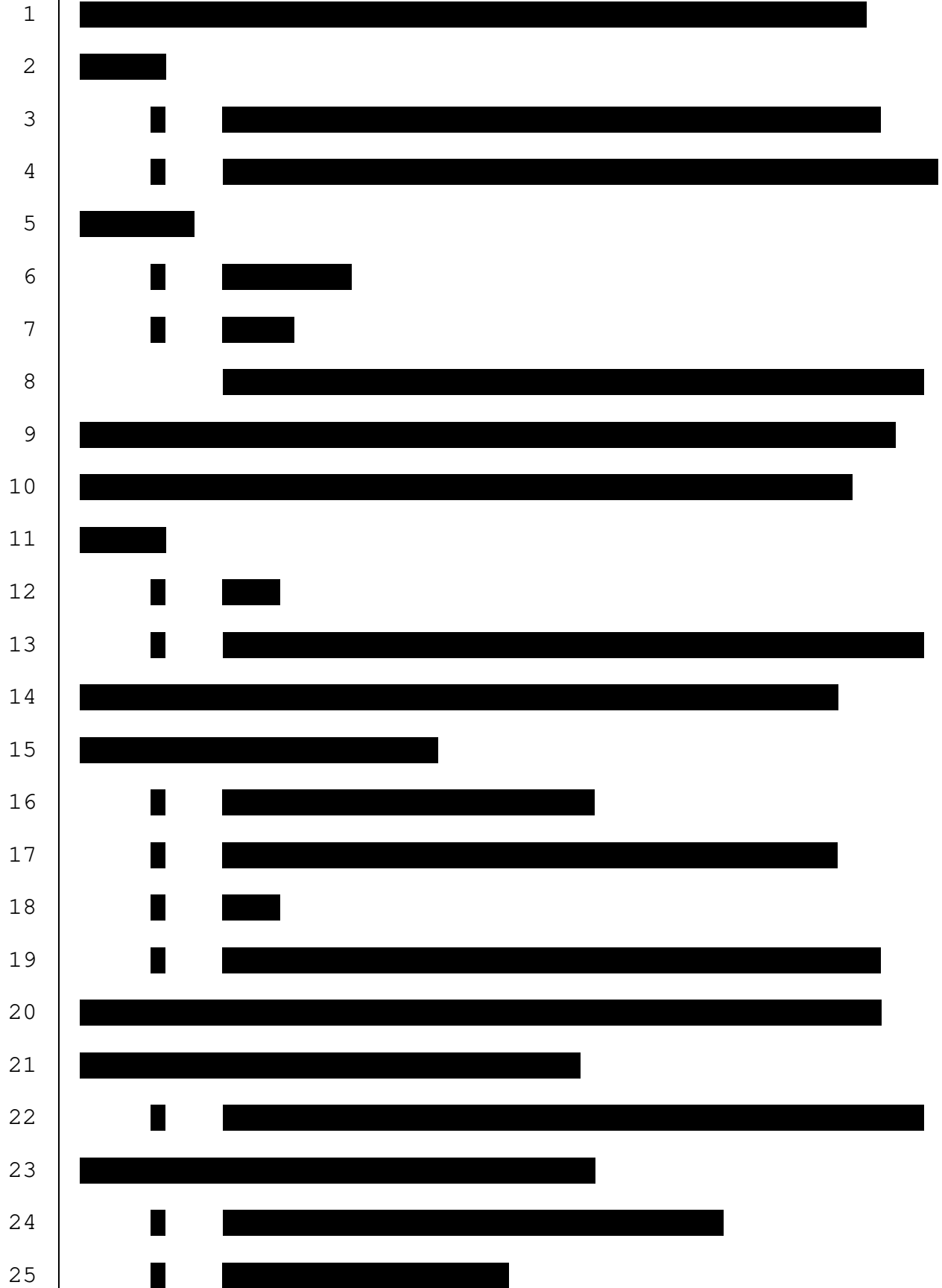
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

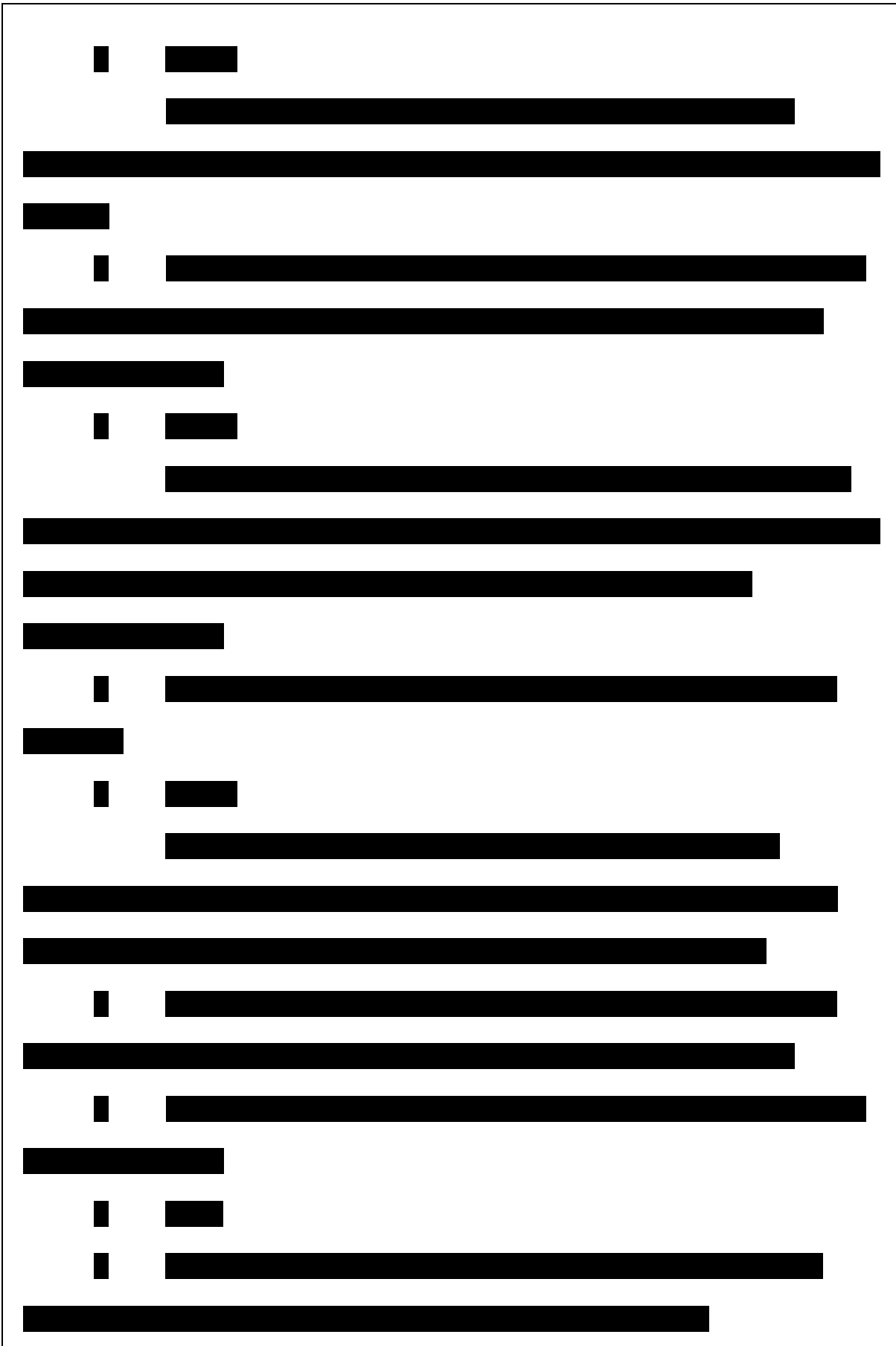
(Sealed closed proceedings)

[Redacted text block containing multiple lines of blacked-out content]

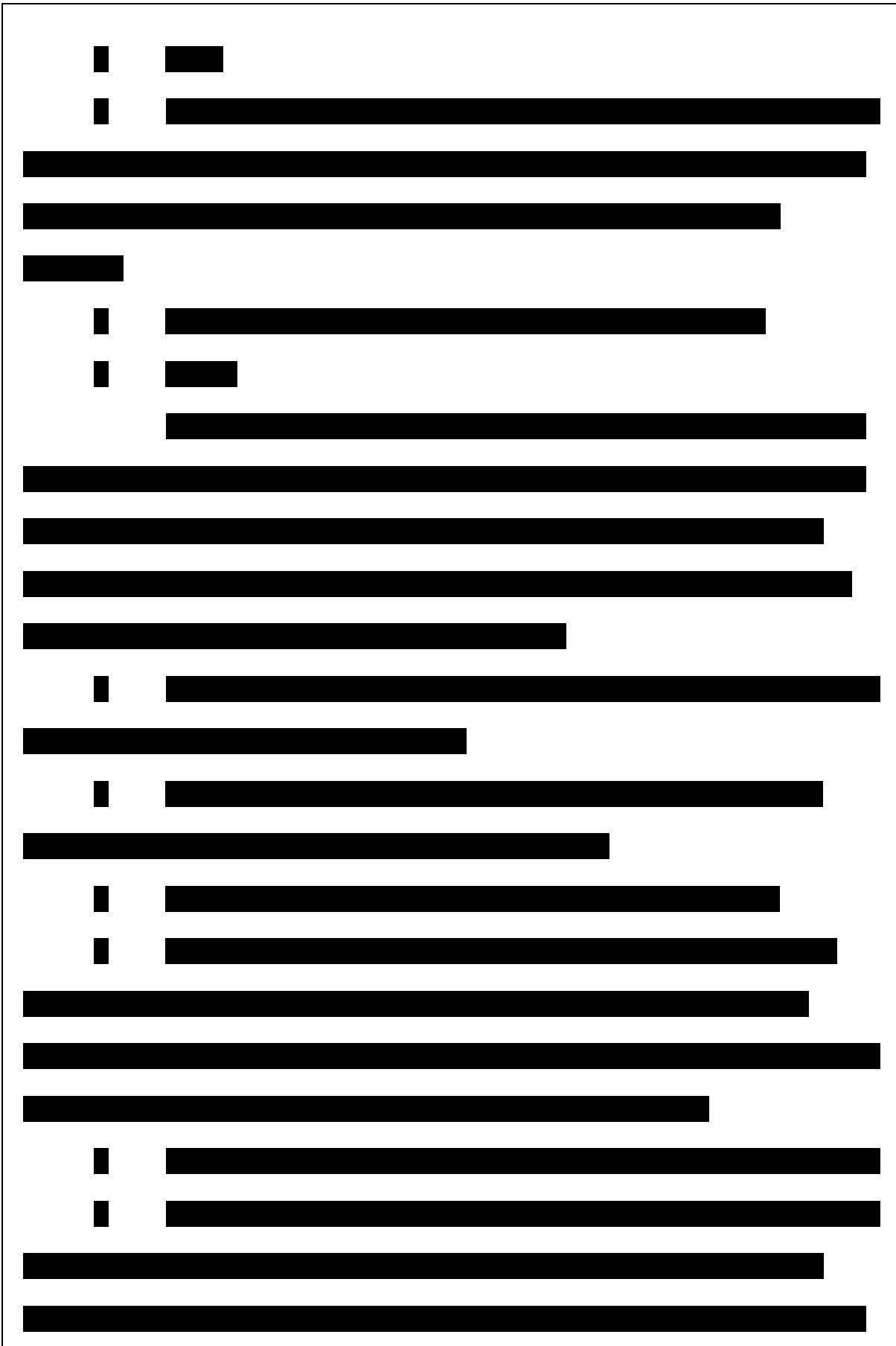


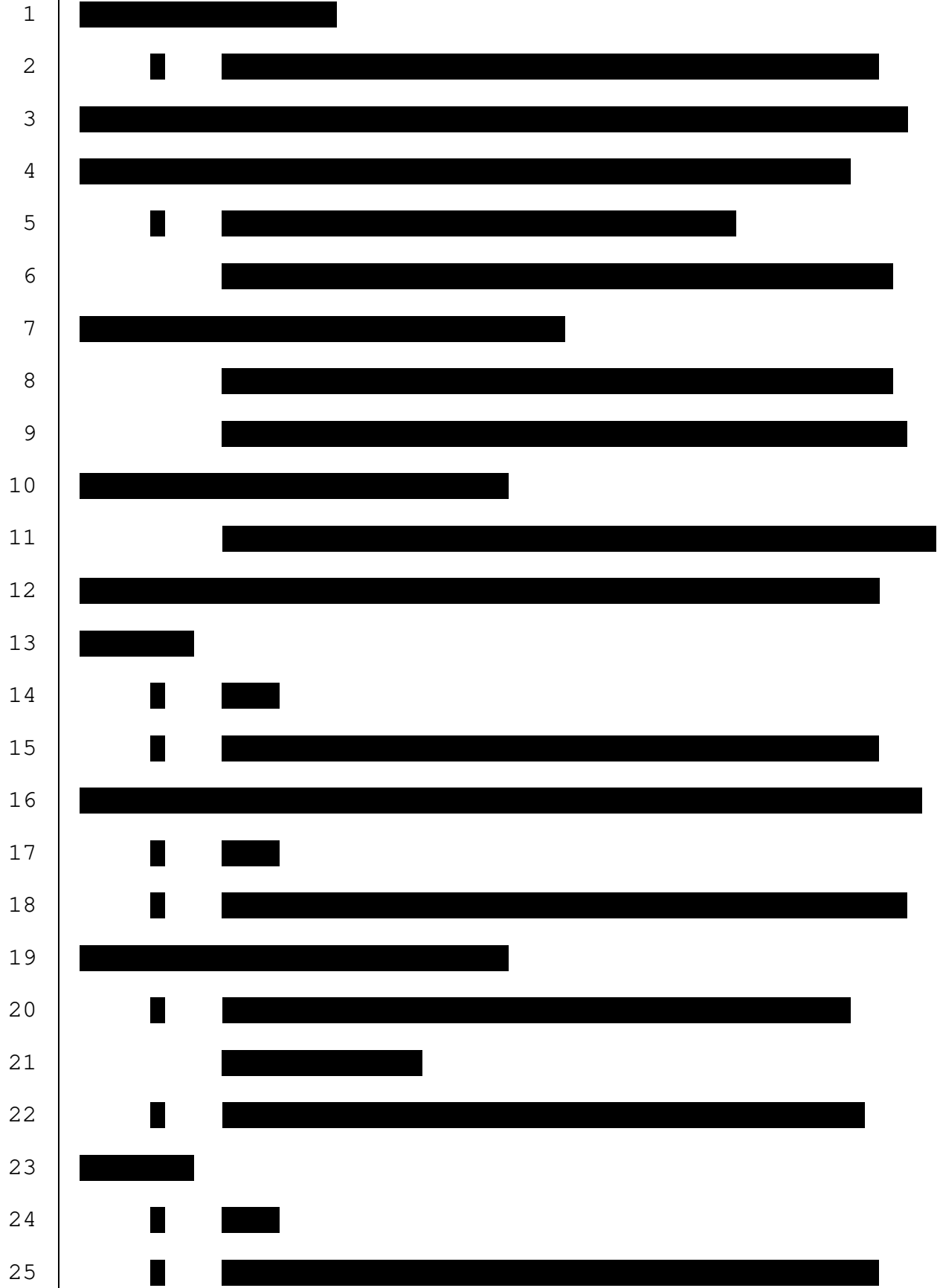


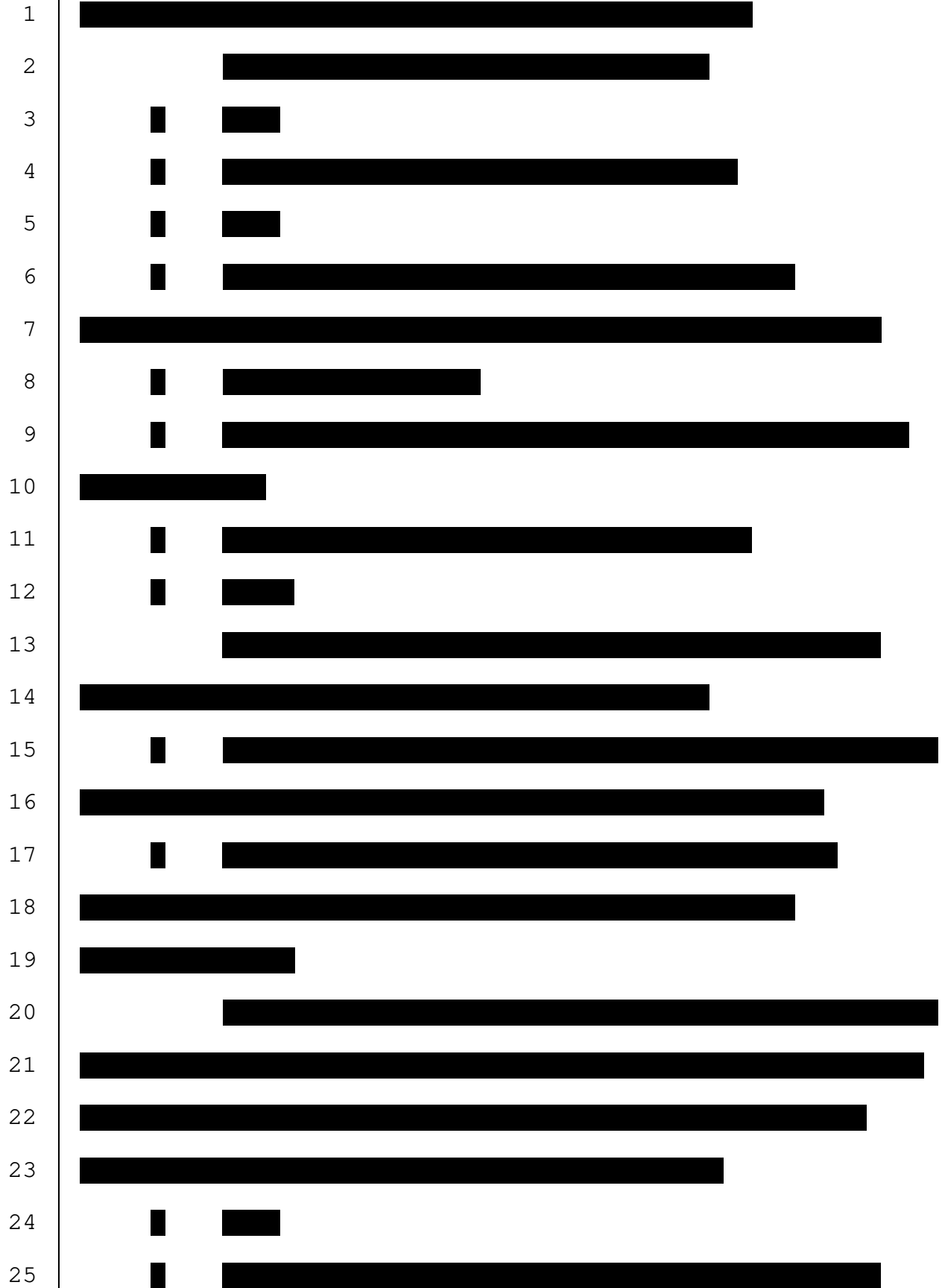
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

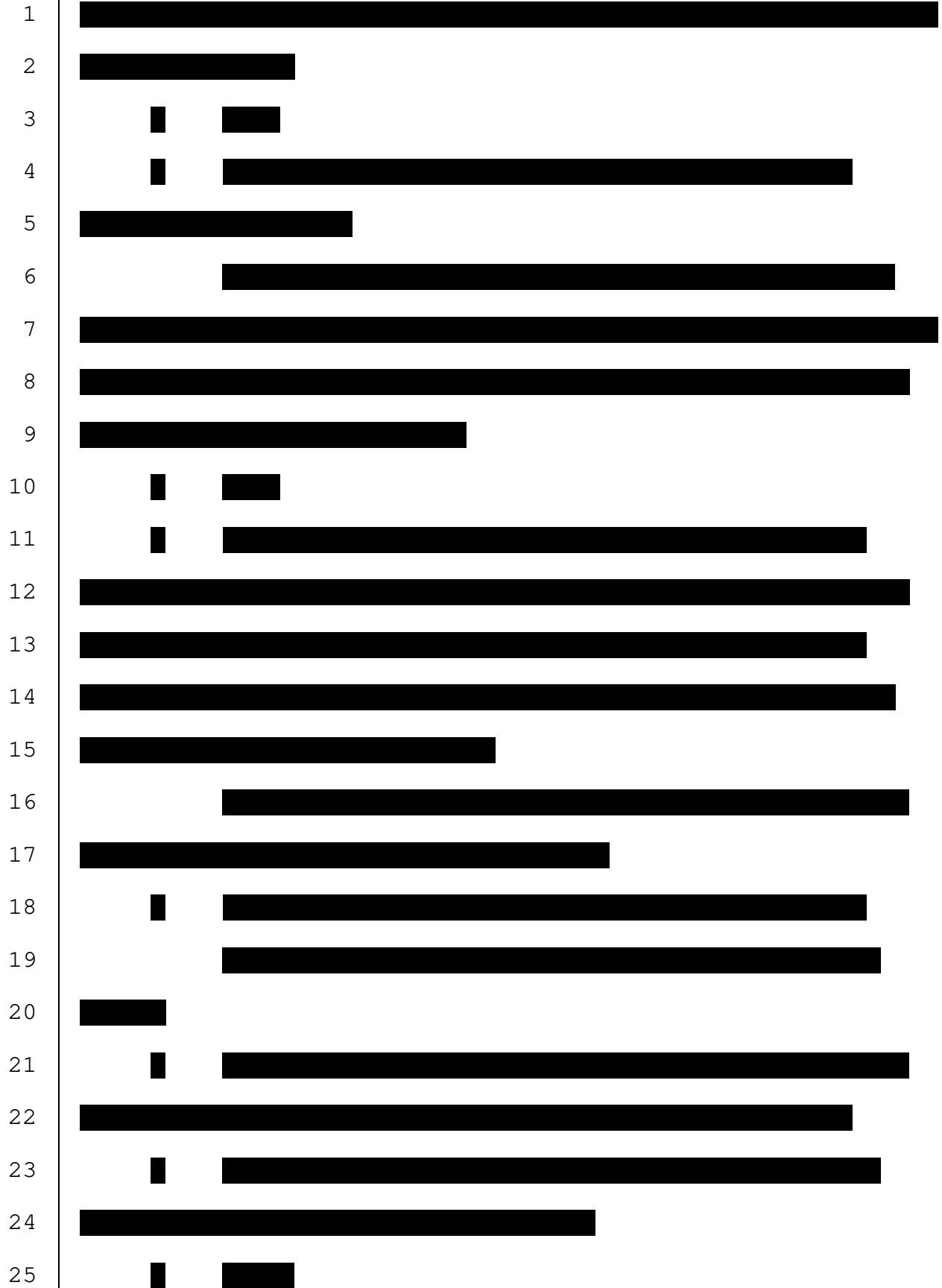


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

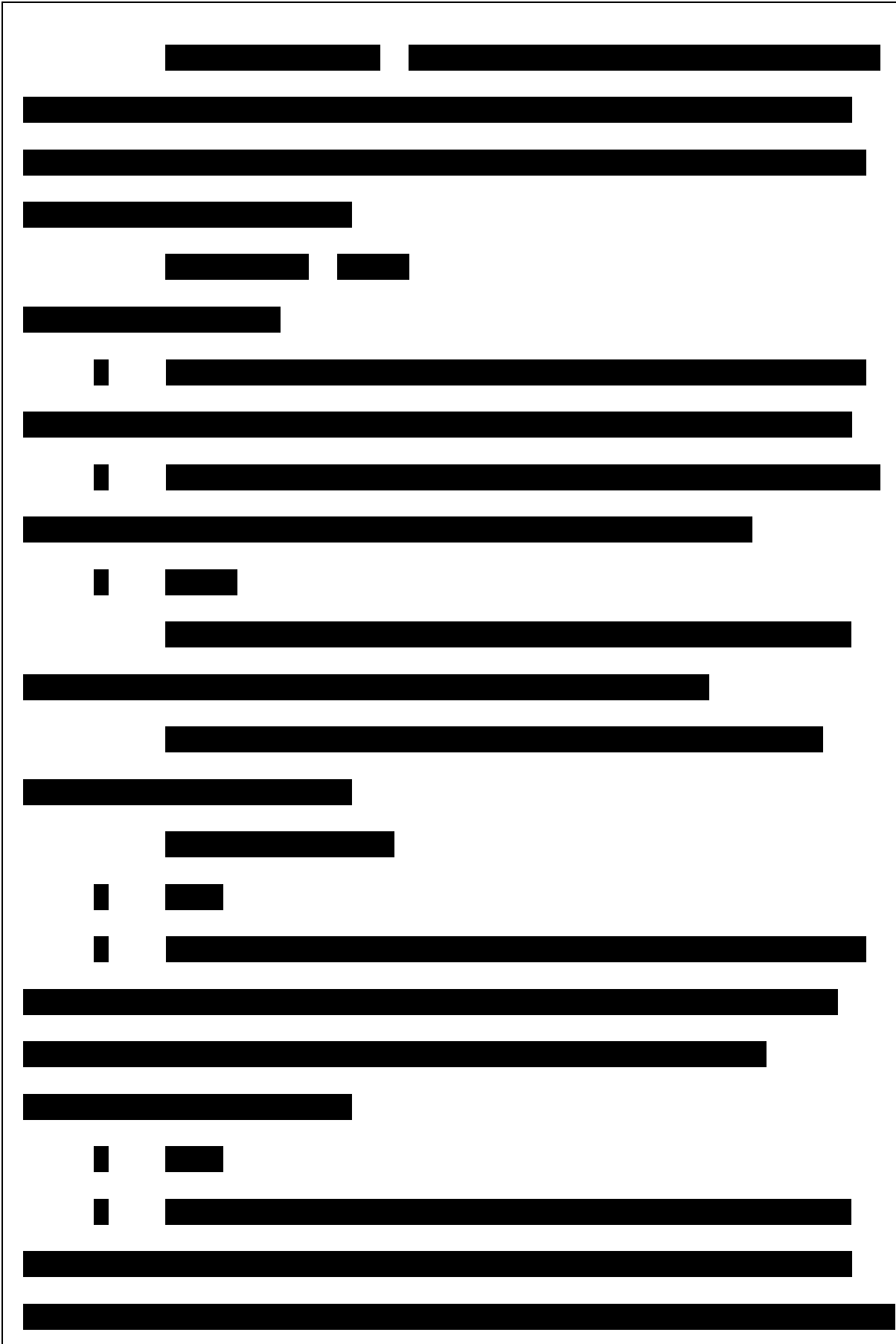




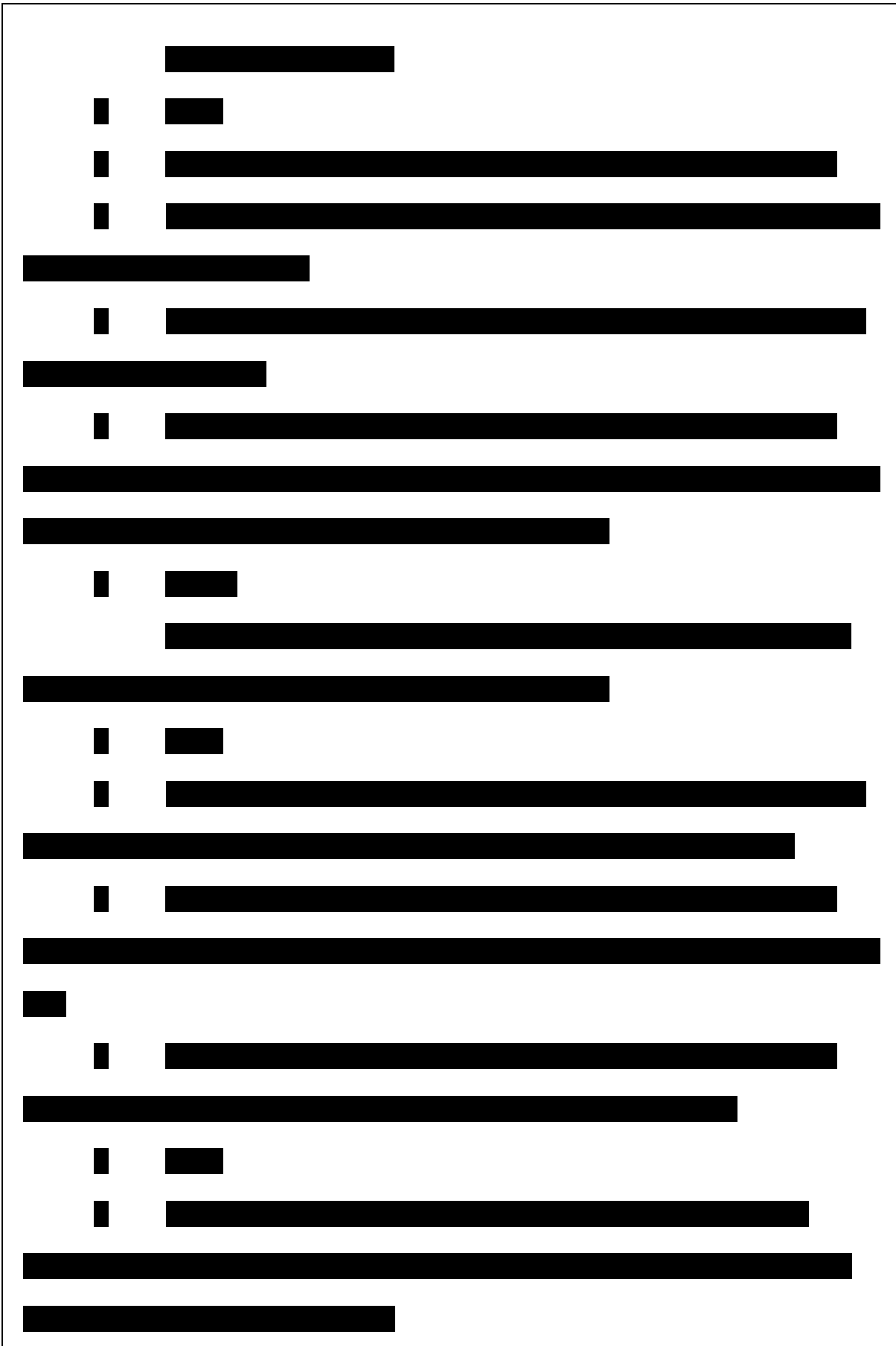


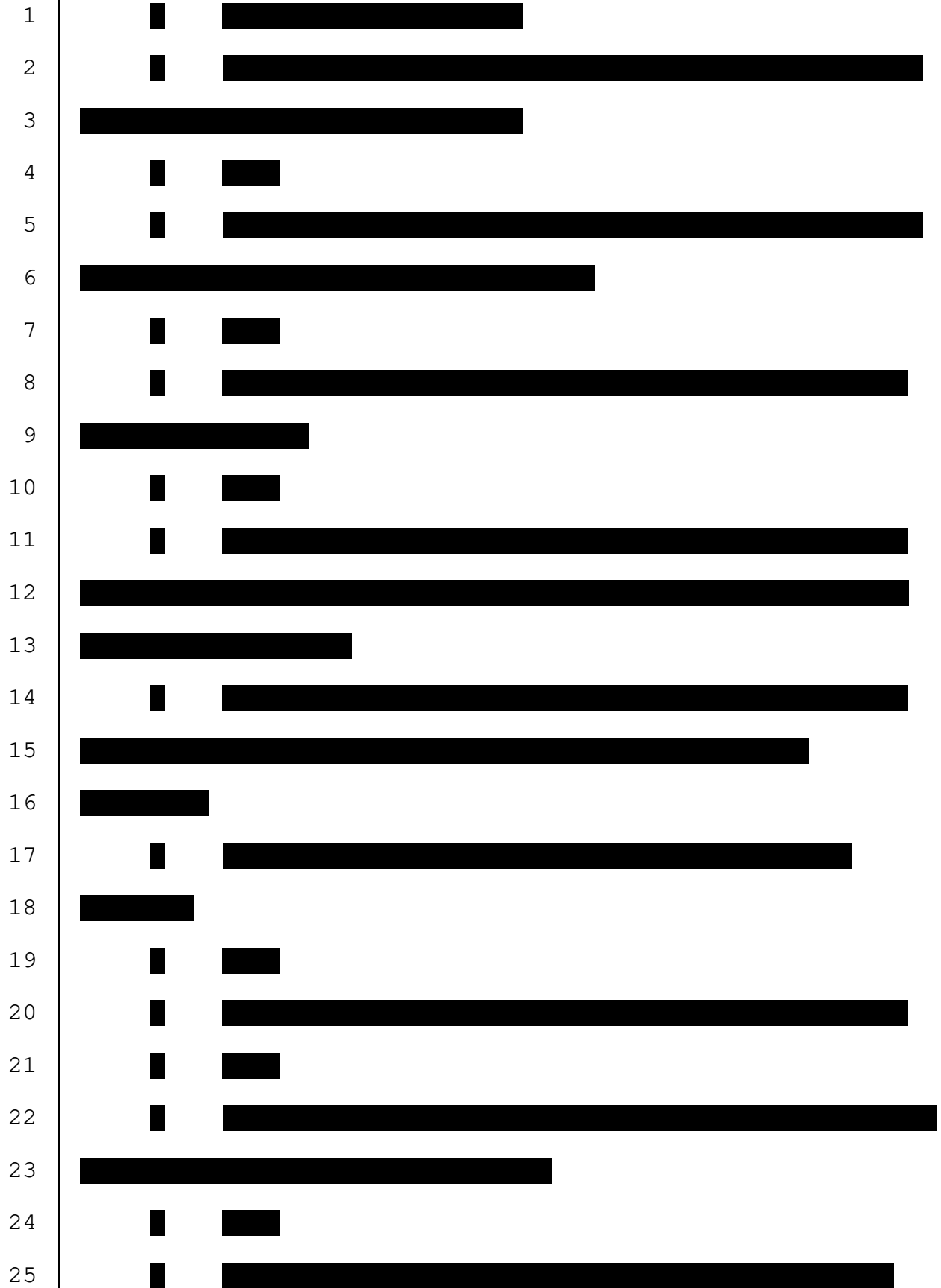


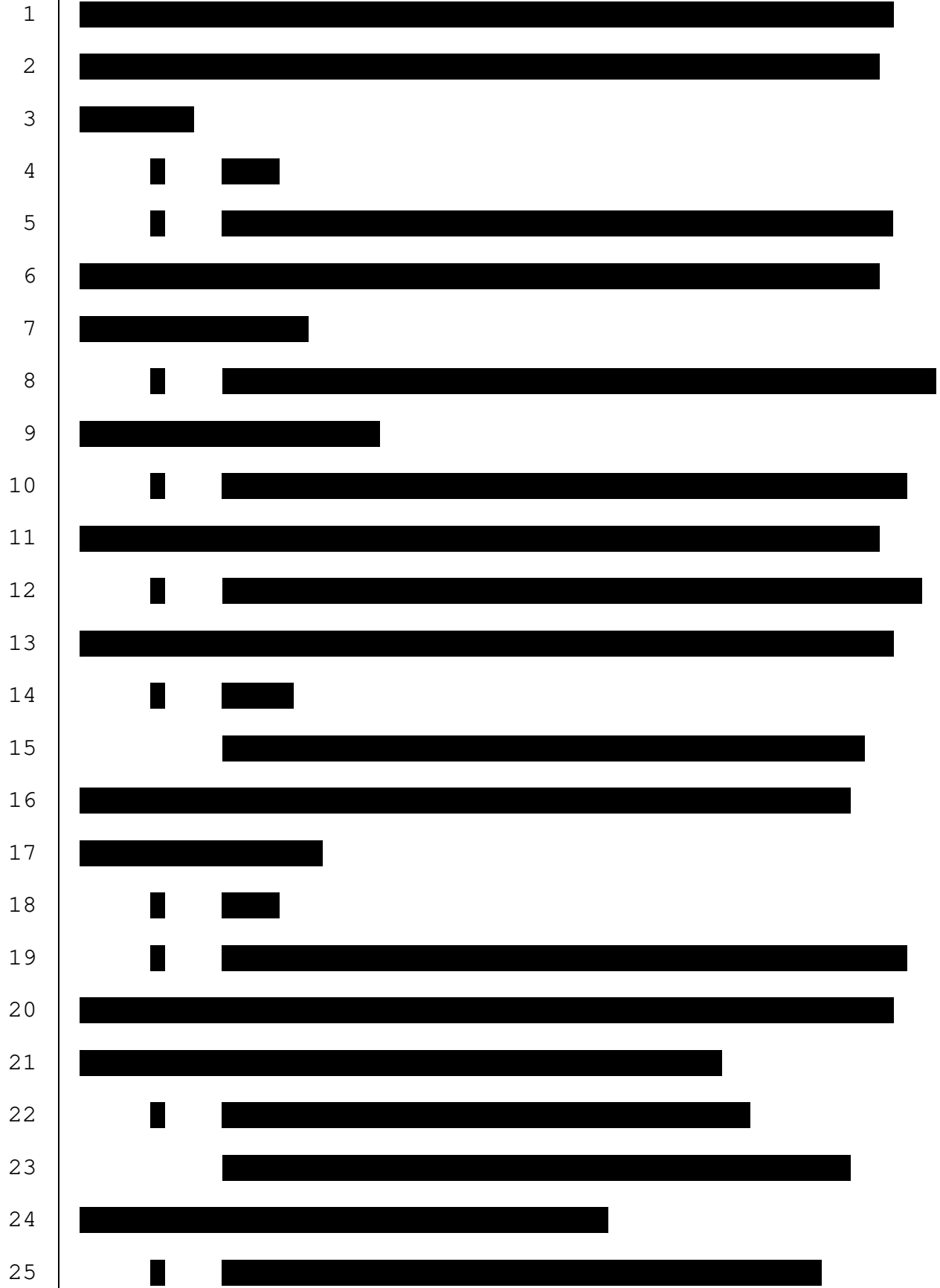
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



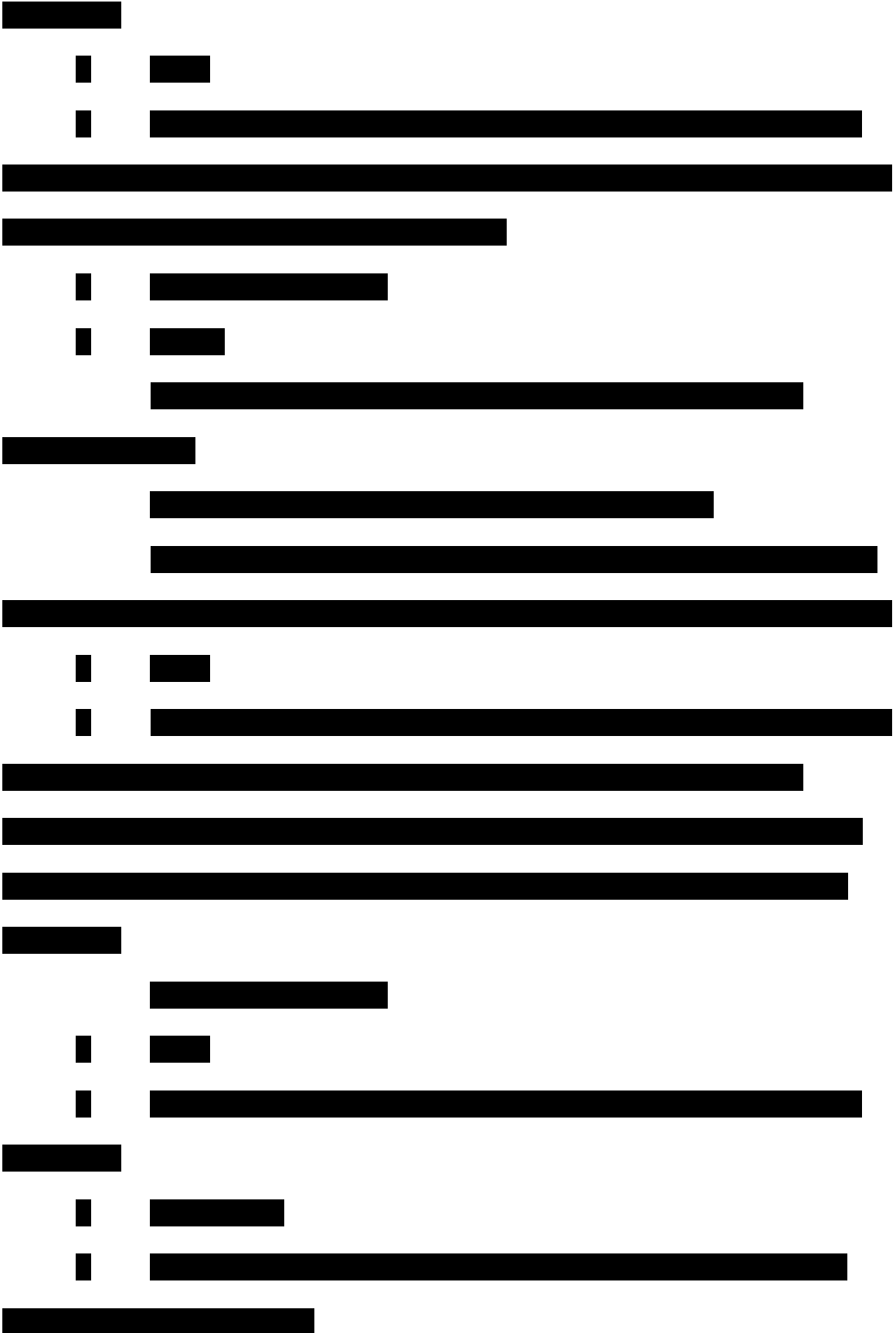
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

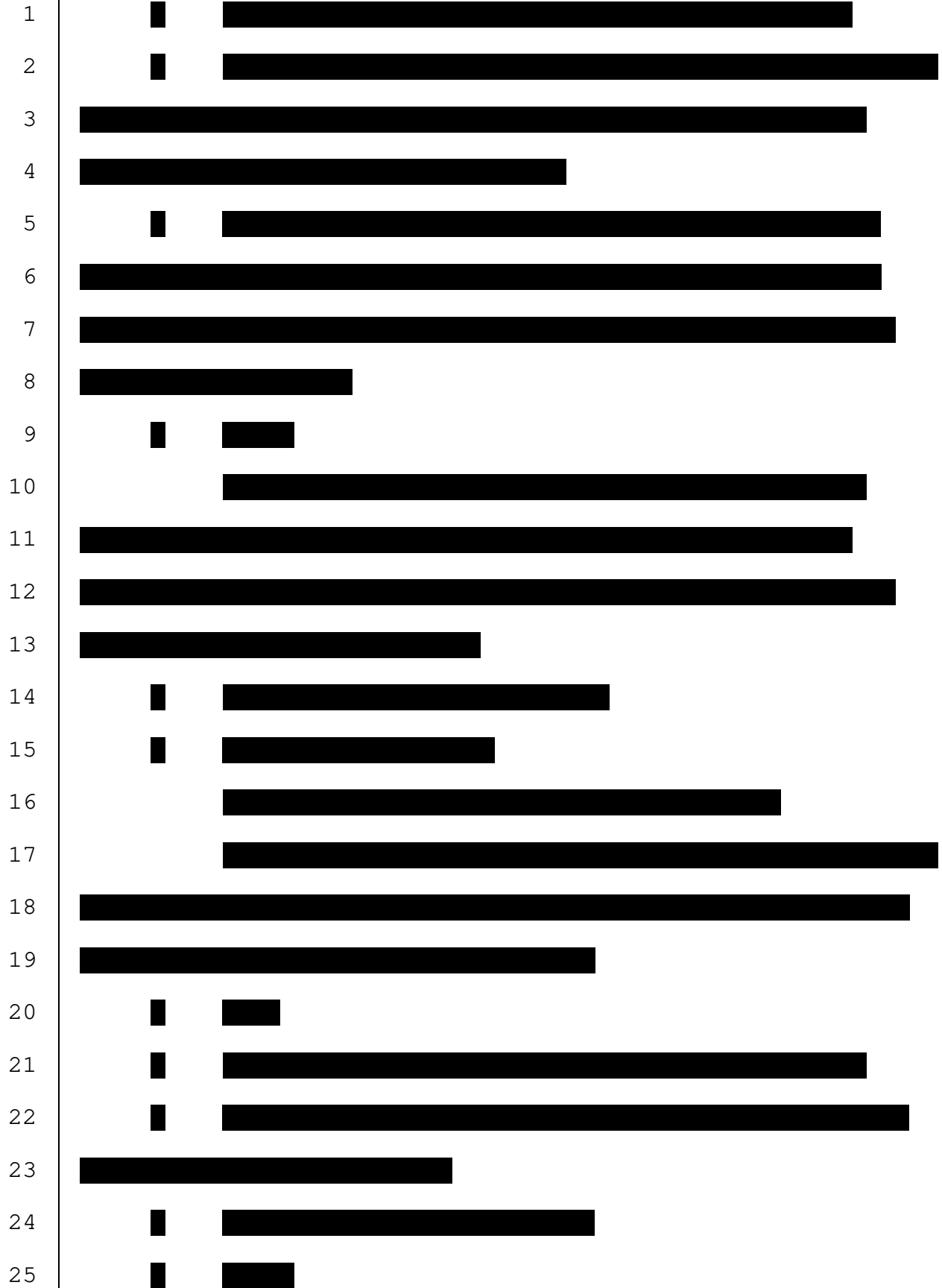


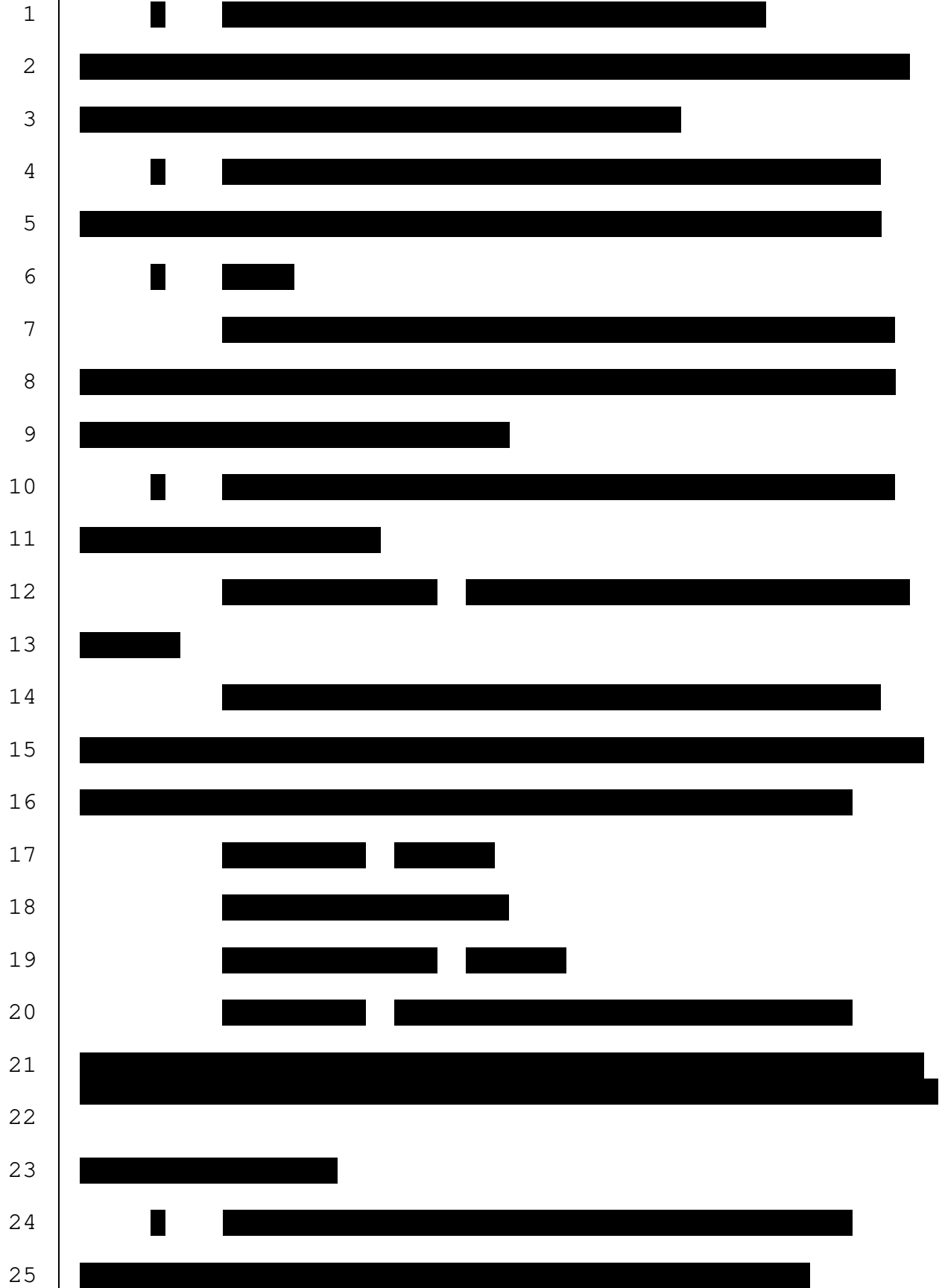


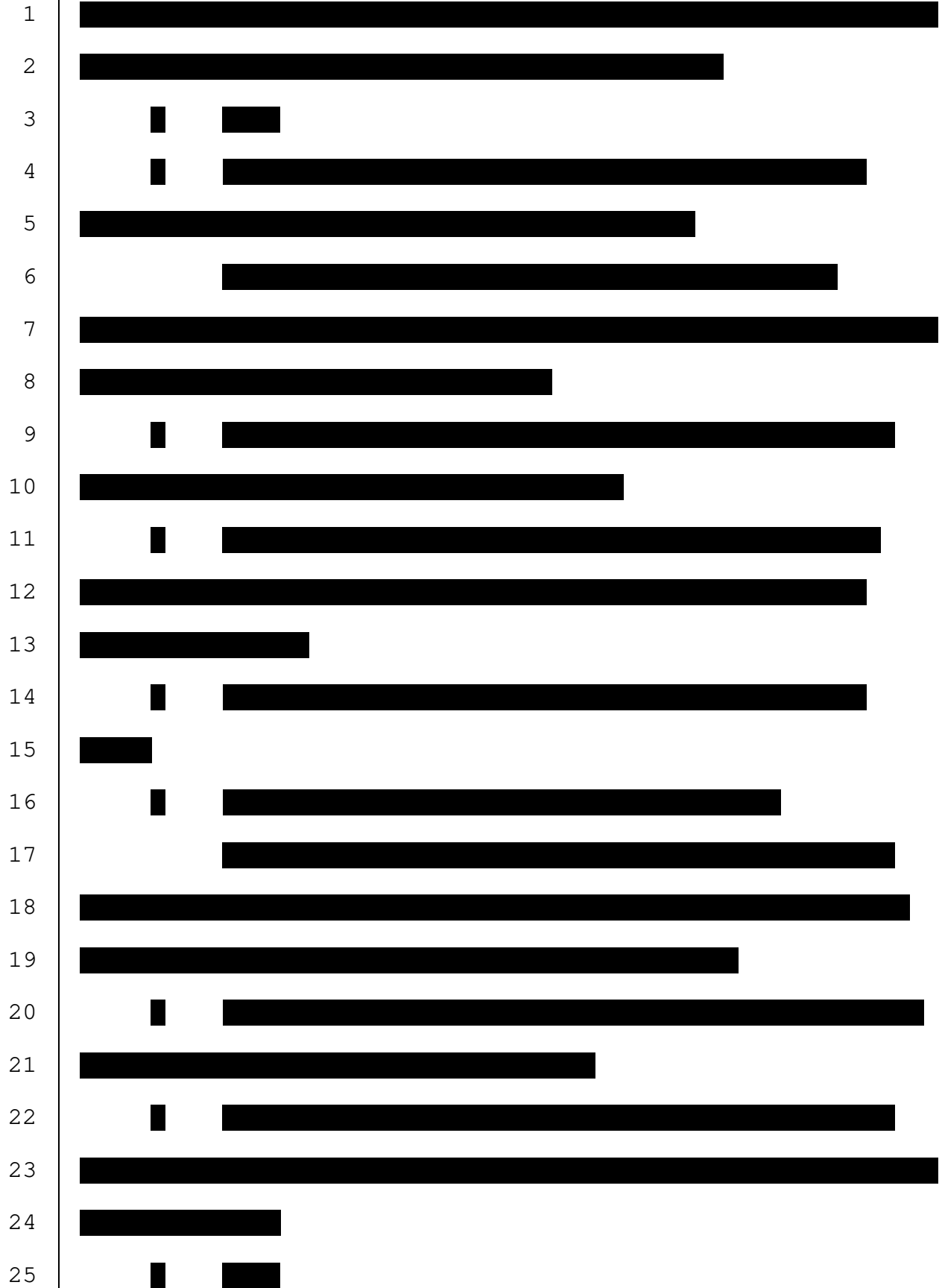


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

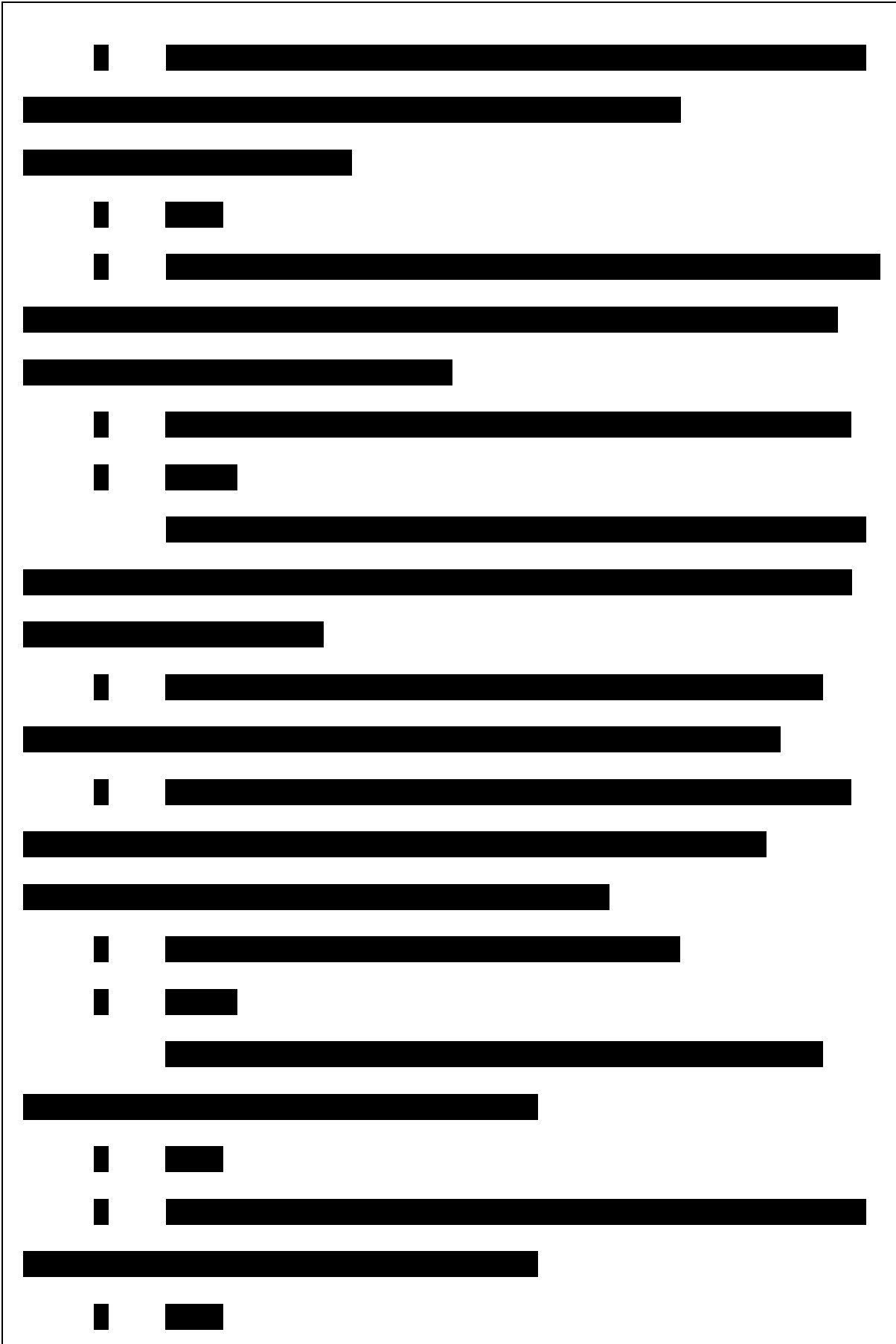




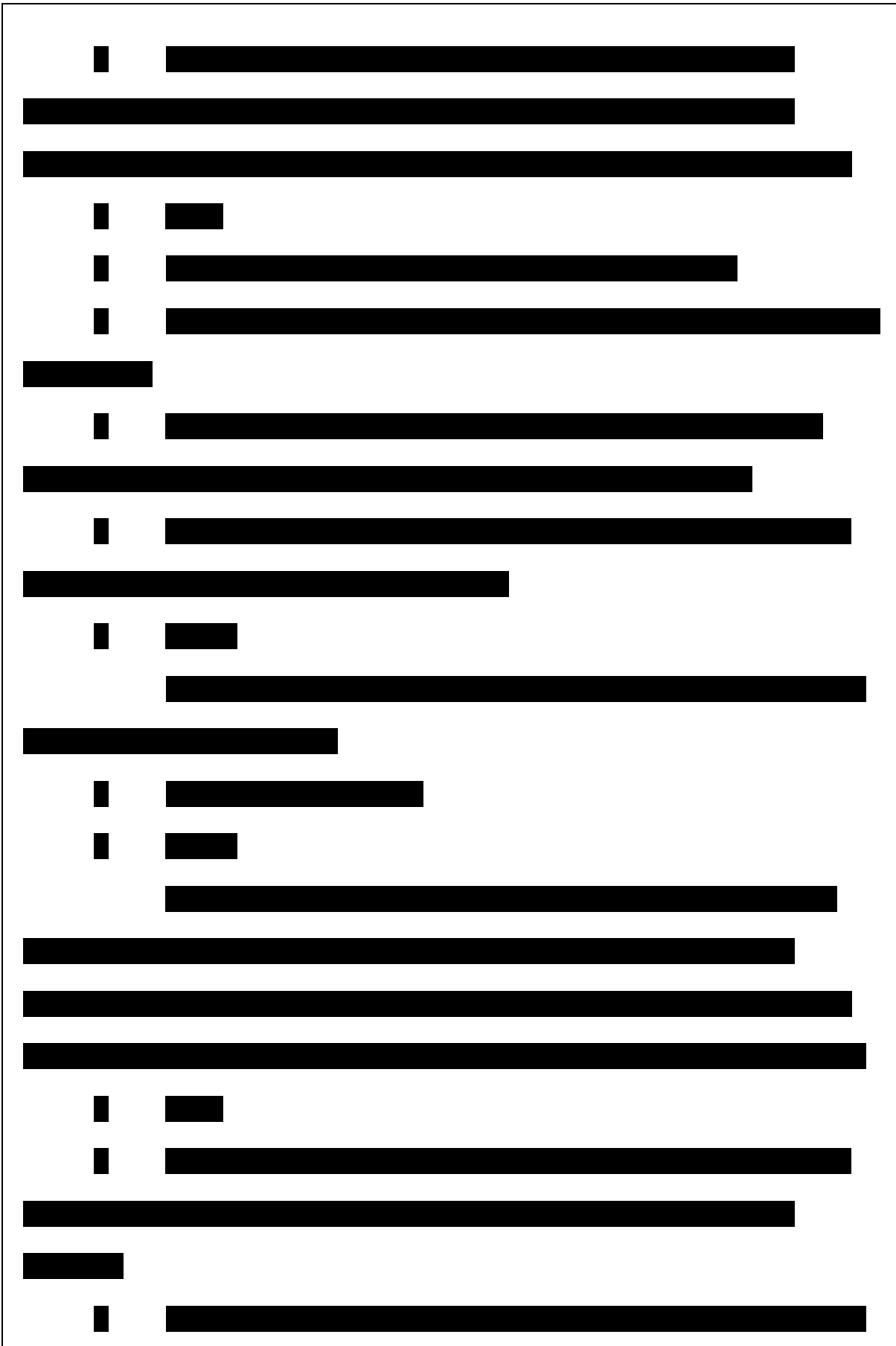




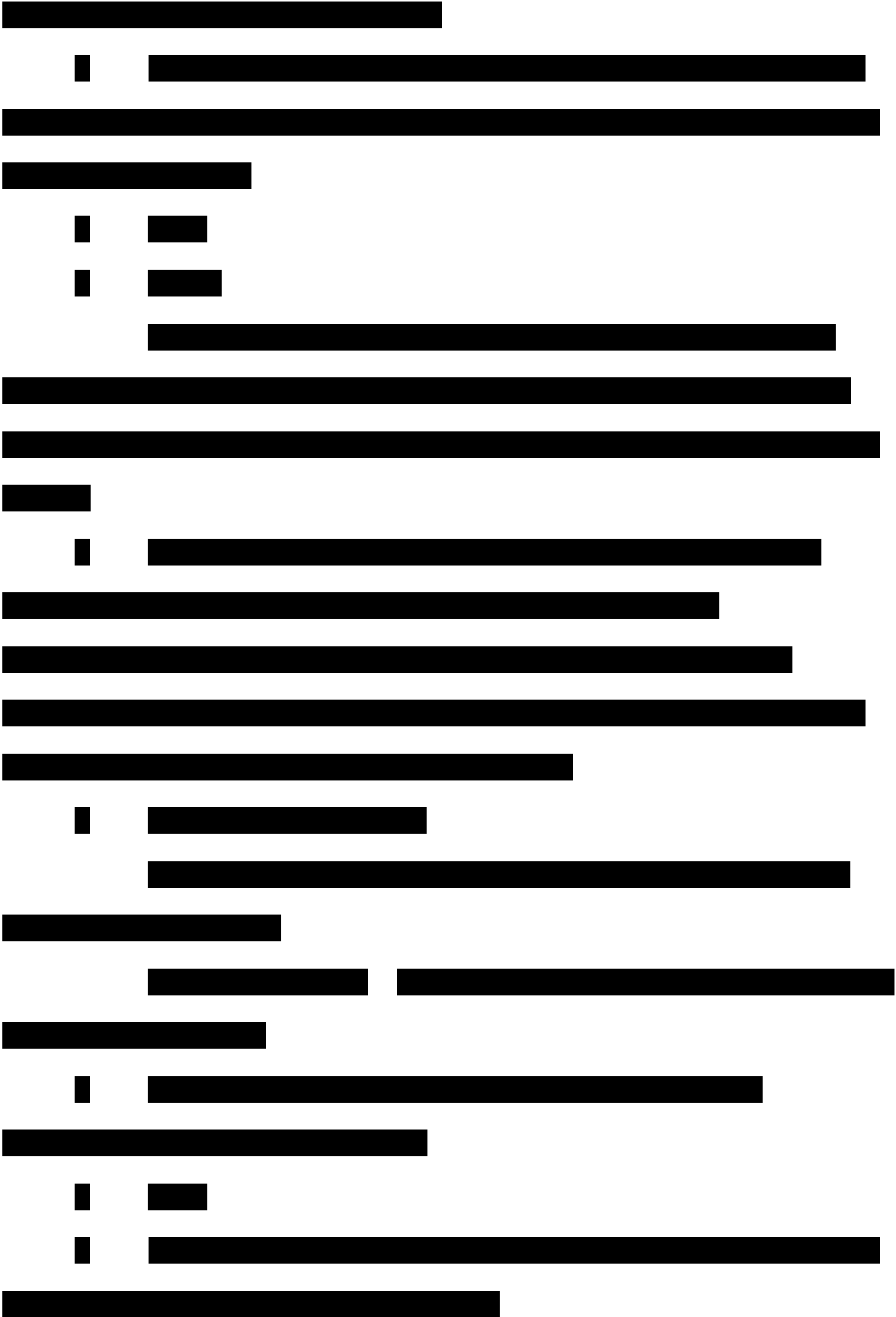
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

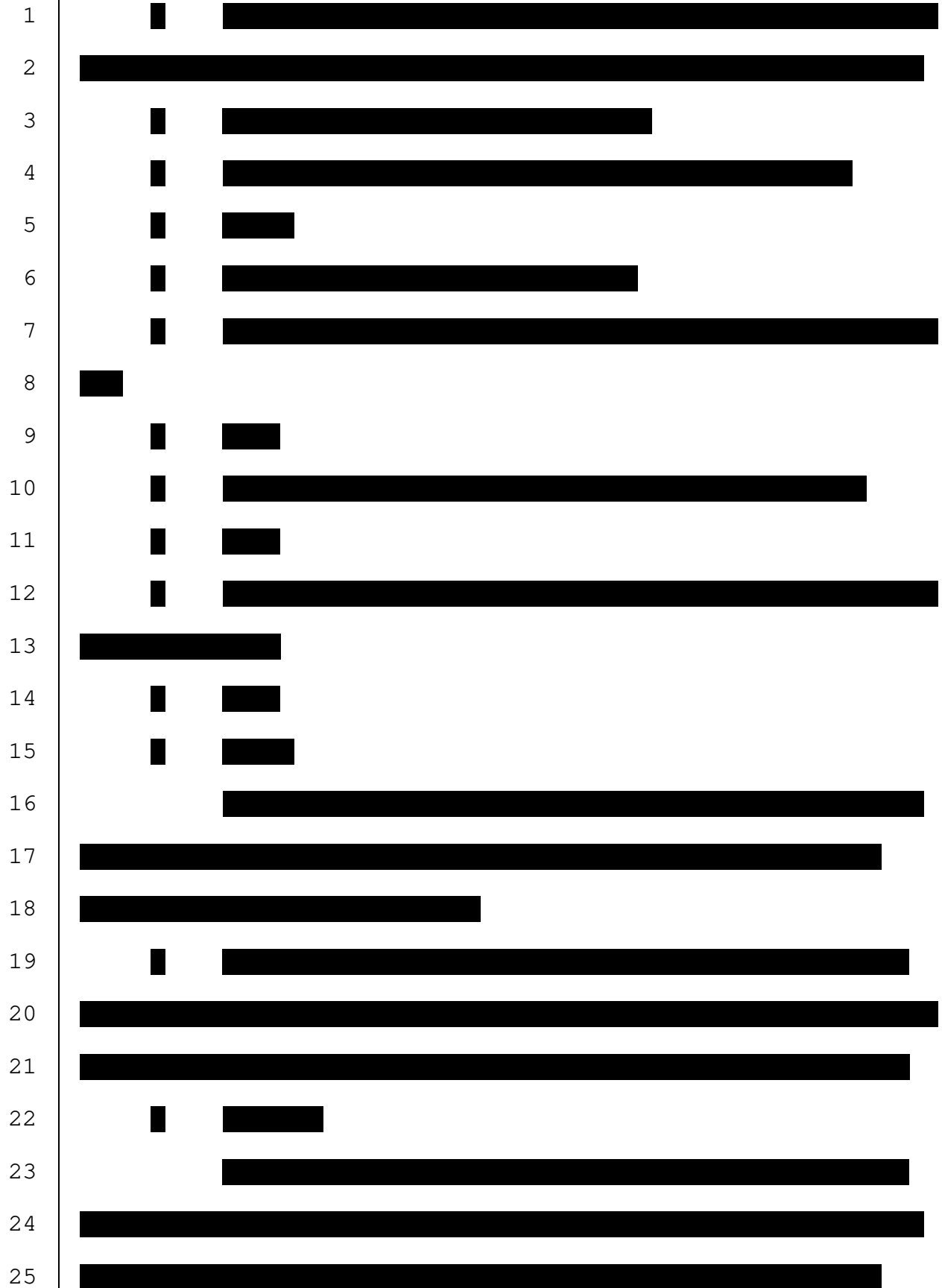


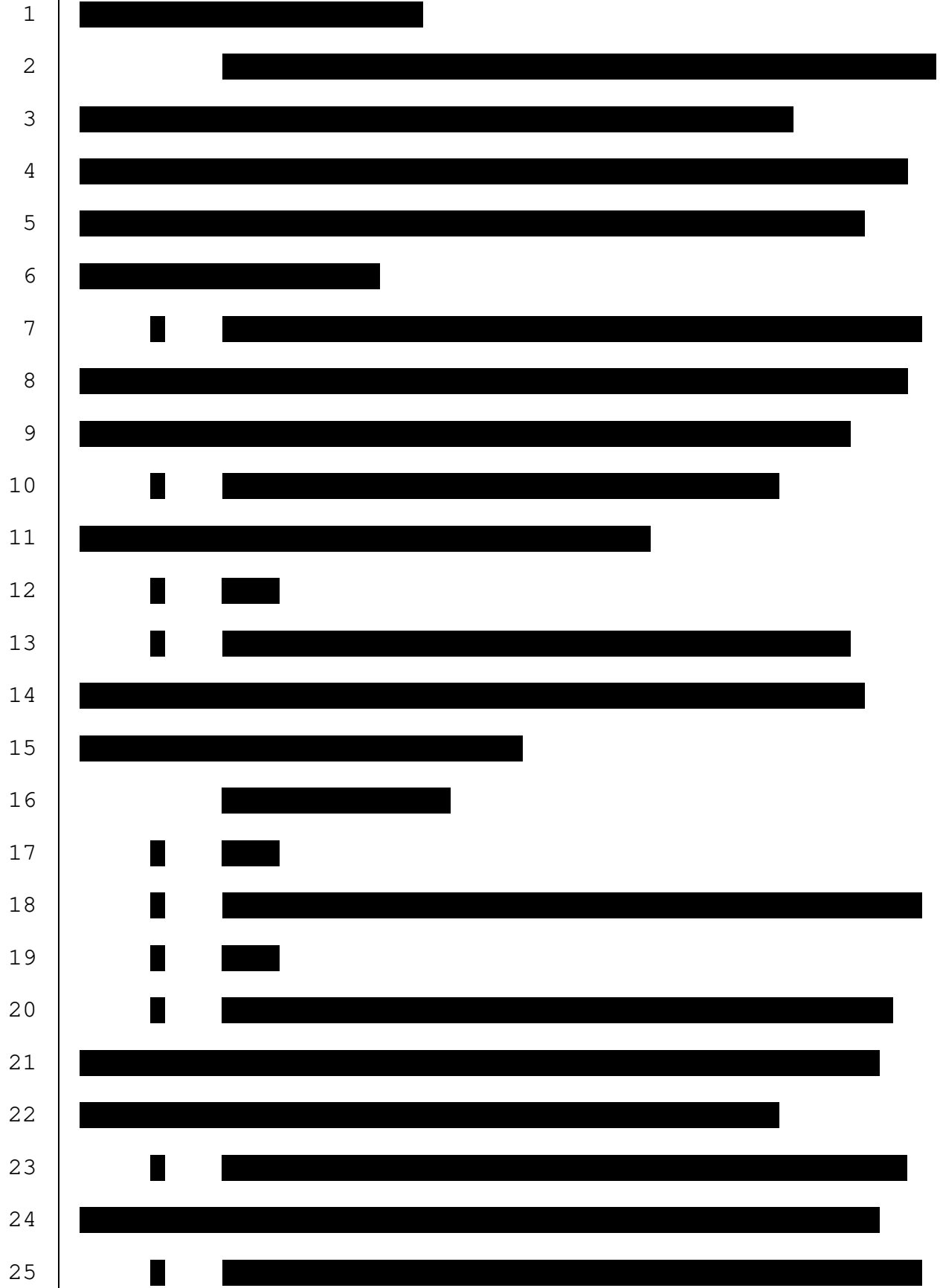
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

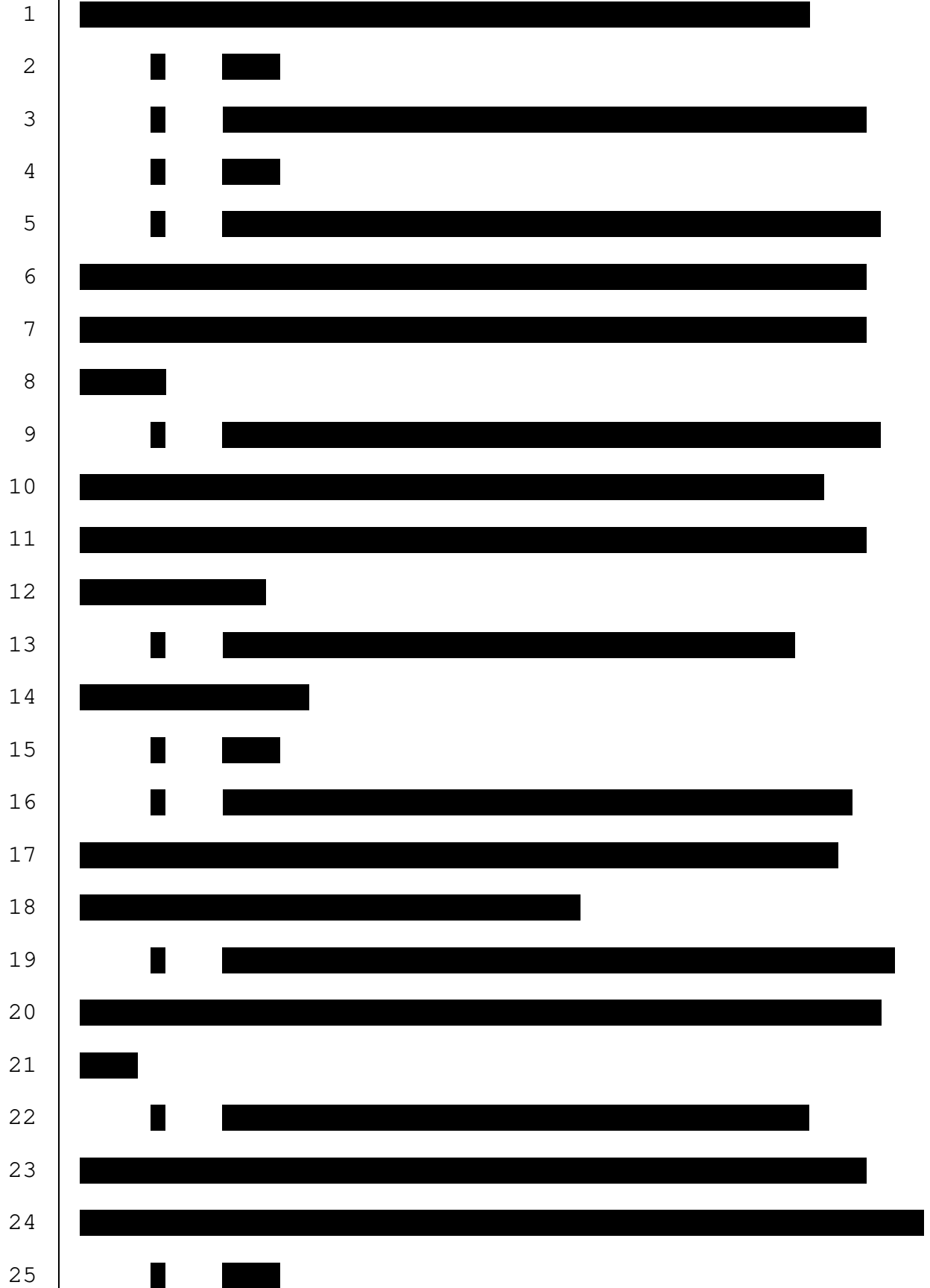


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

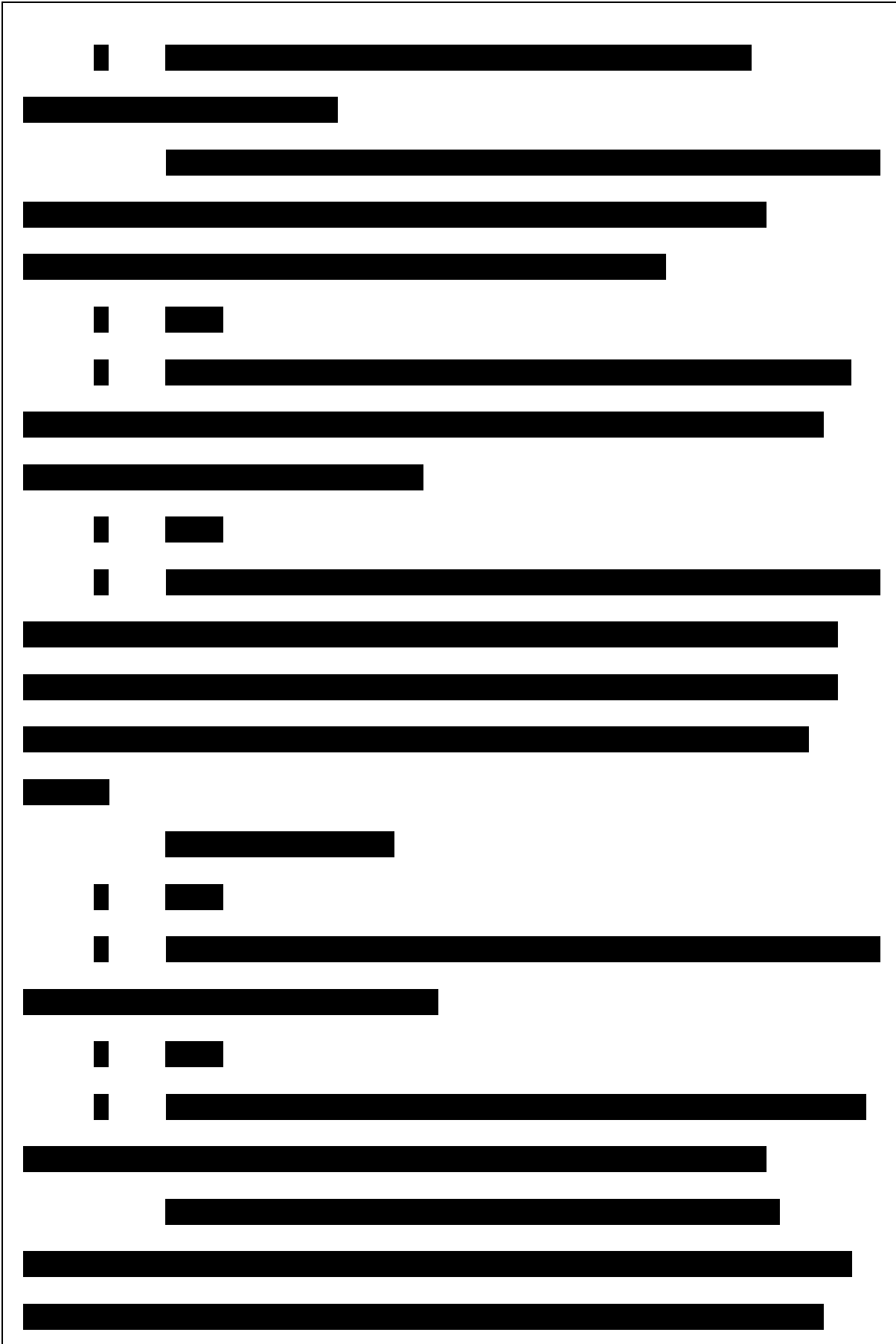


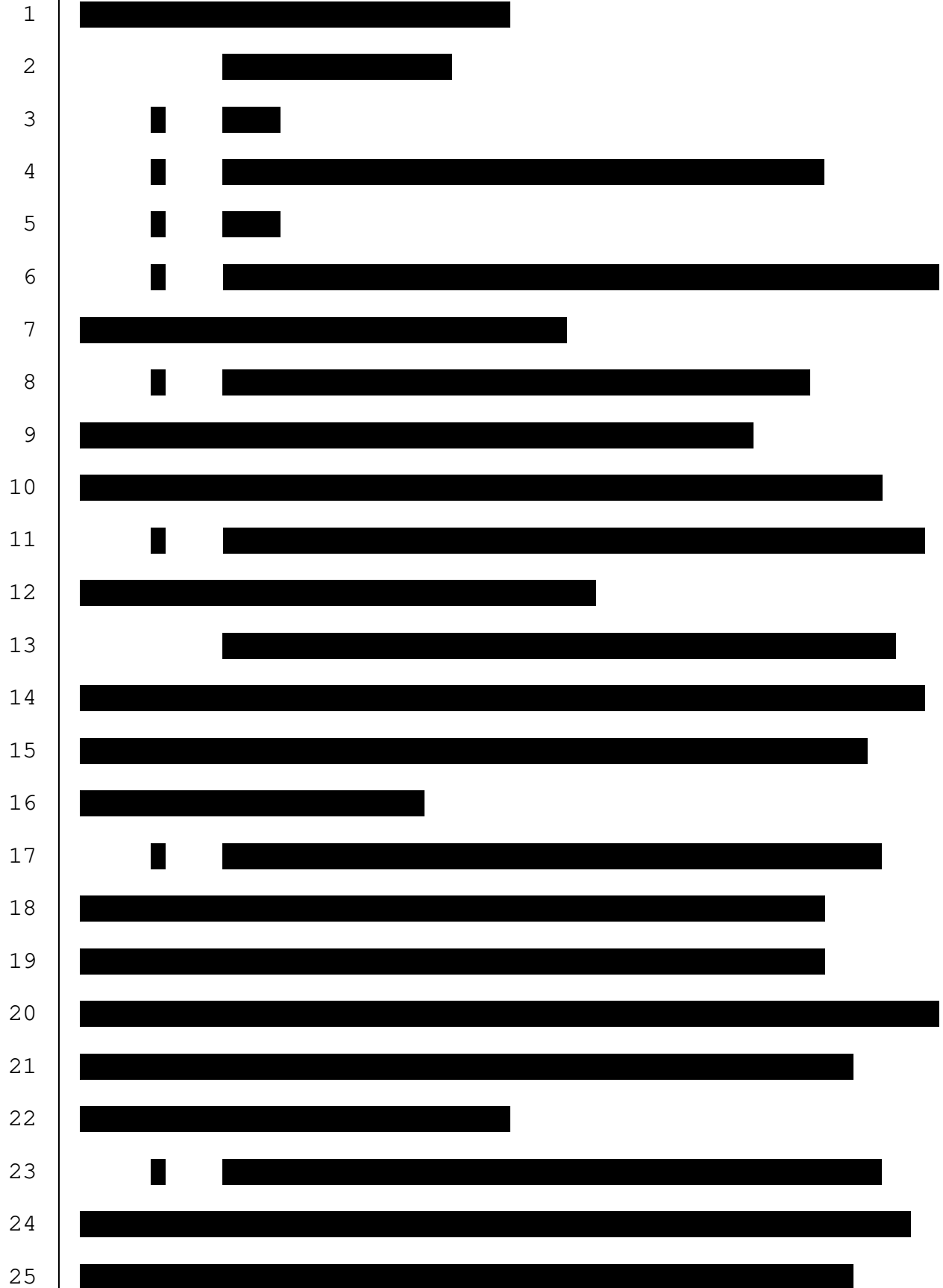


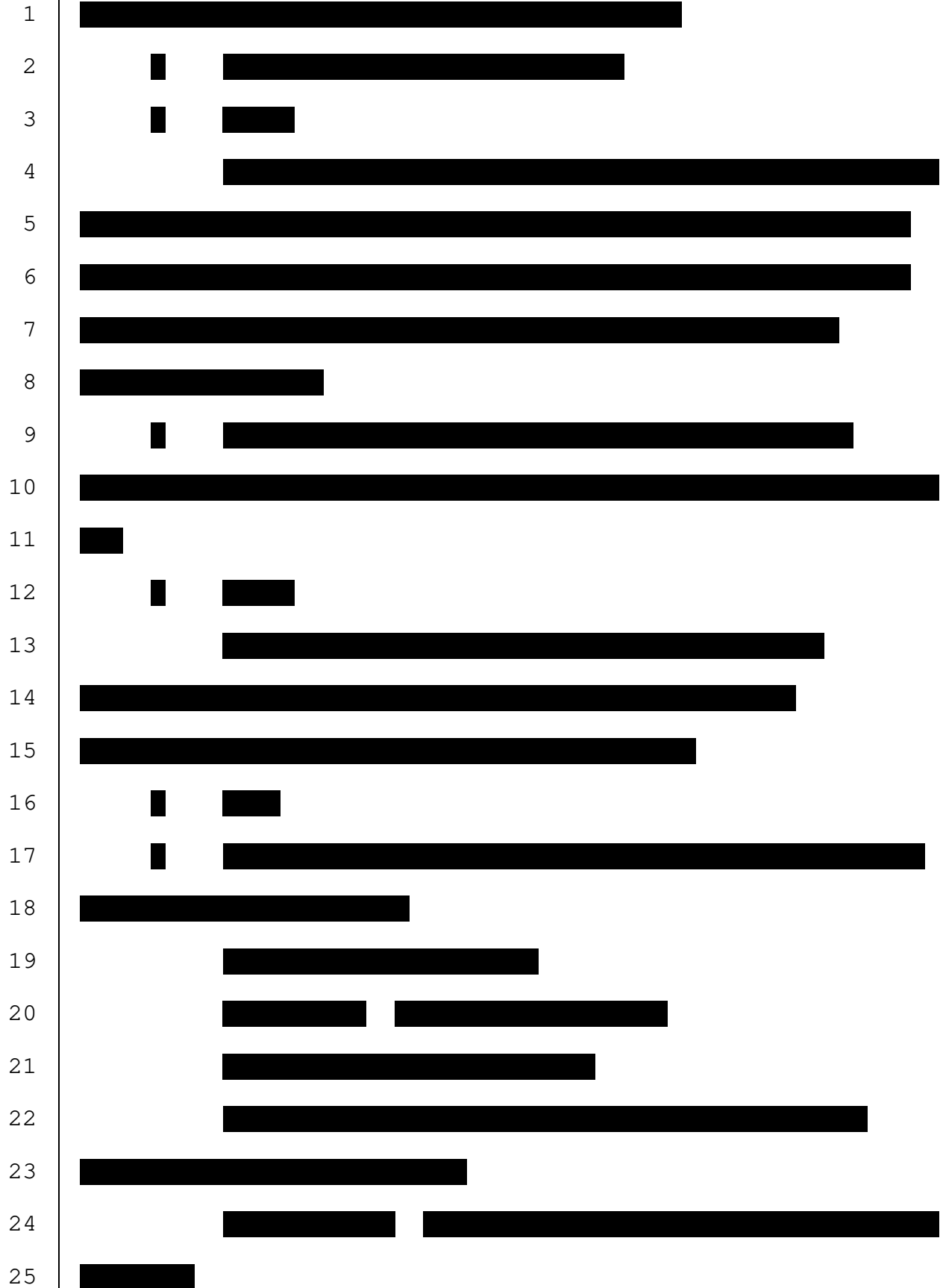




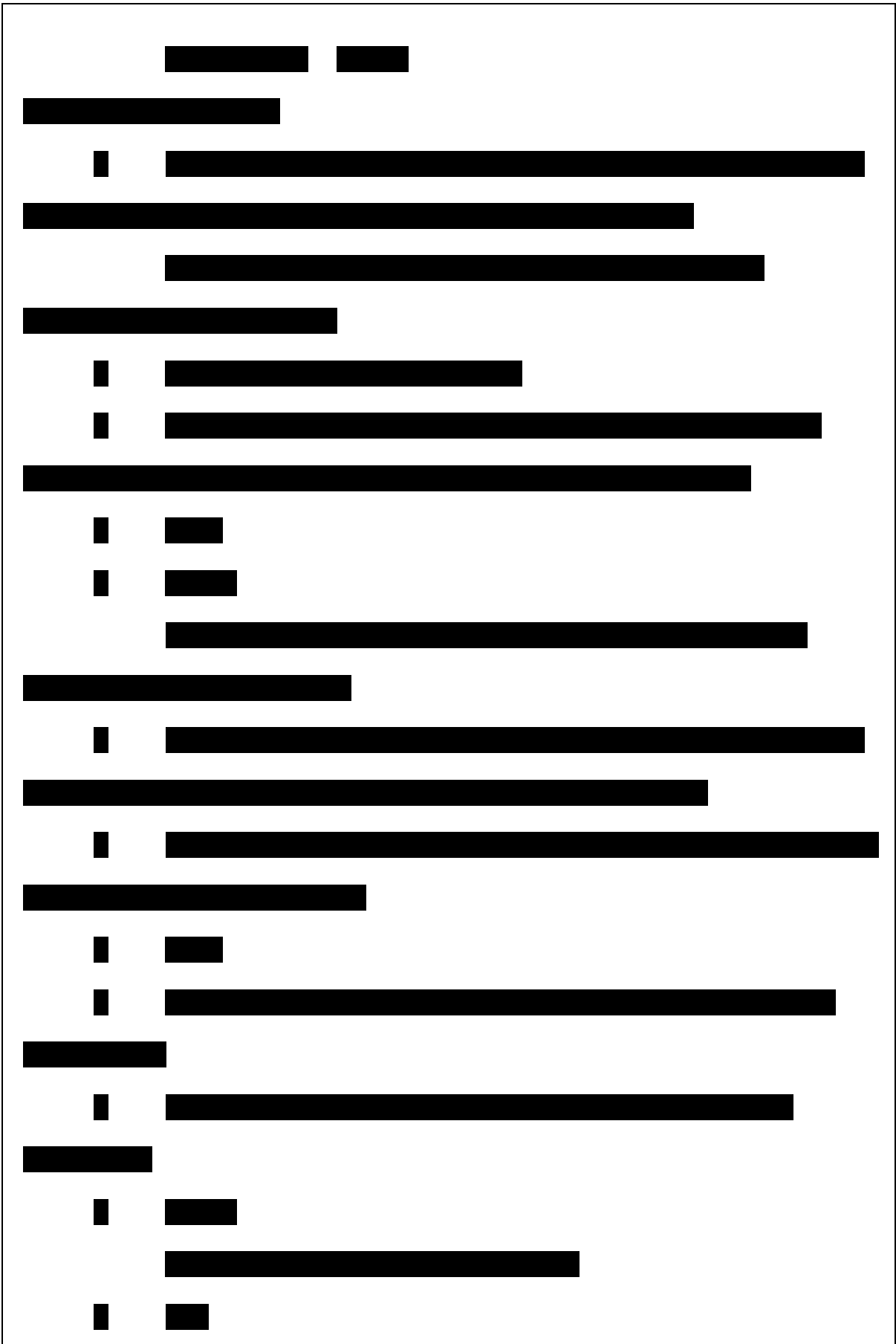
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



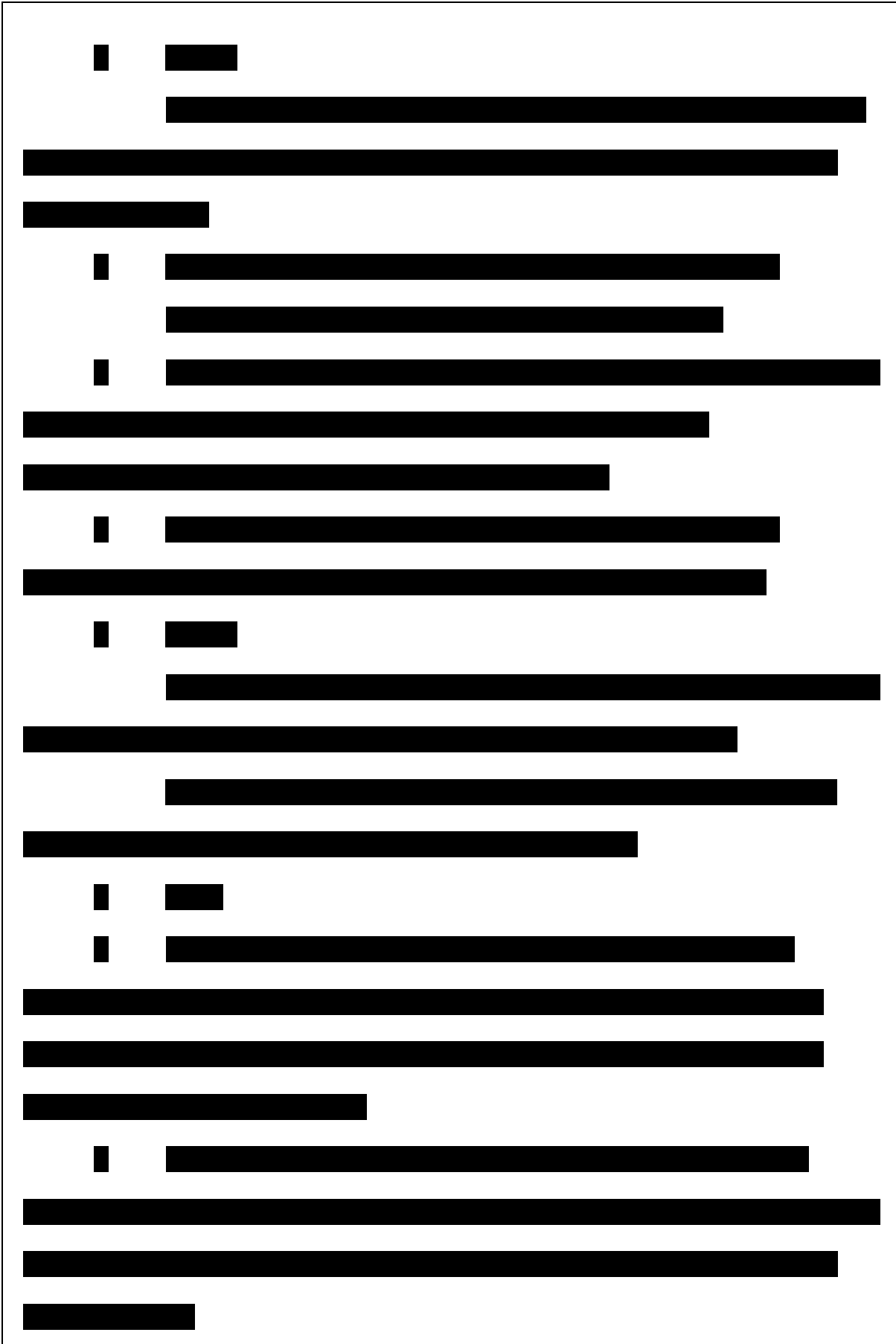




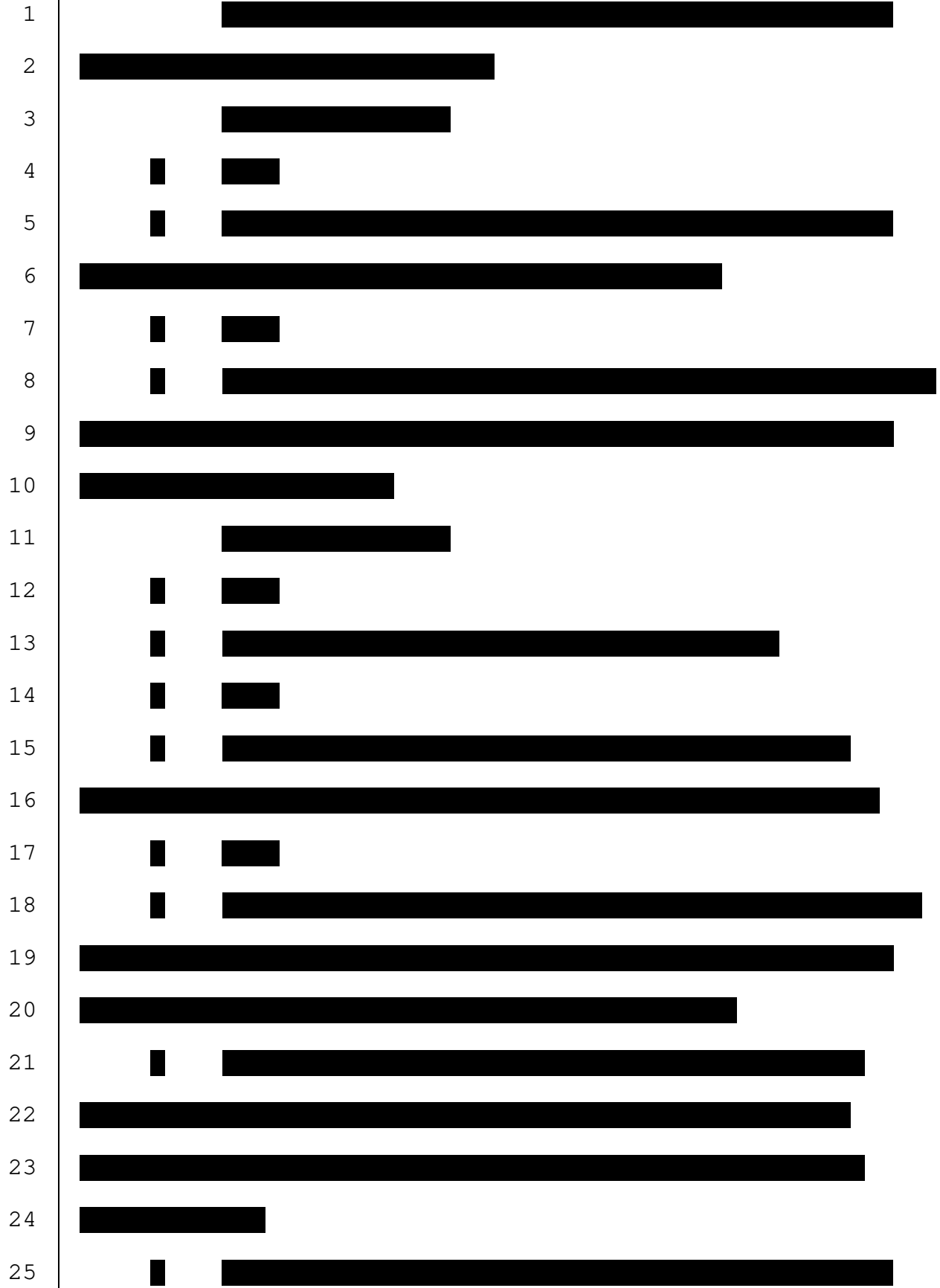
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

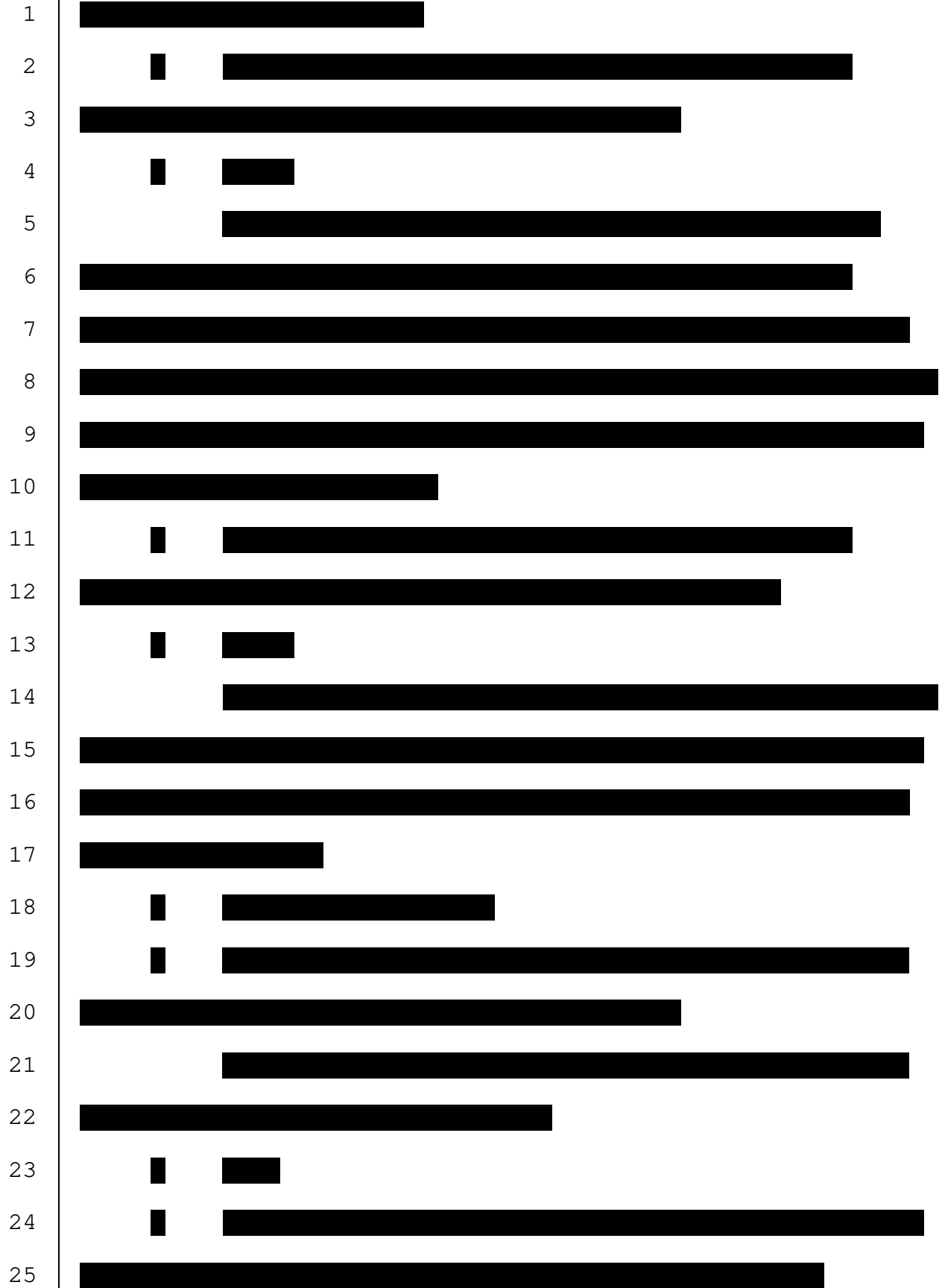


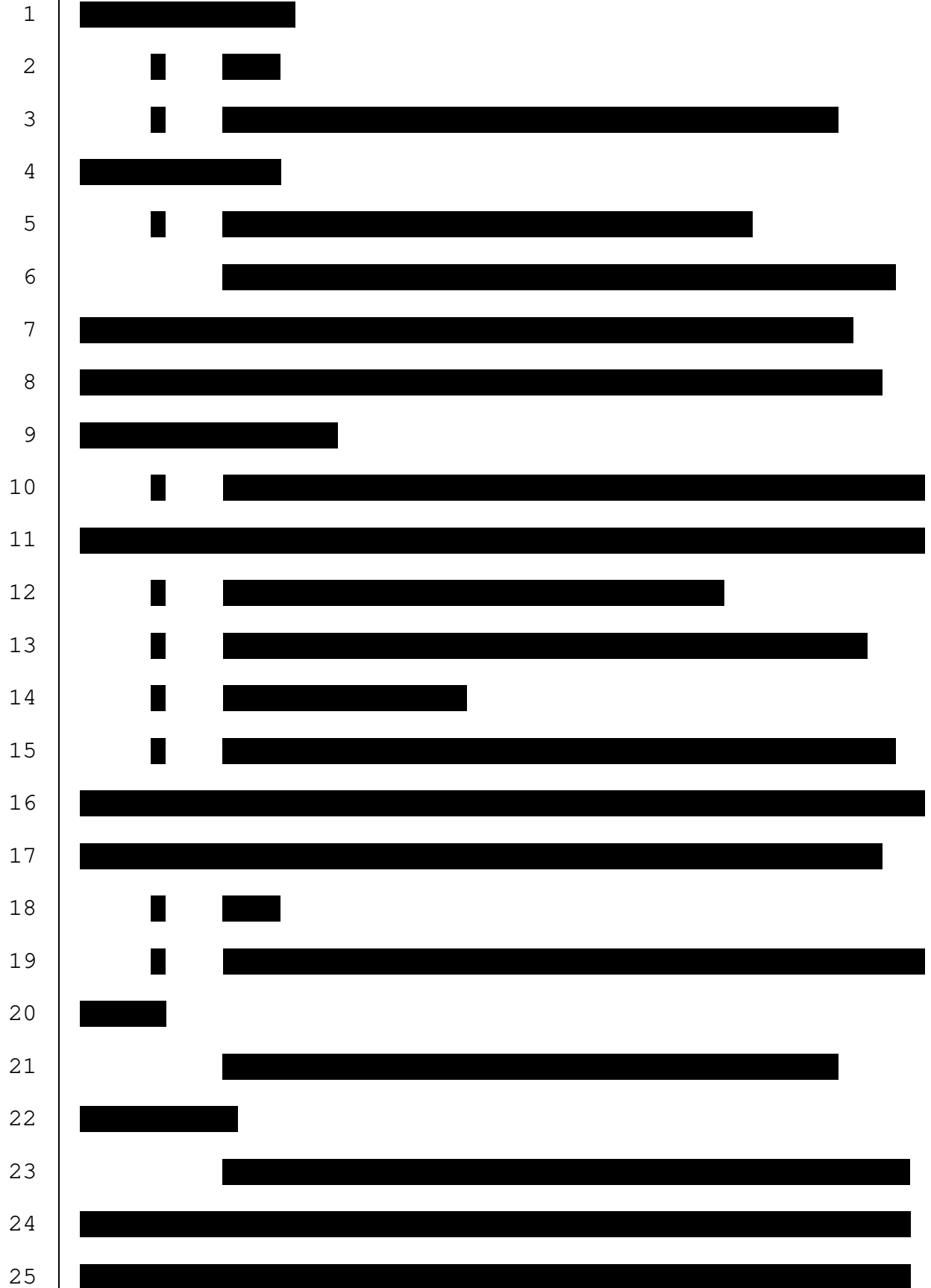
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

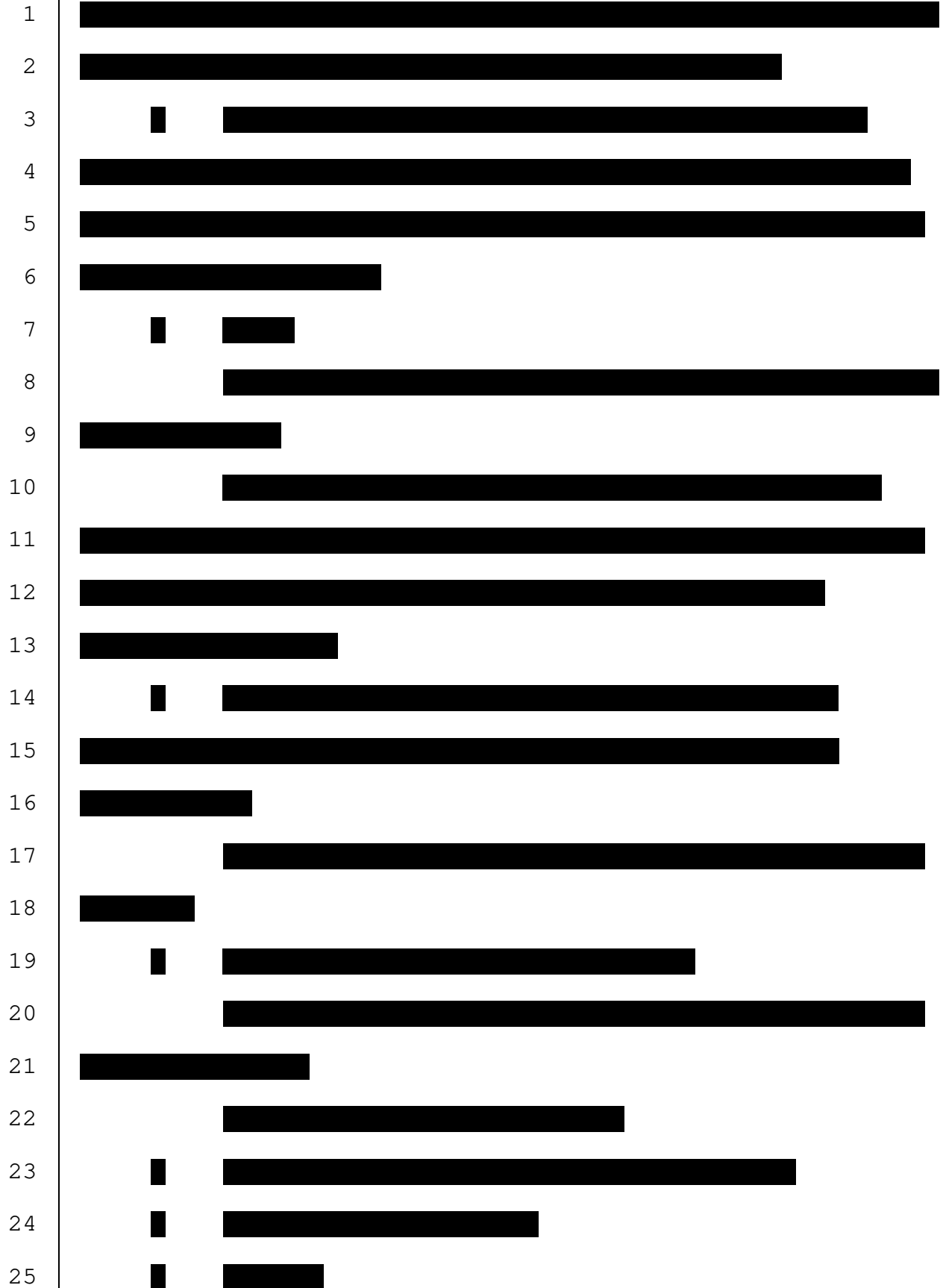




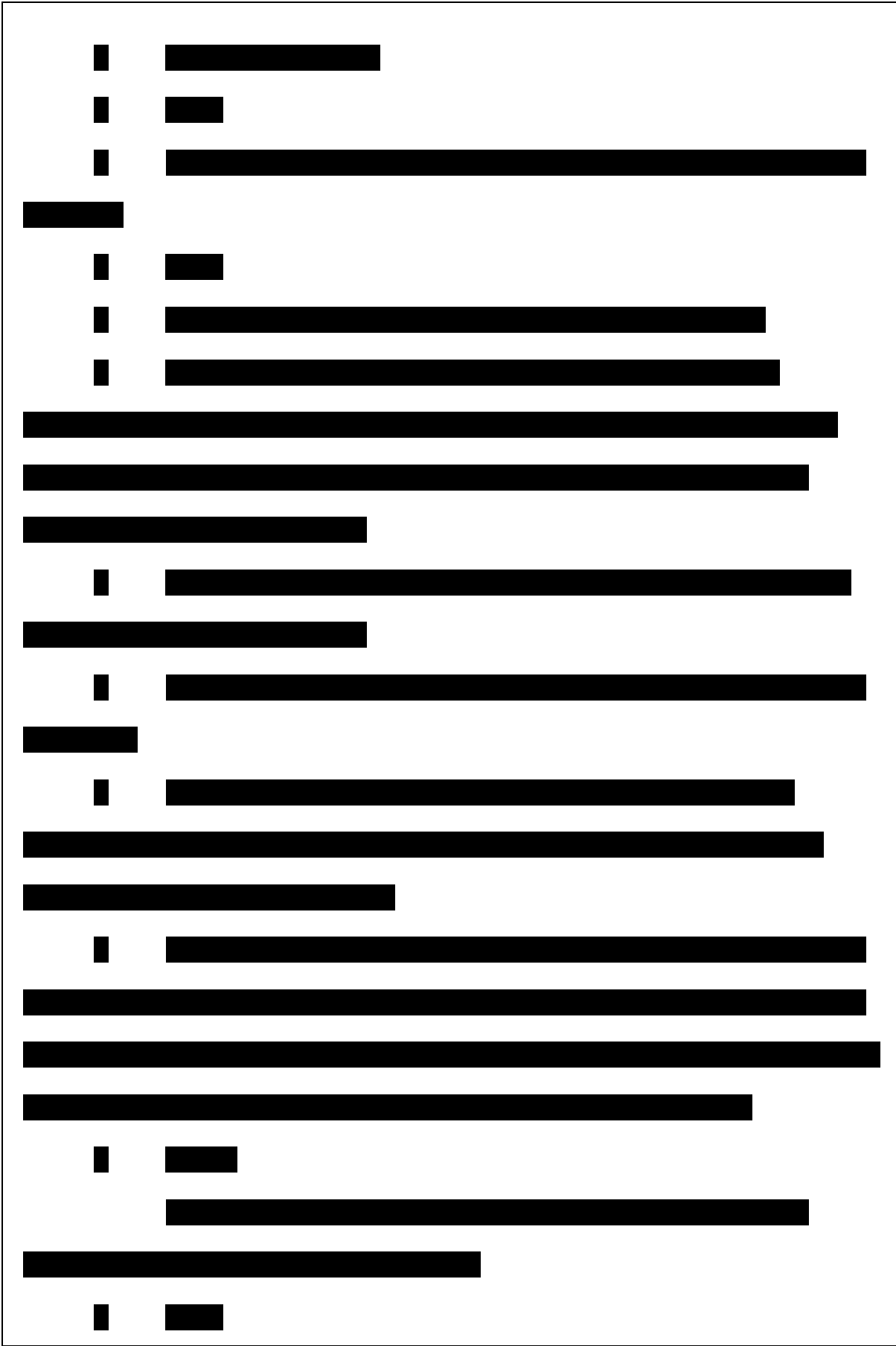


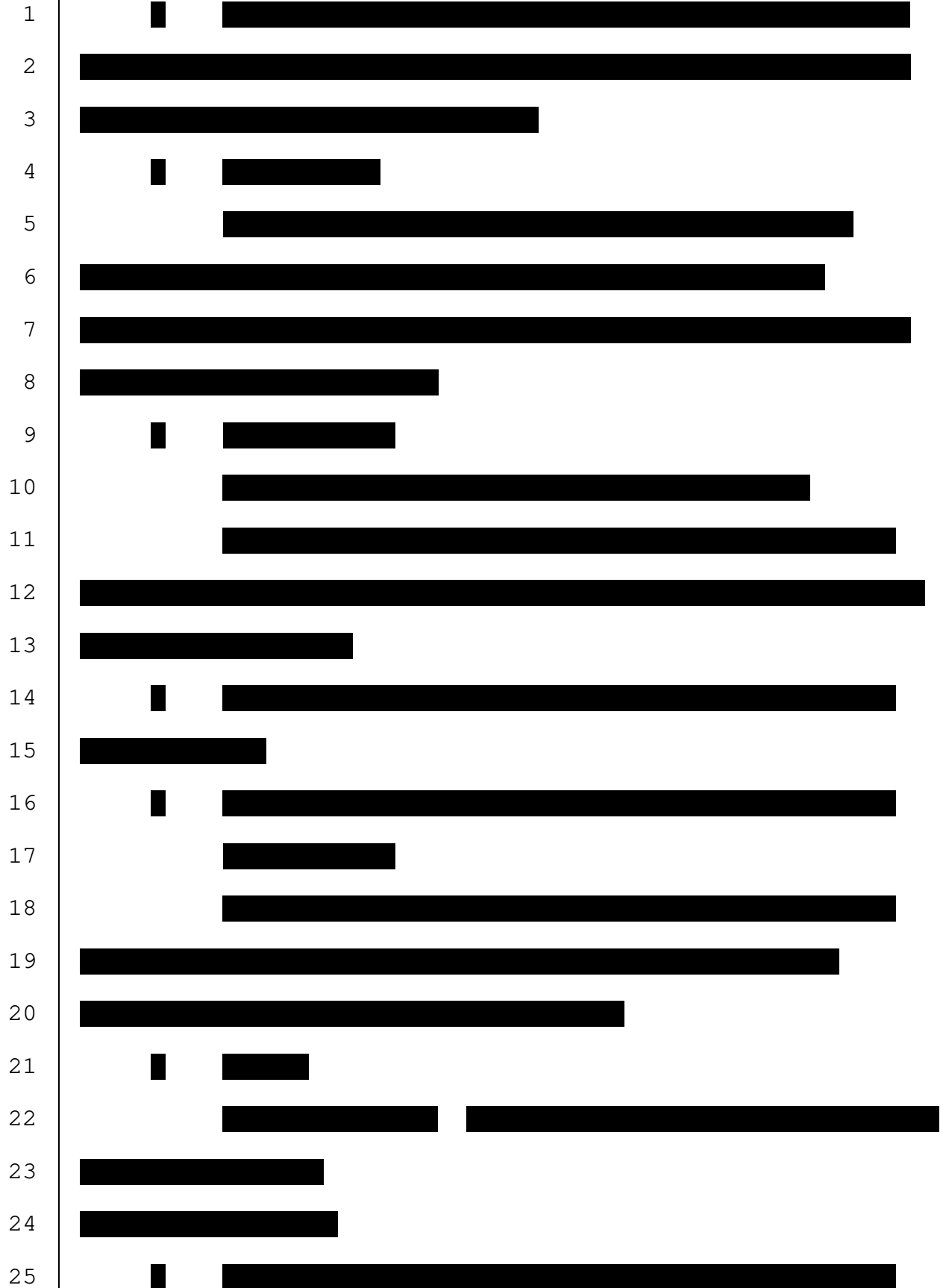


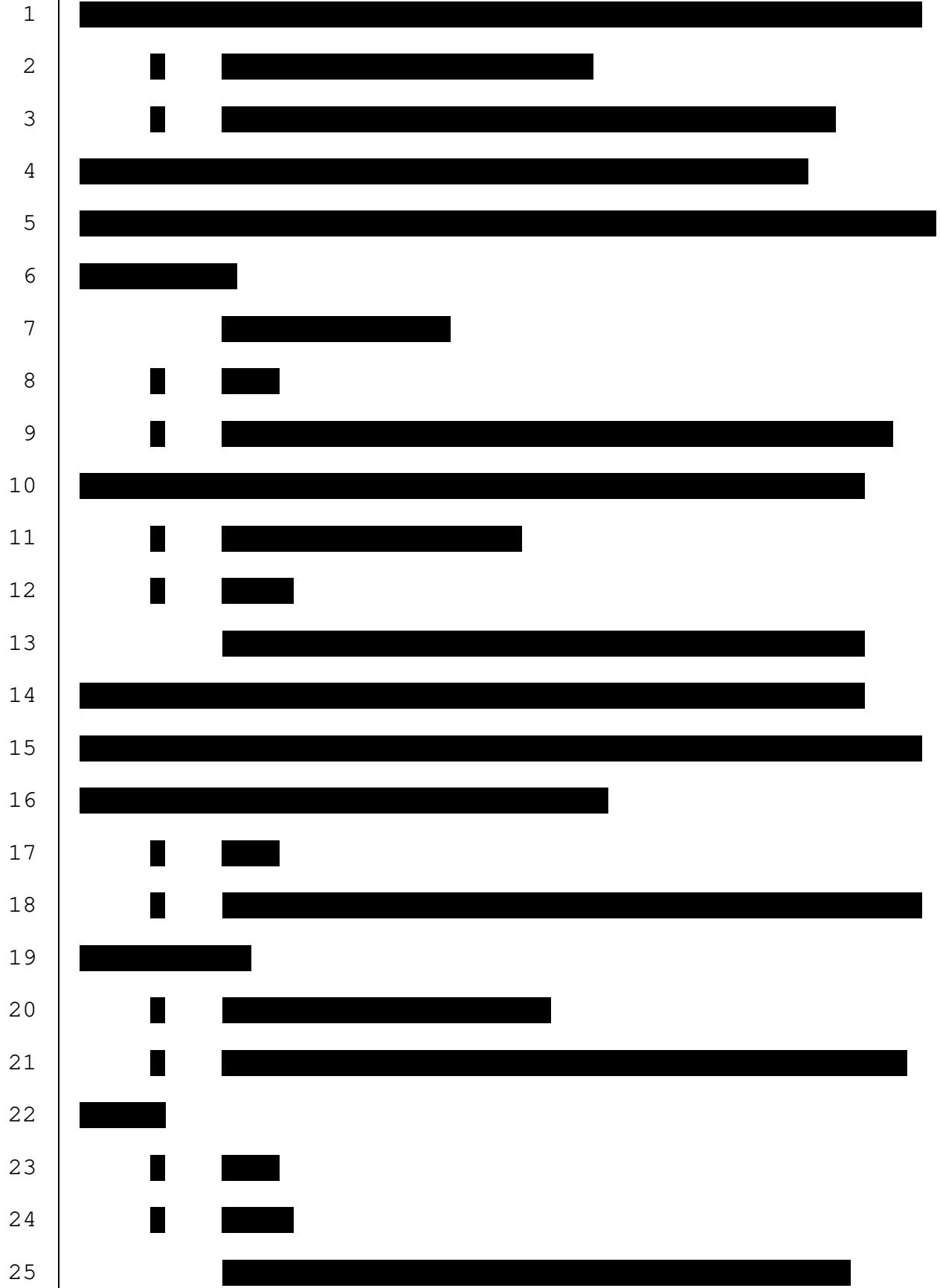


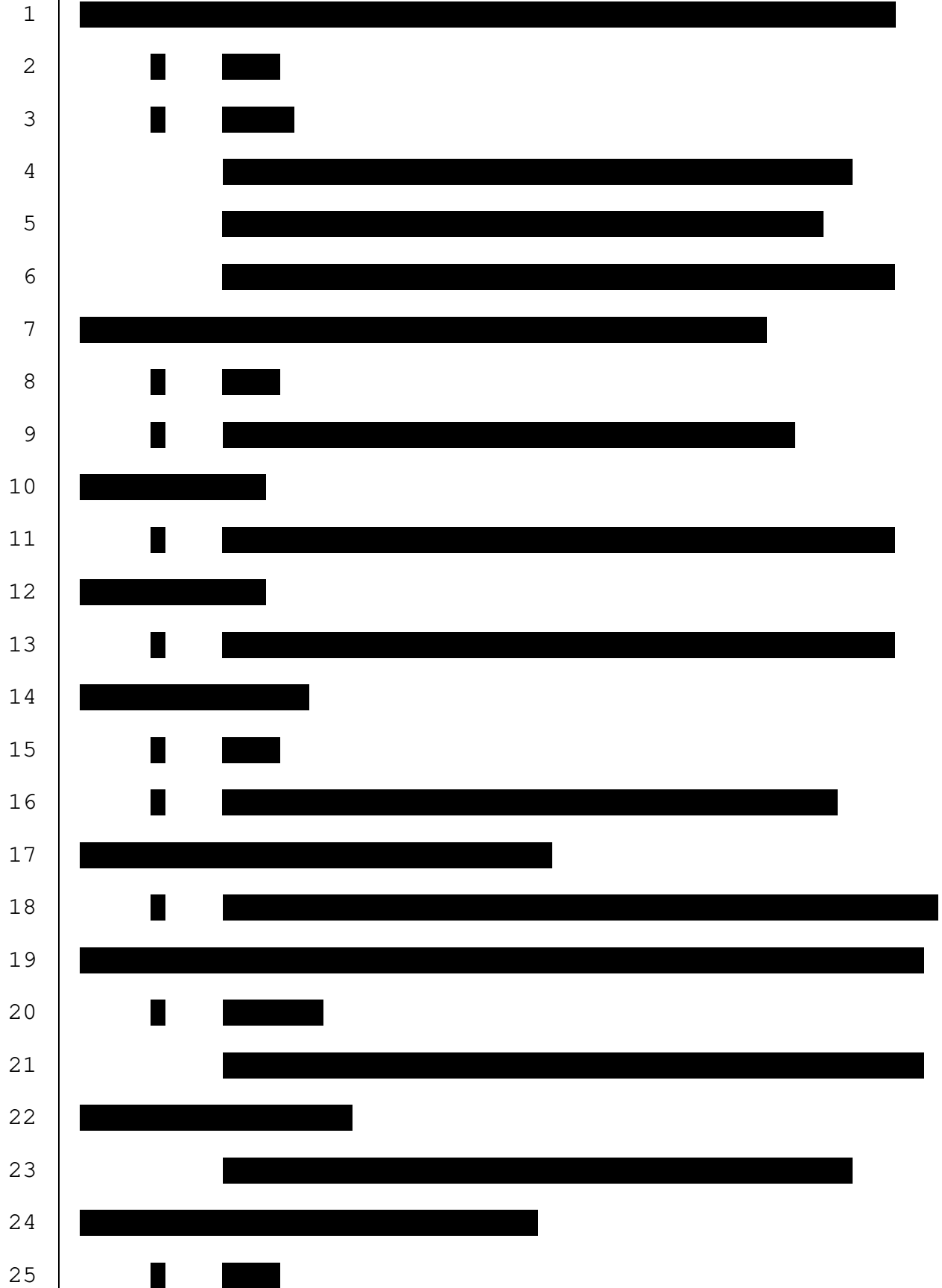


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

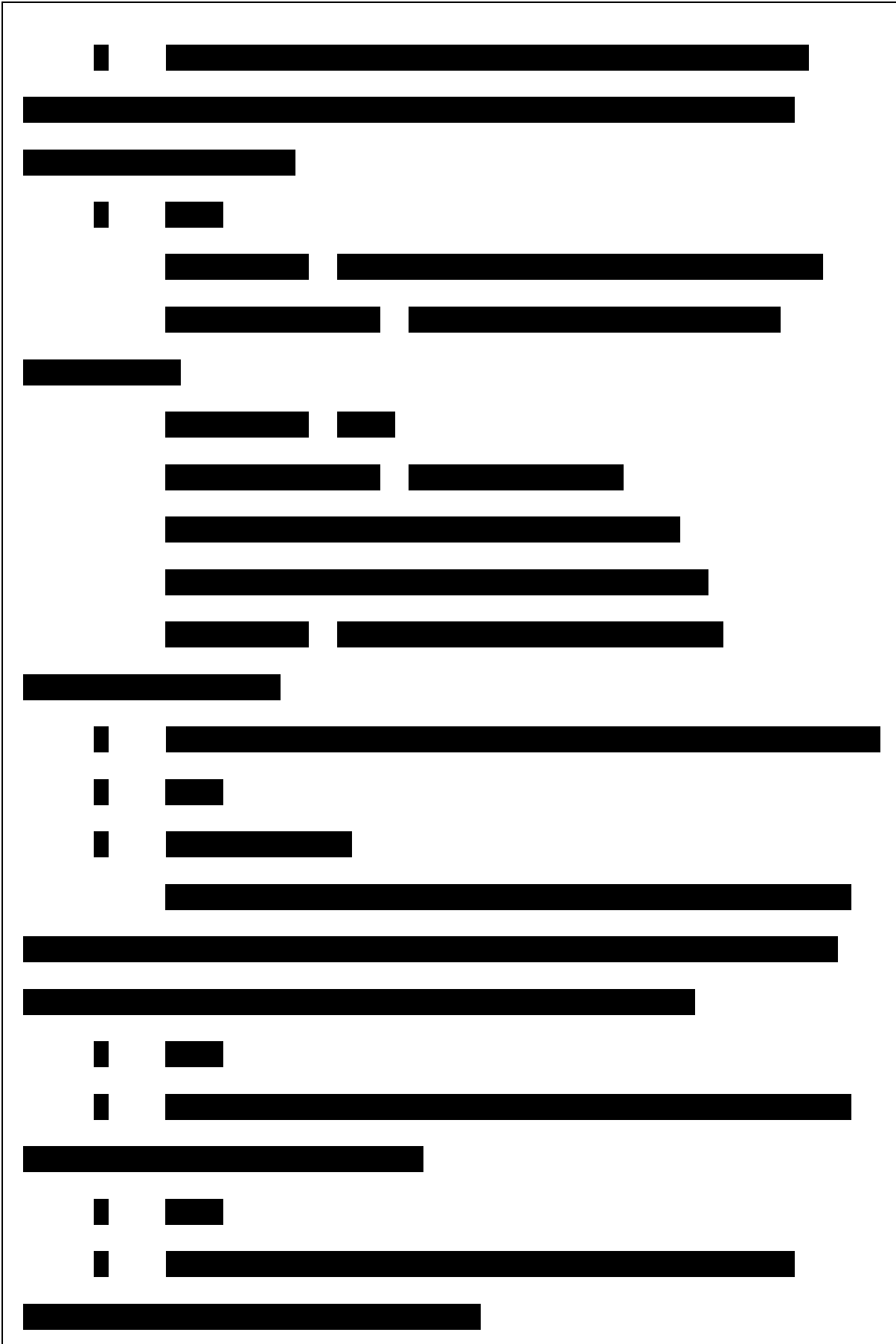




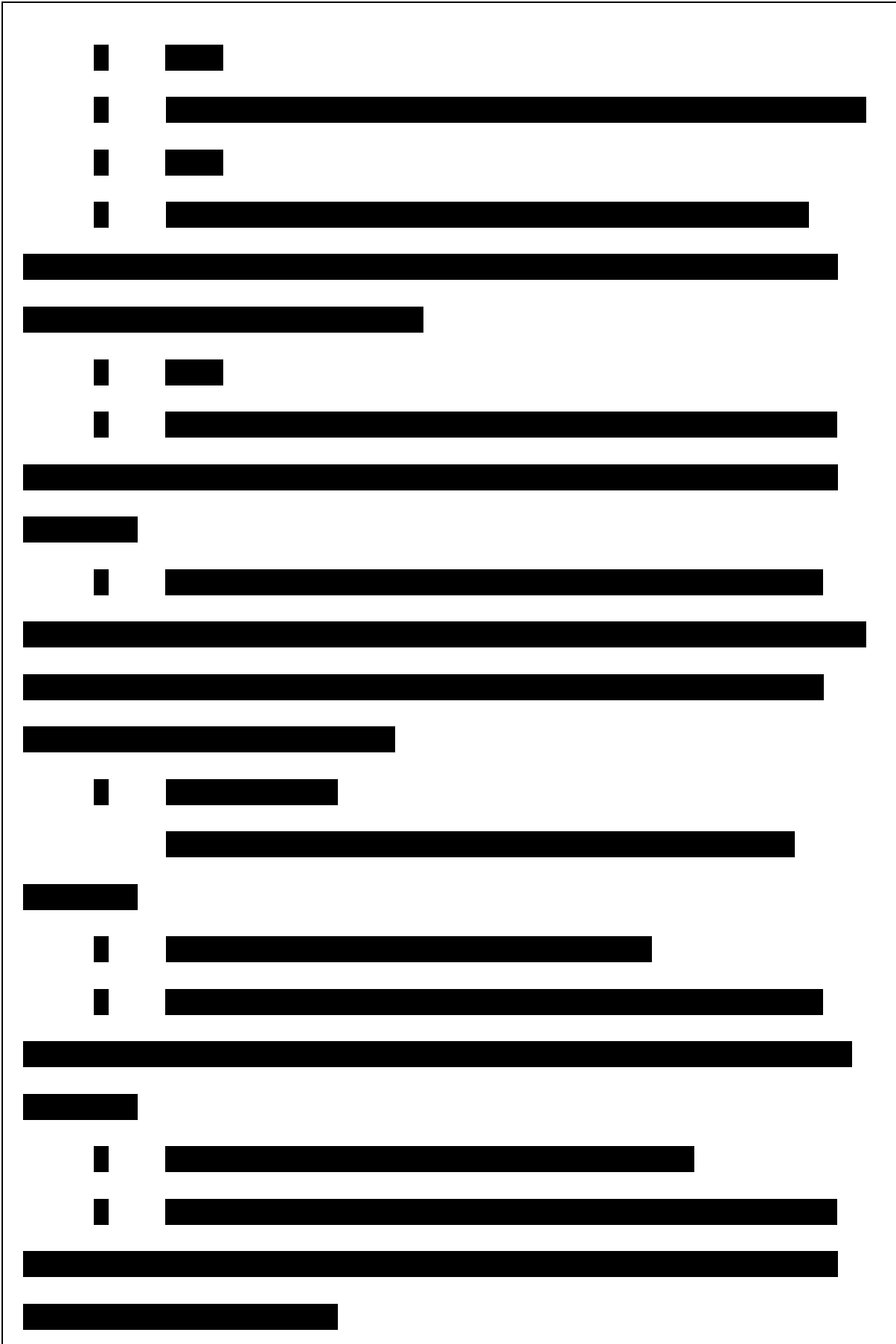




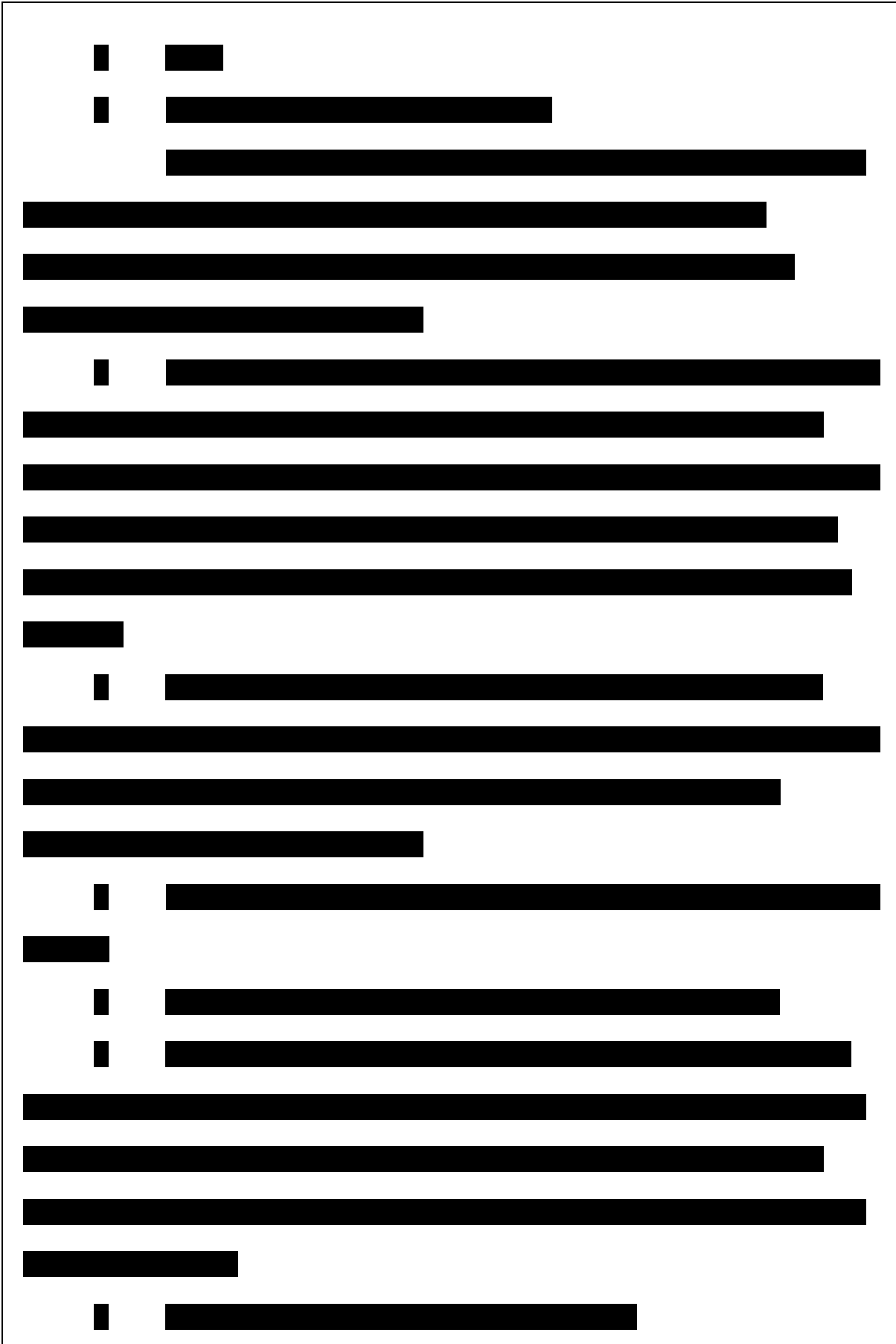
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



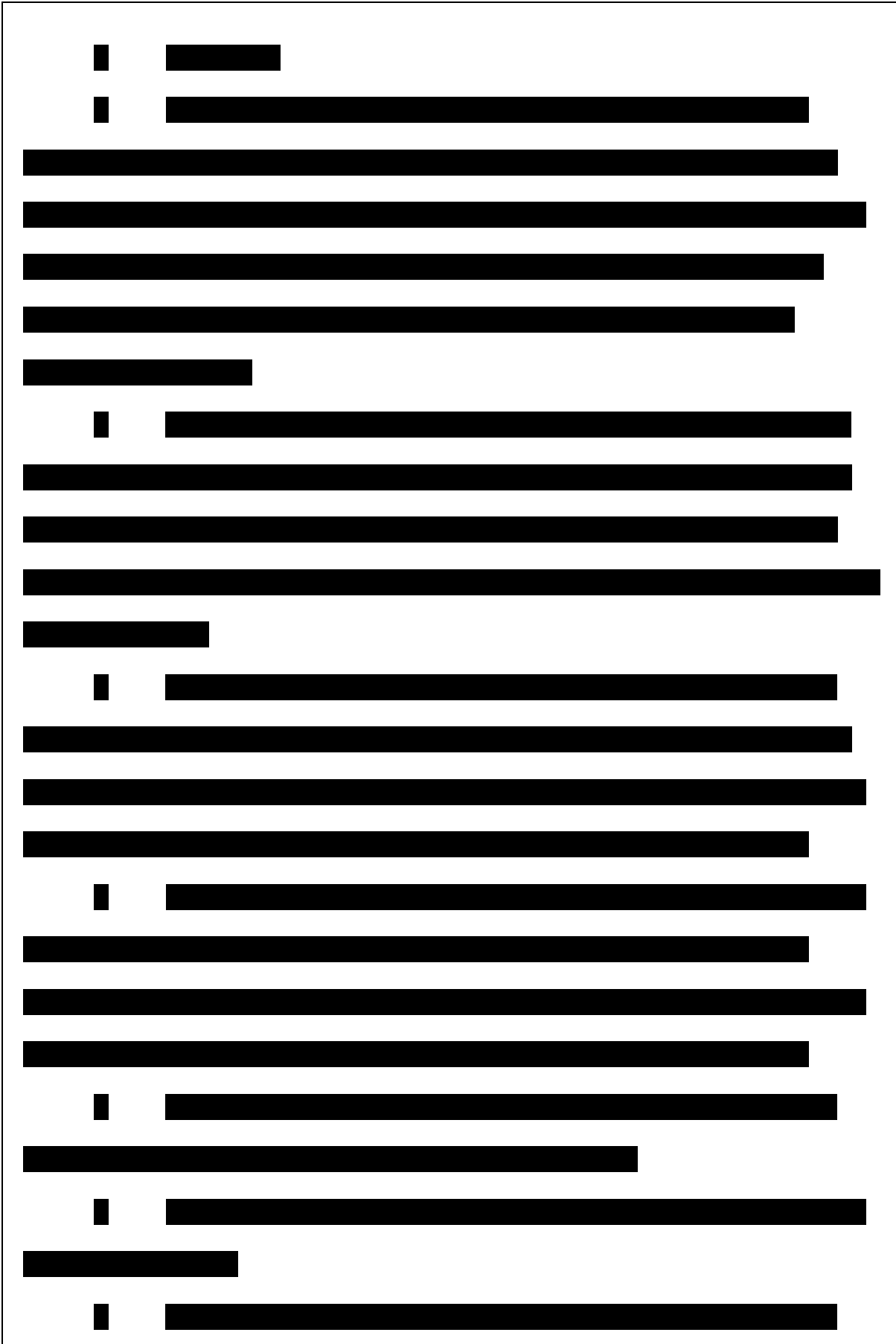
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

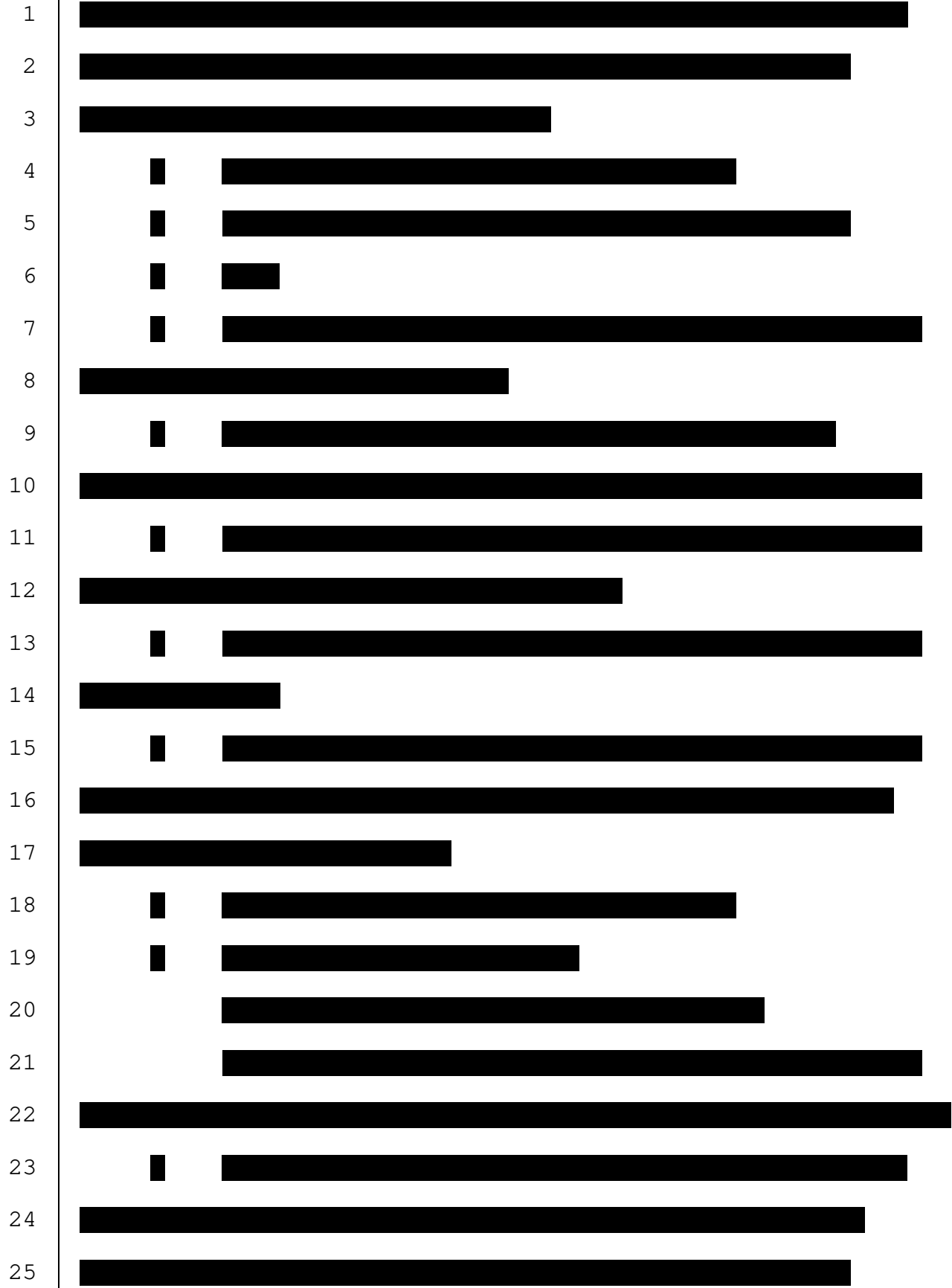


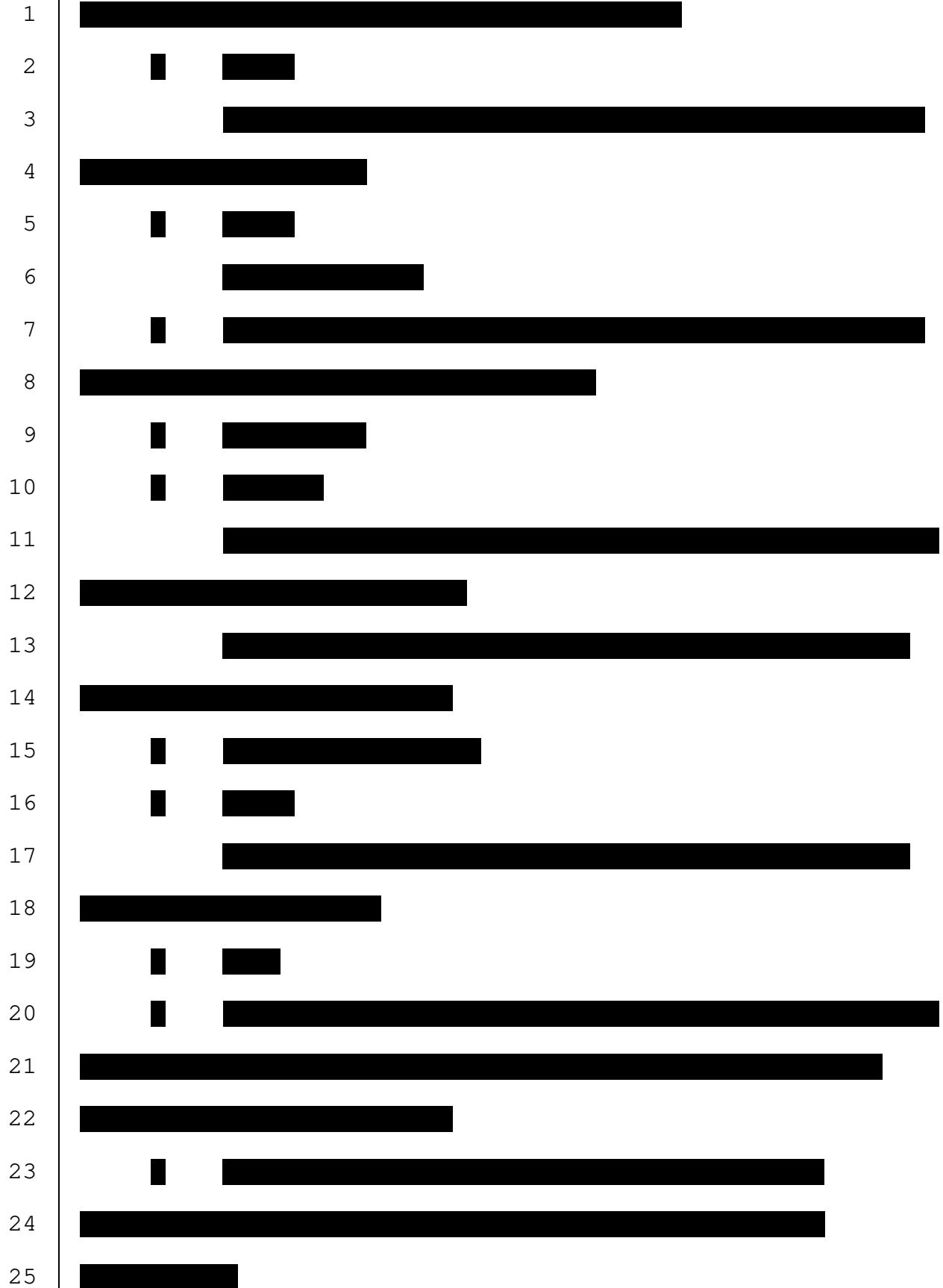
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

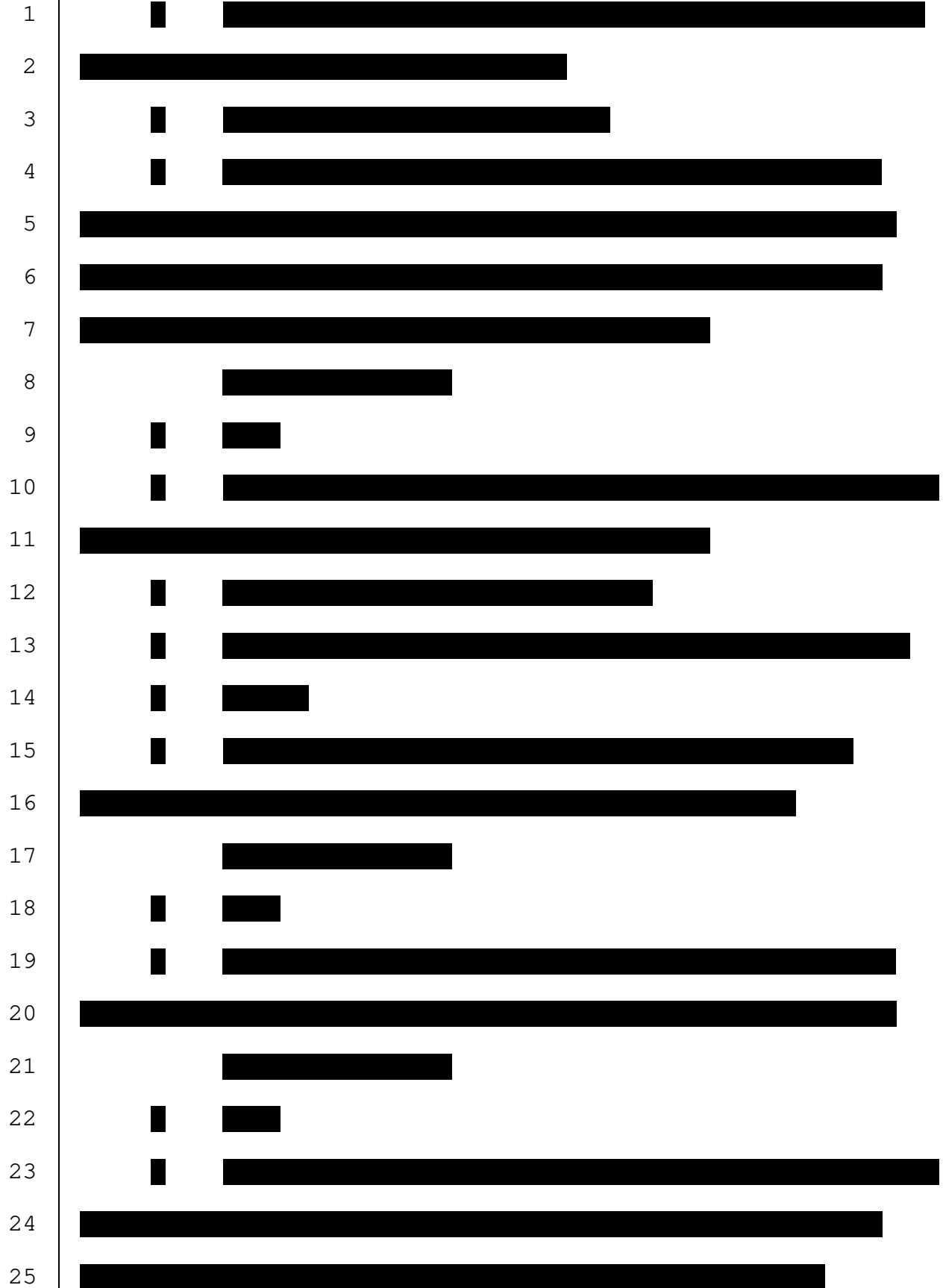


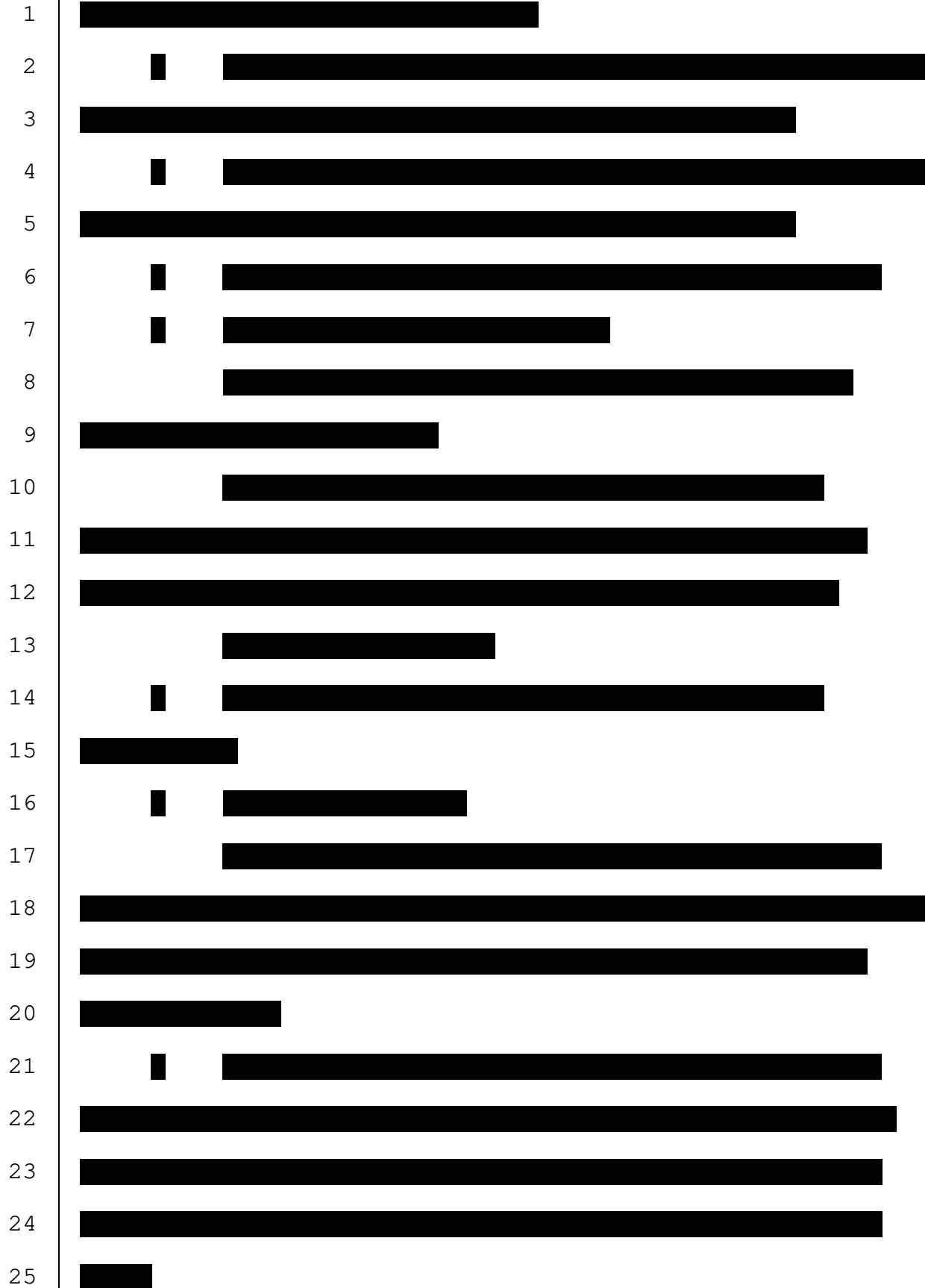
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



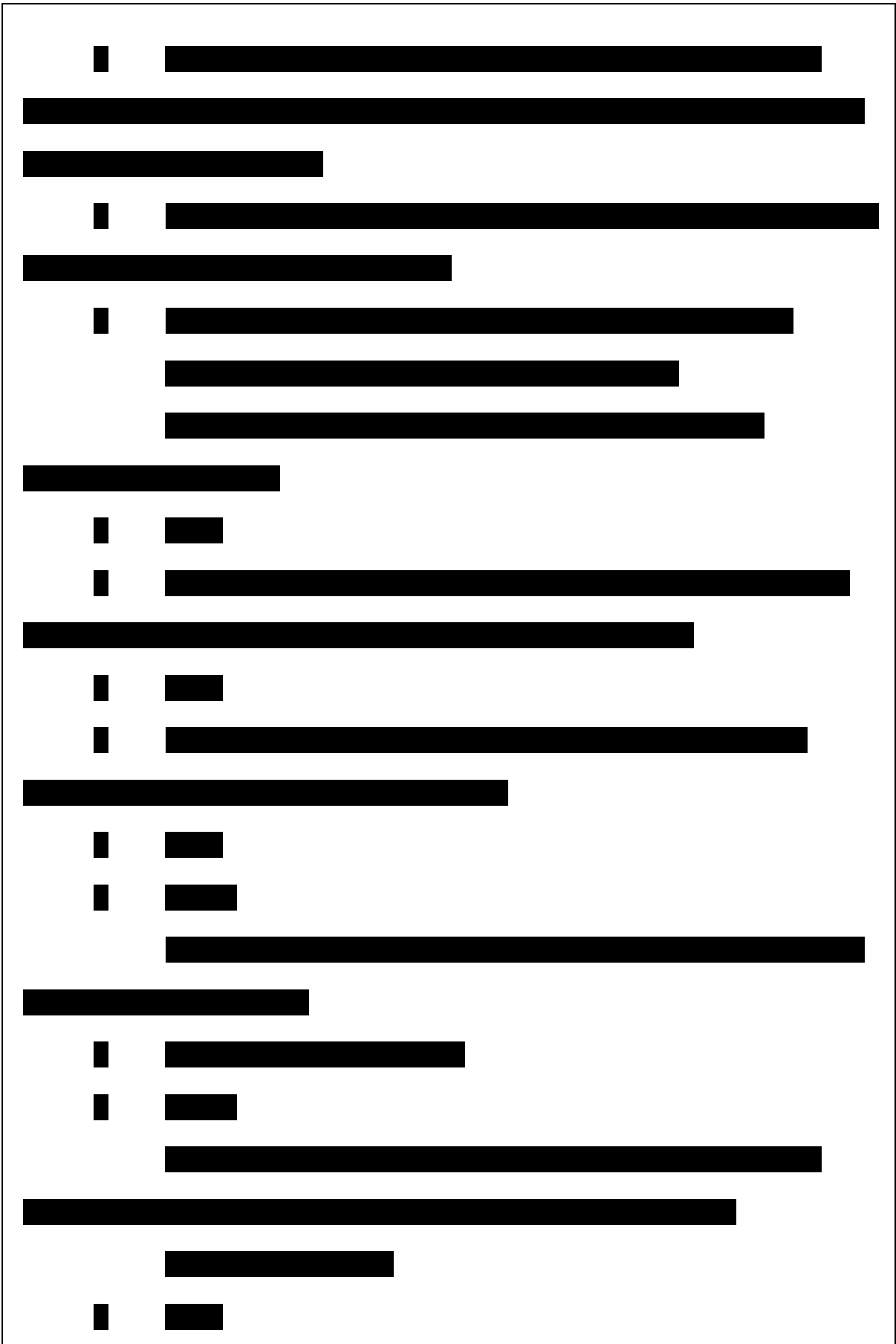


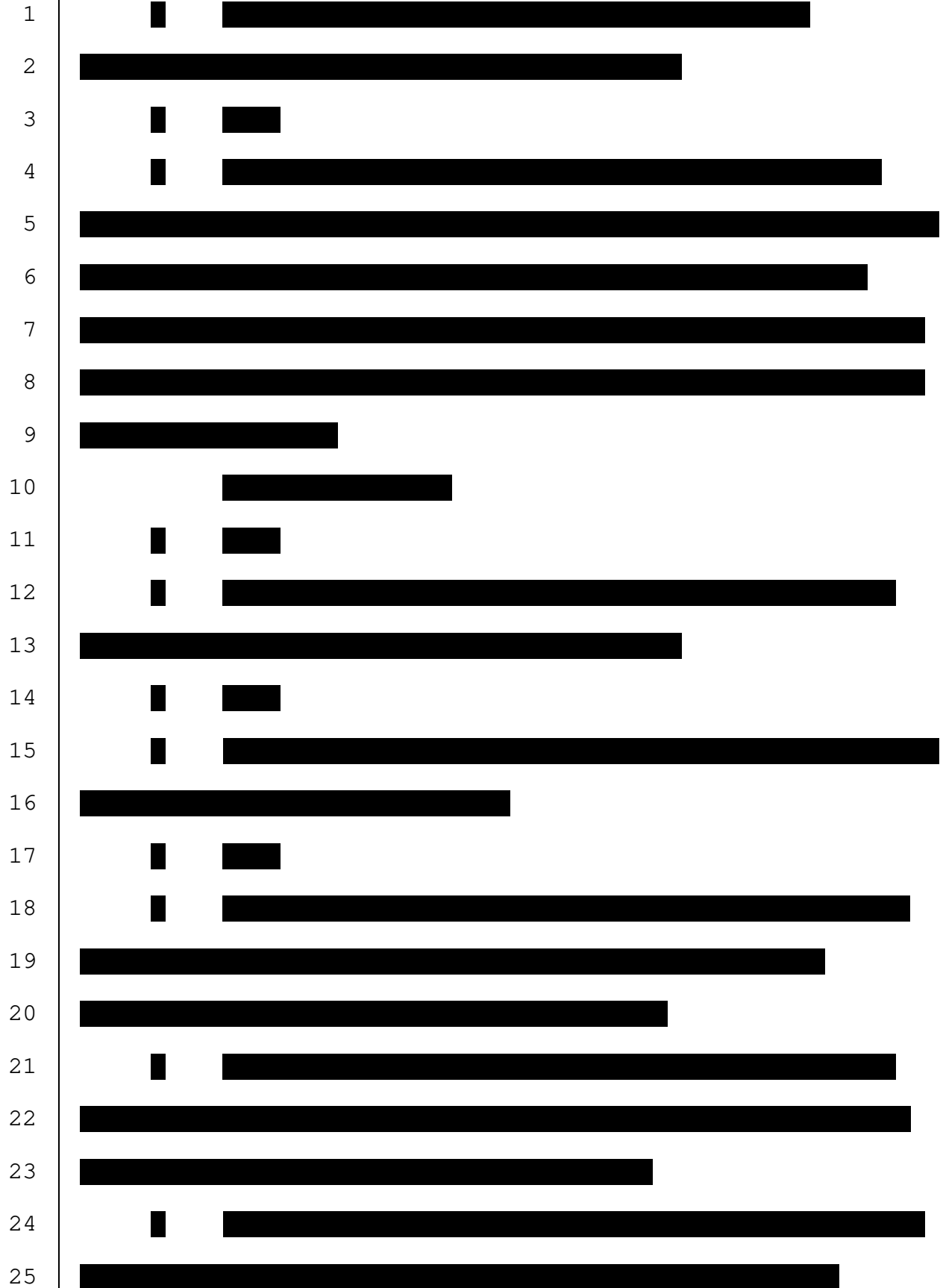


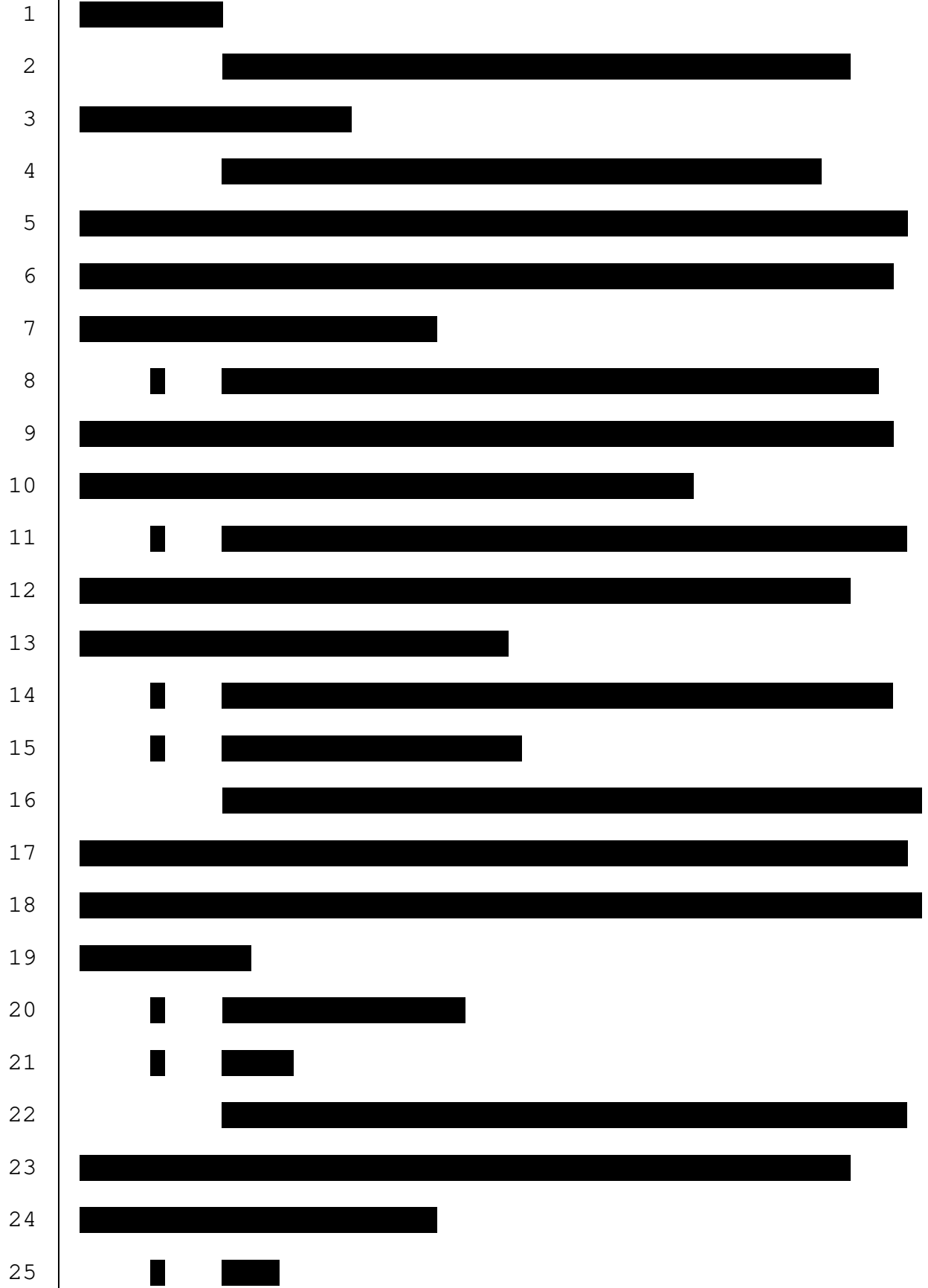




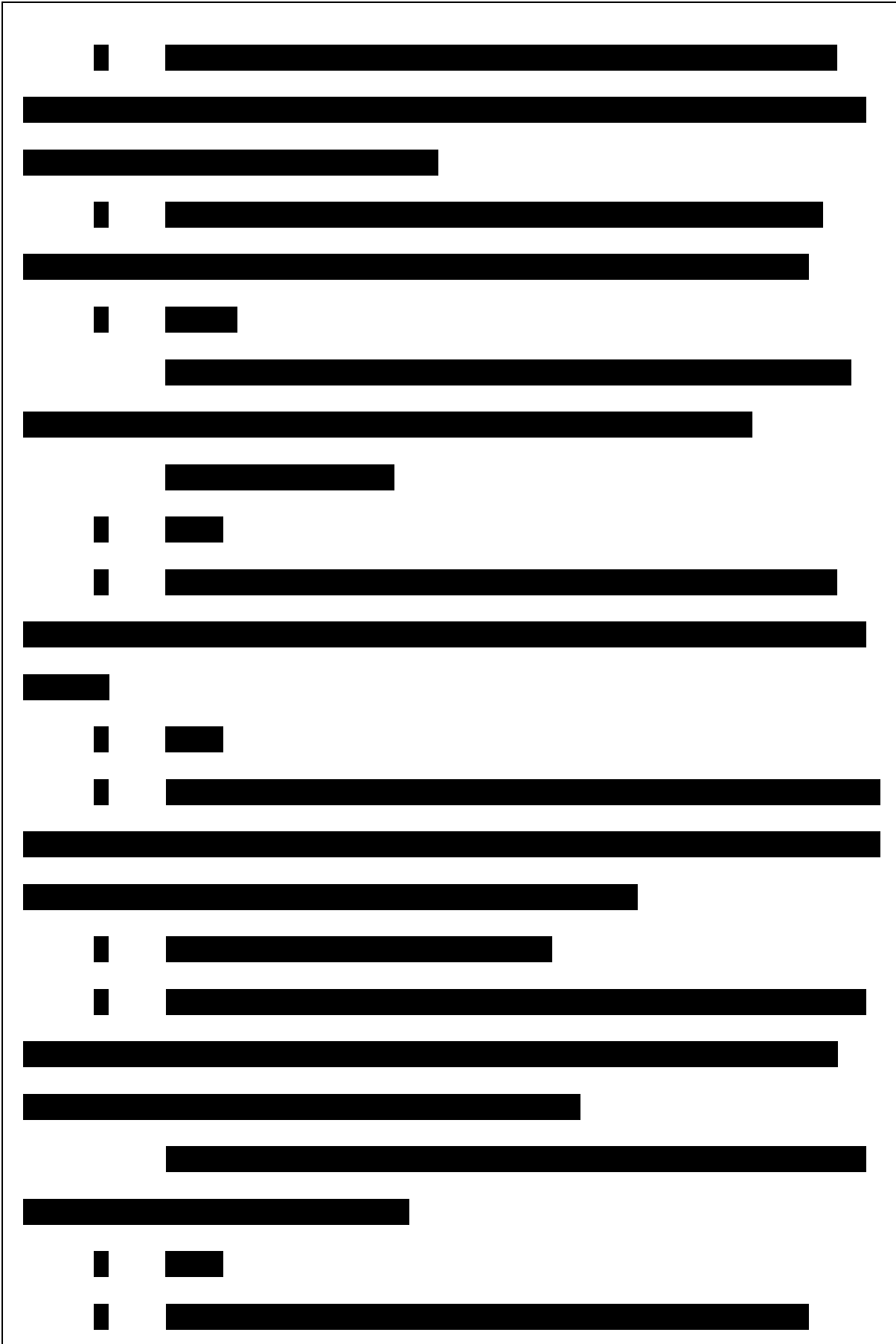
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

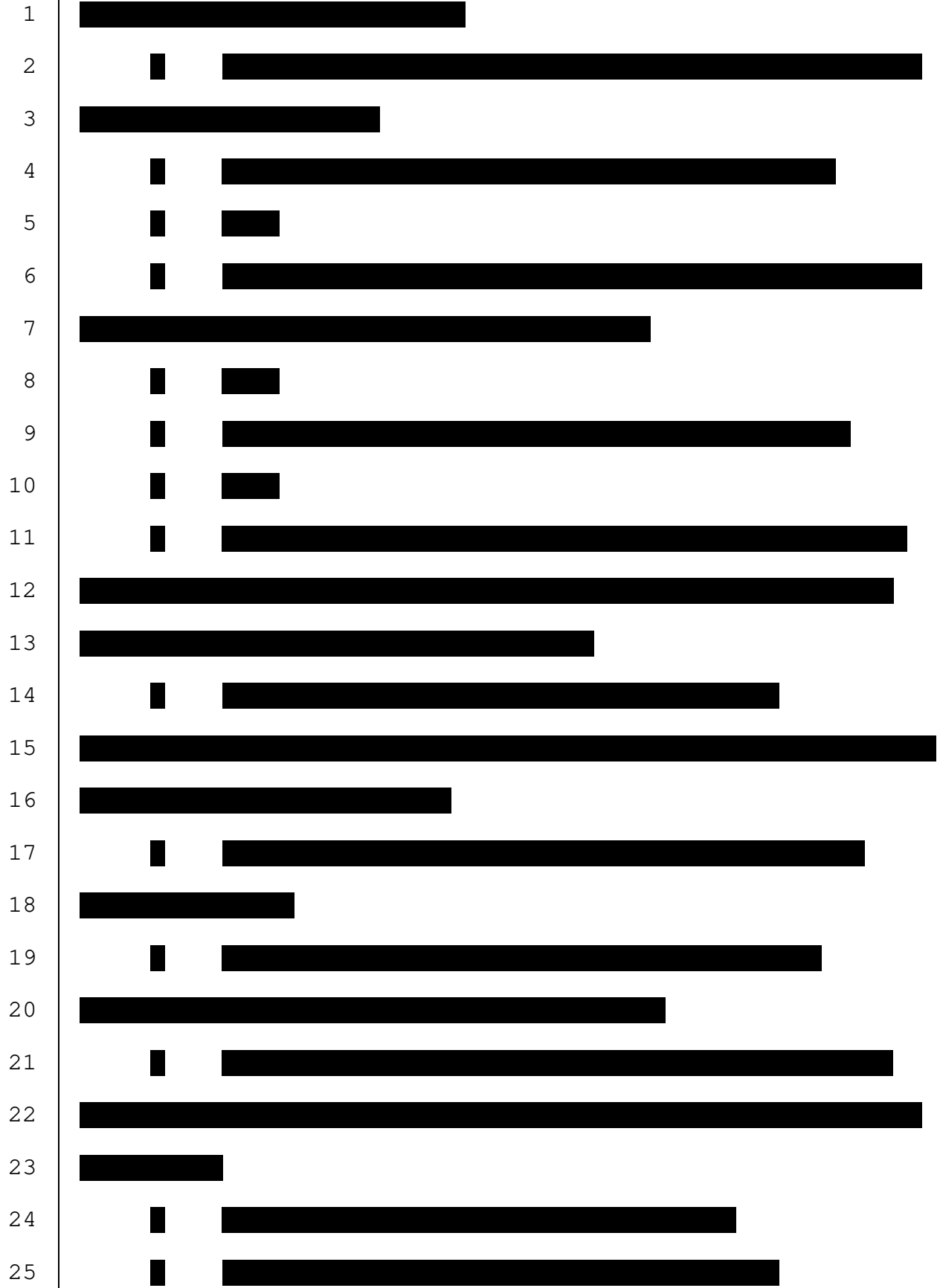




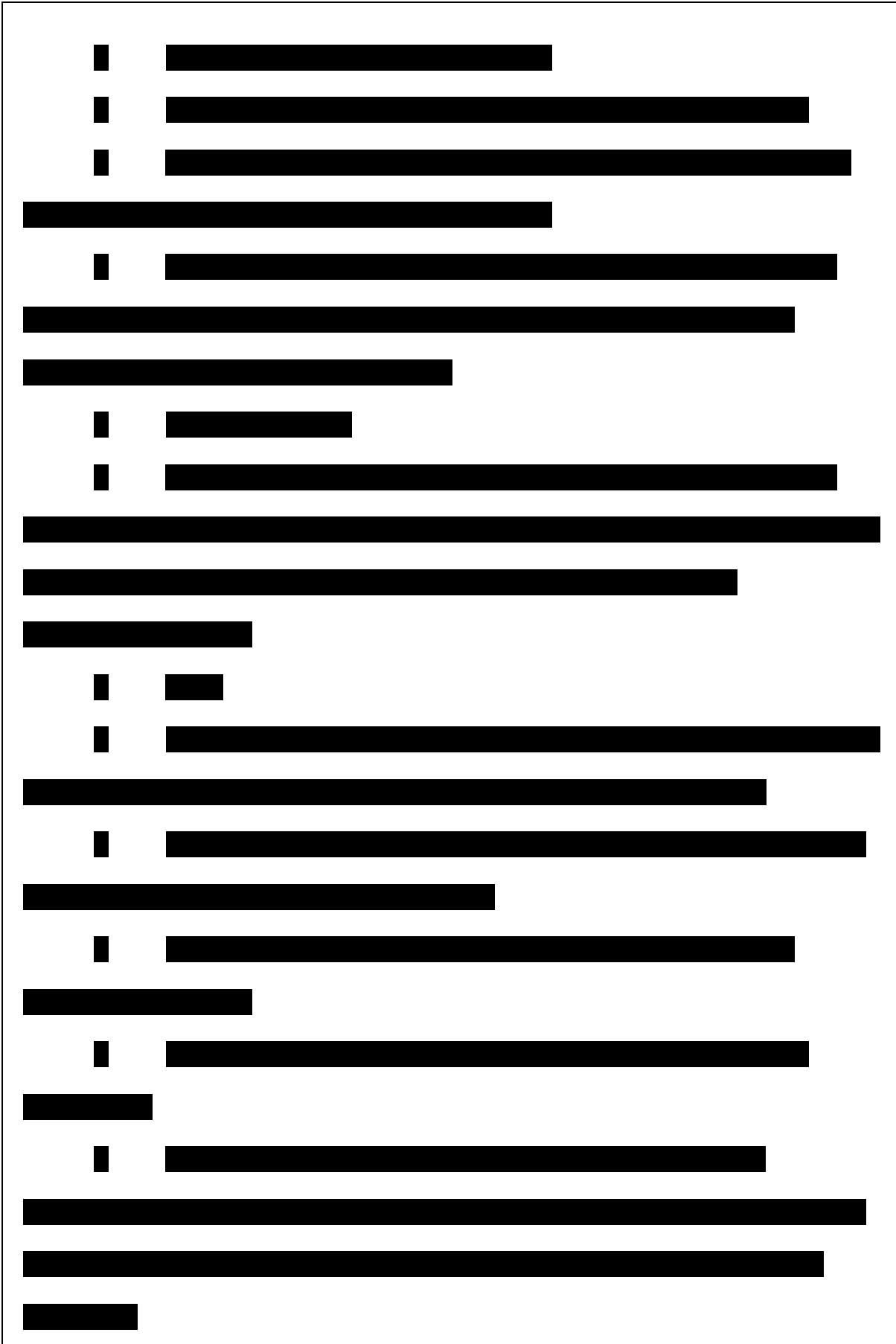


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

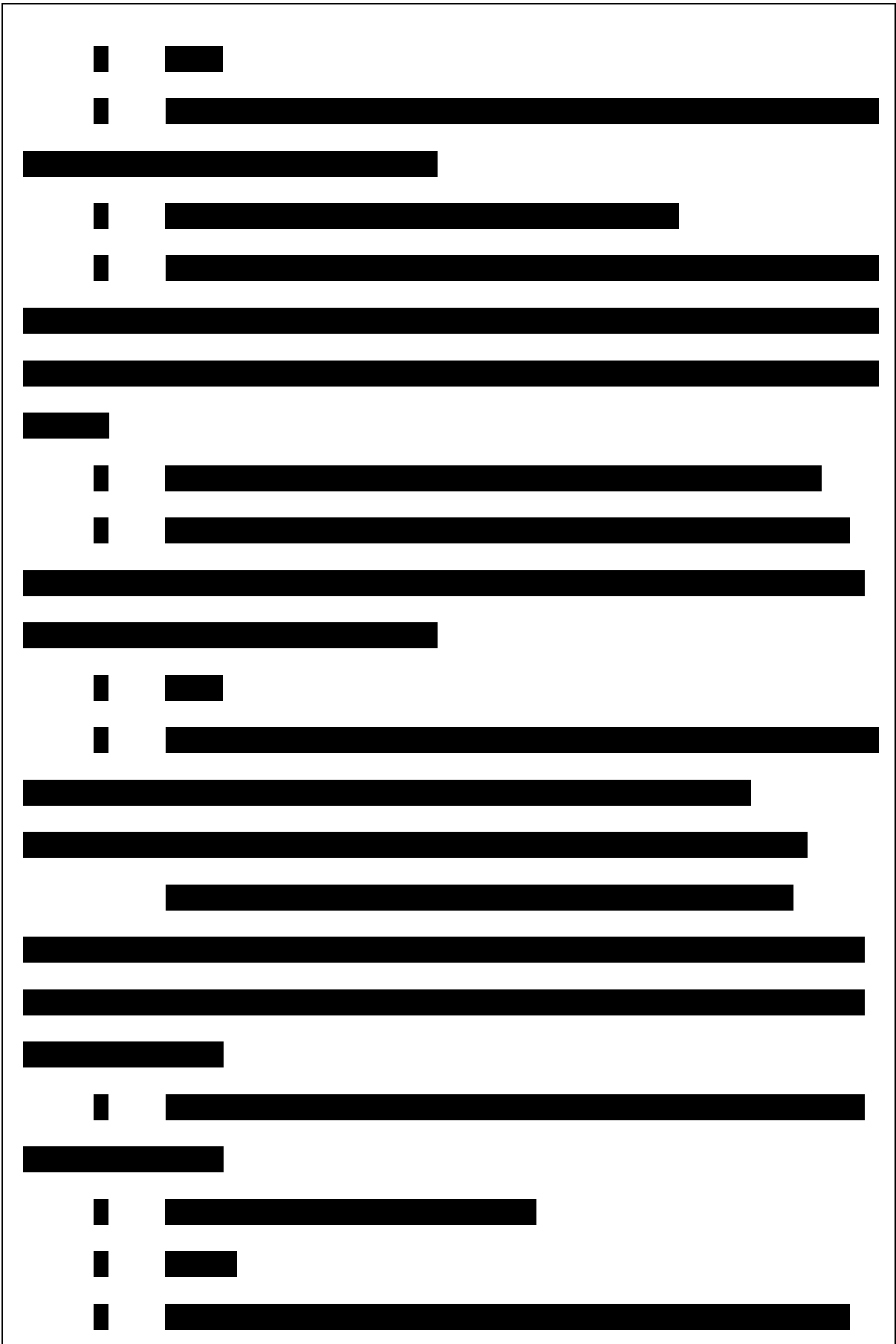


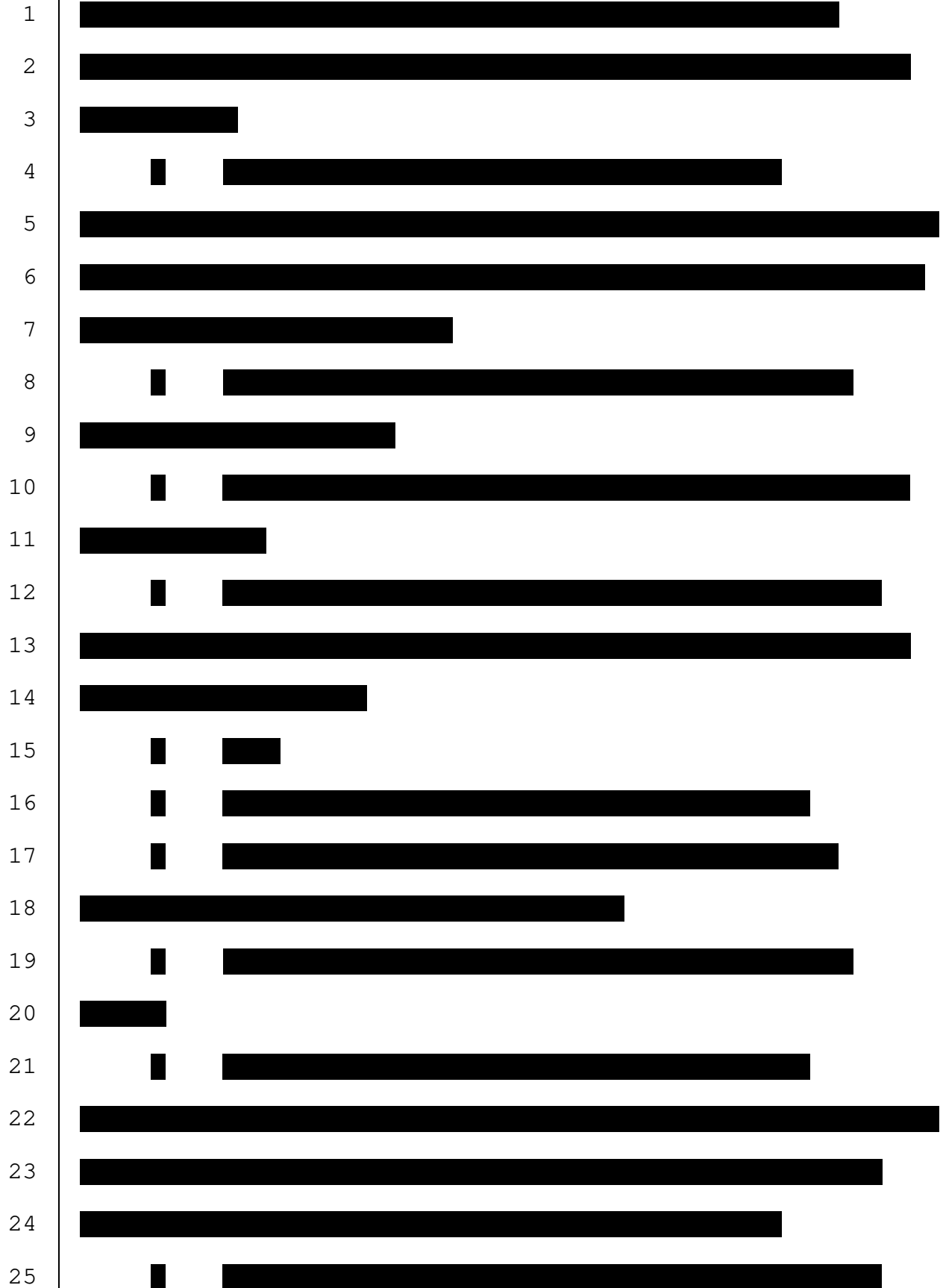


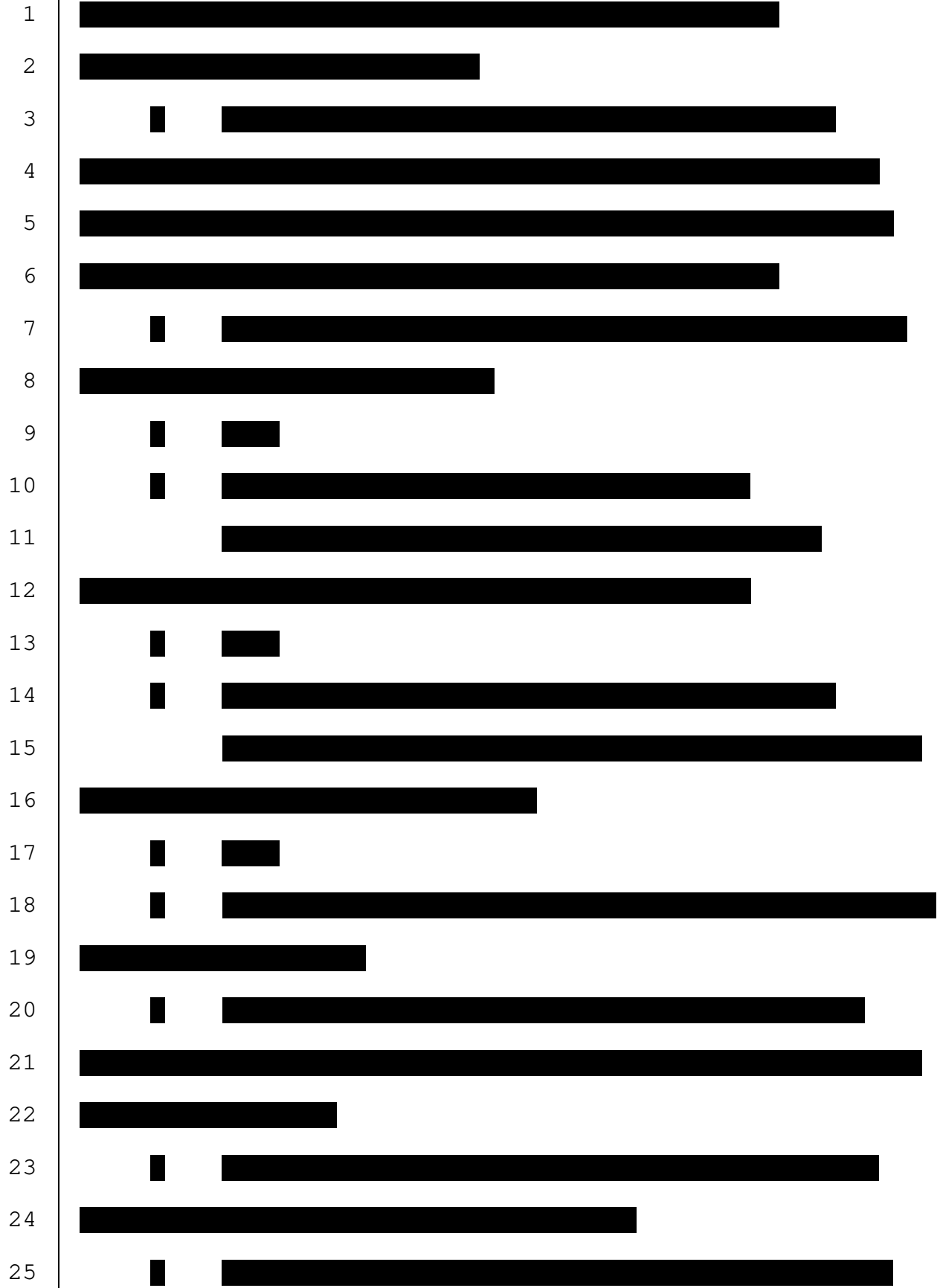
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

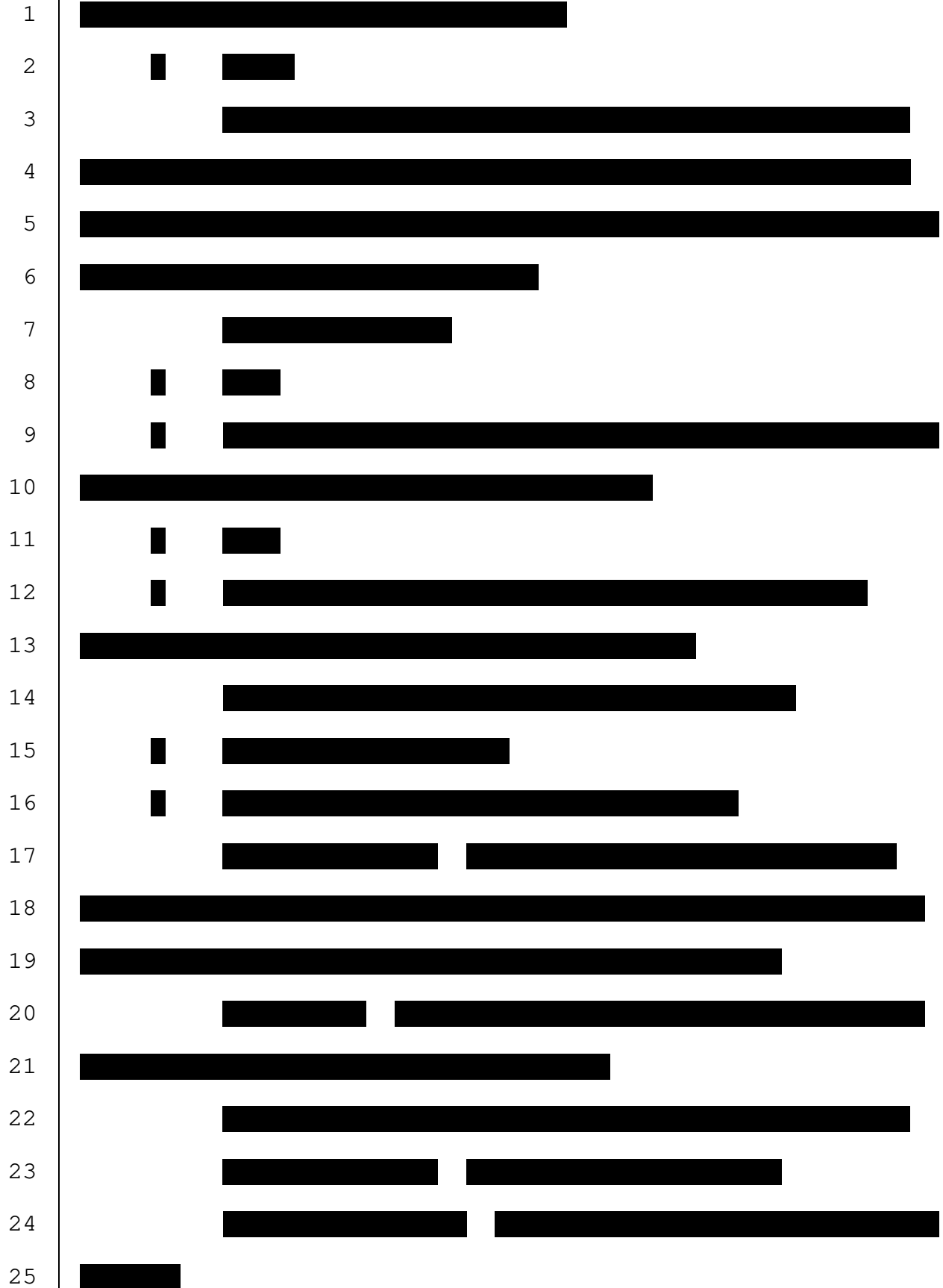


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

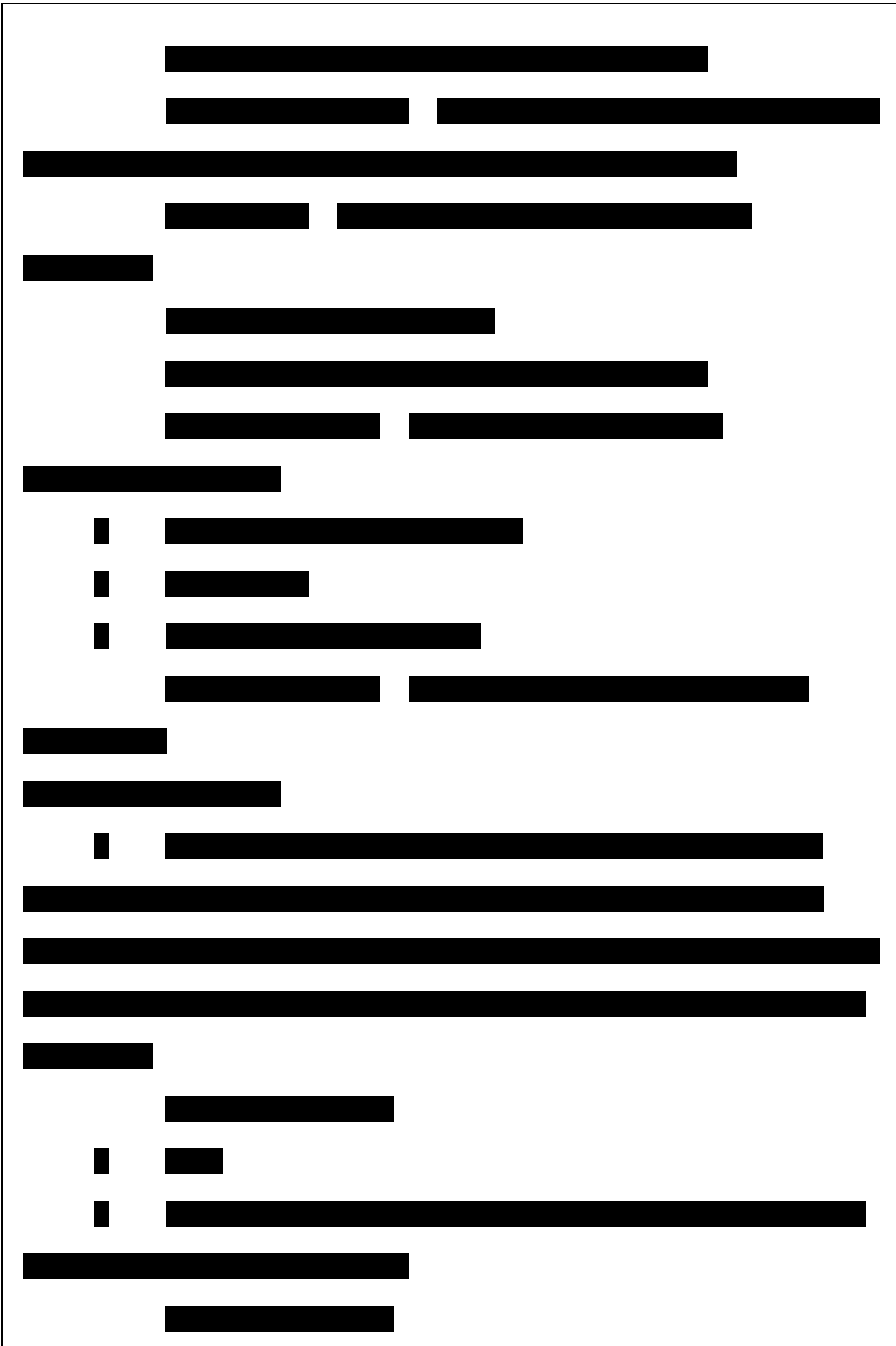




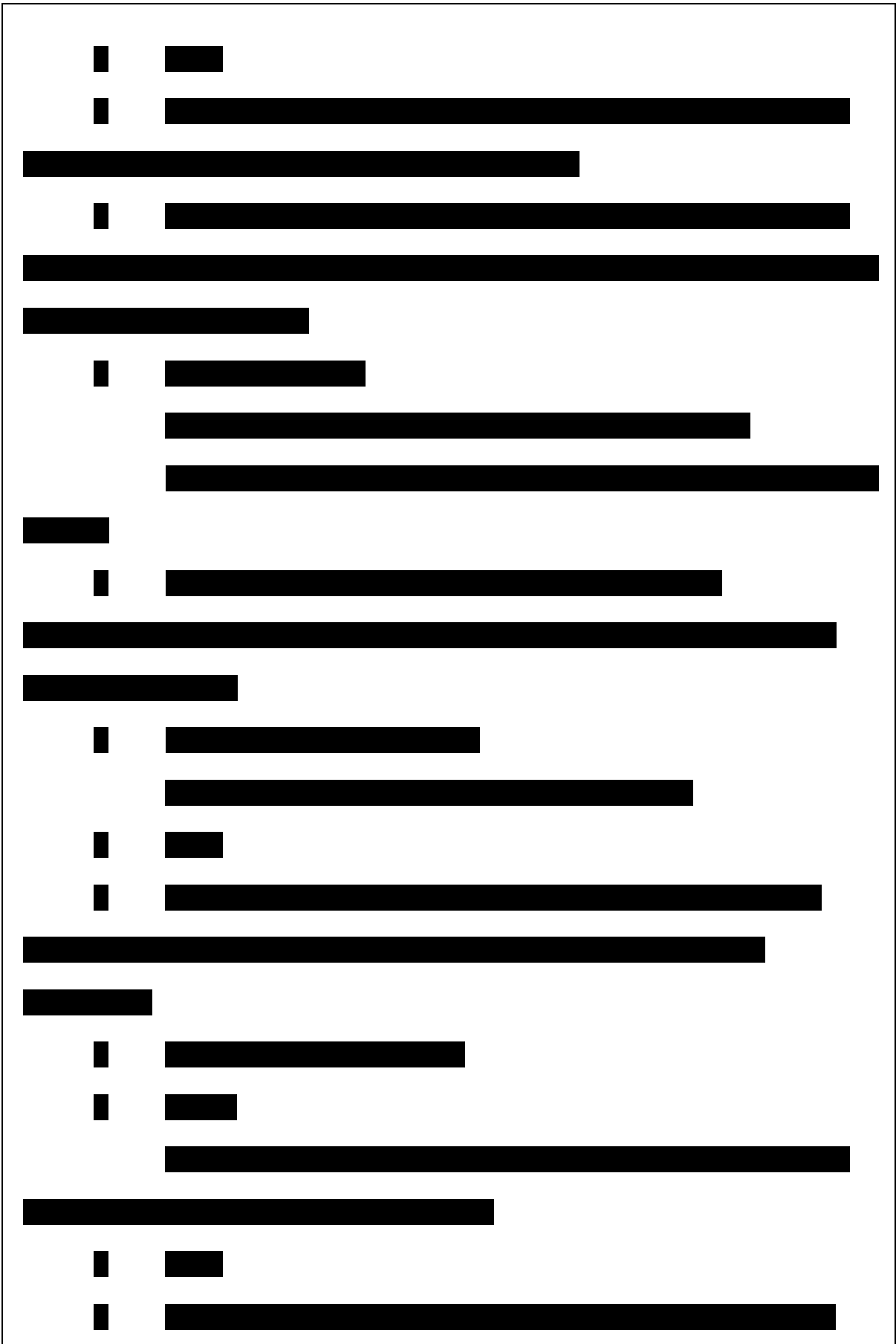




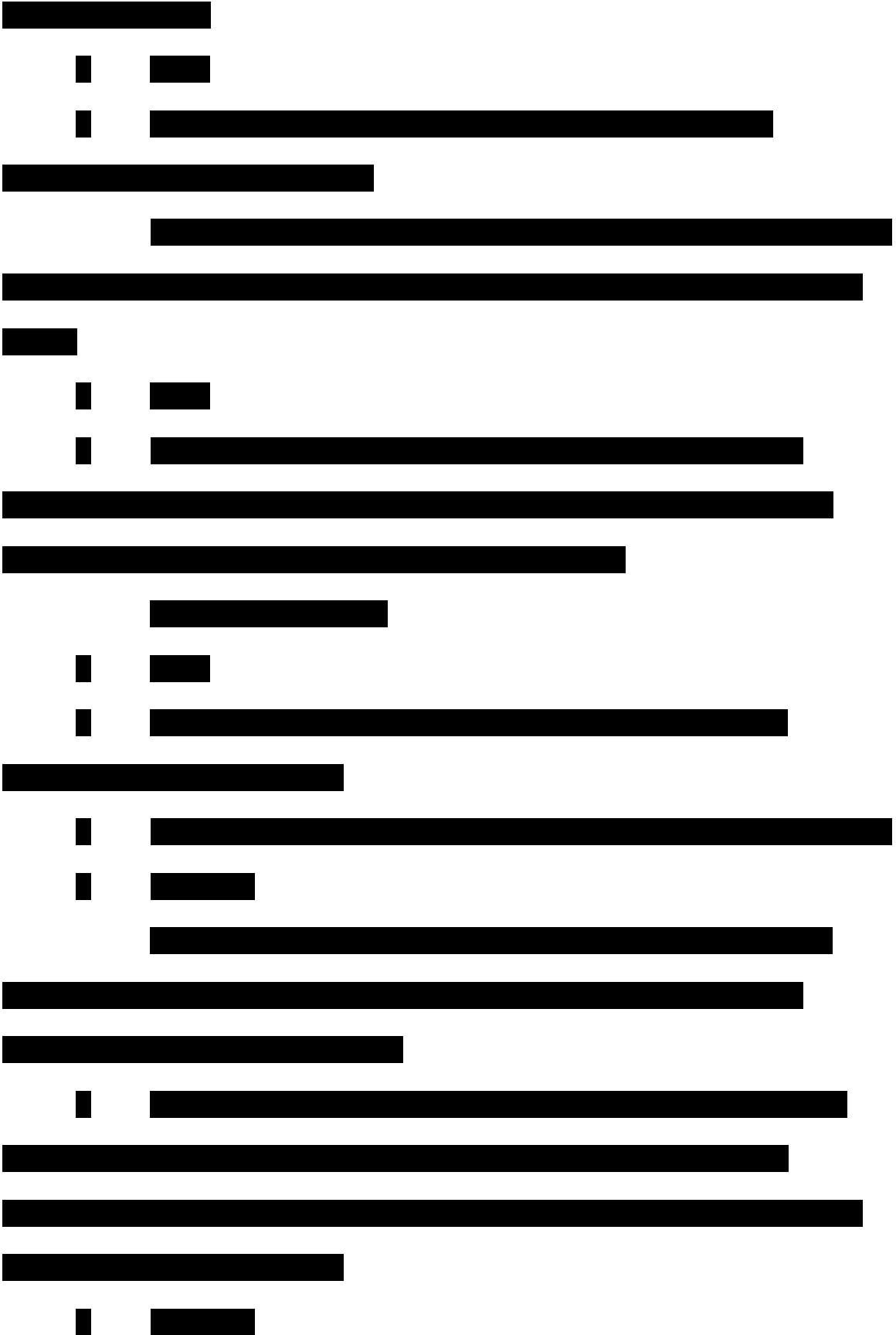
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

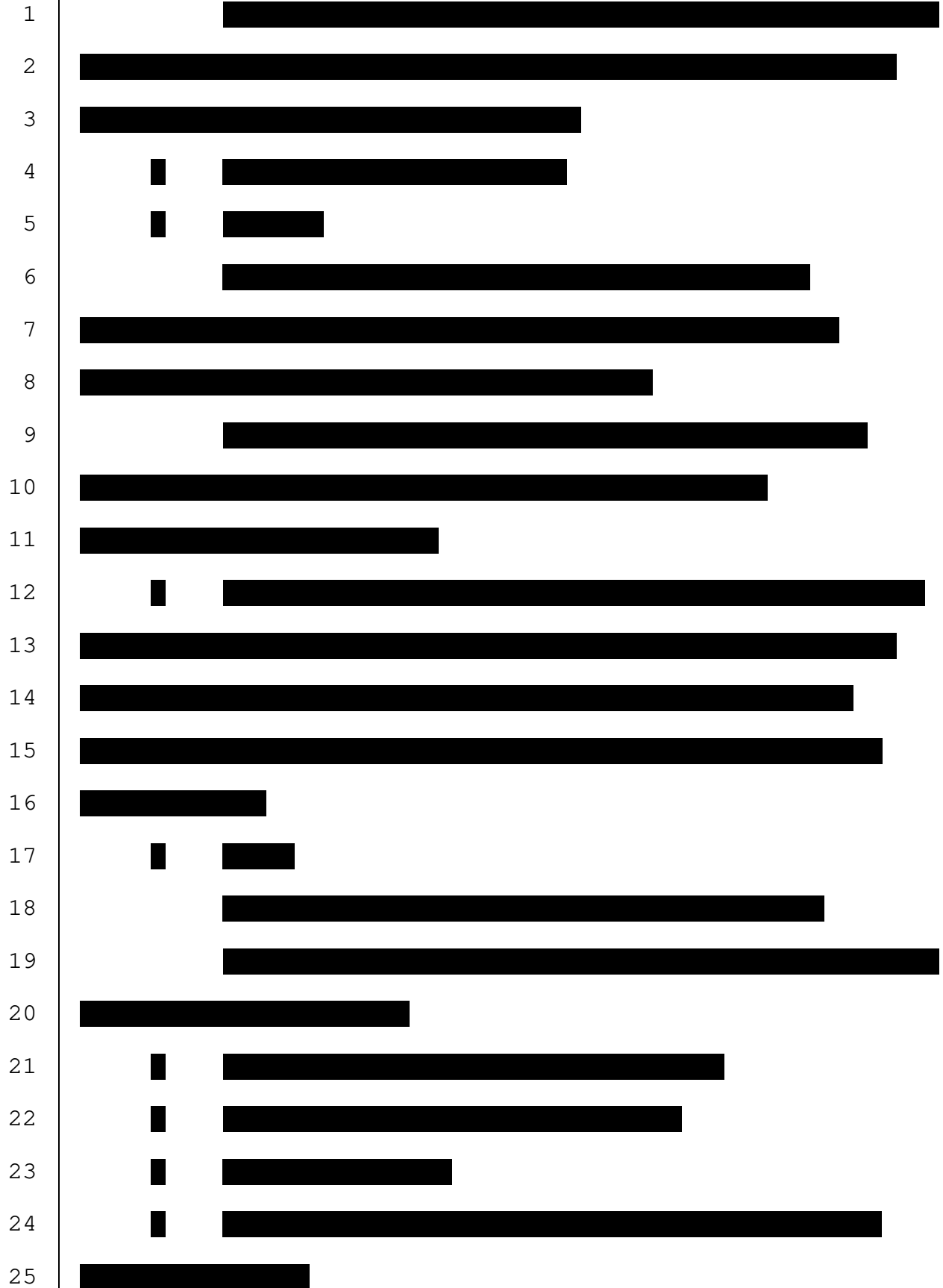


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

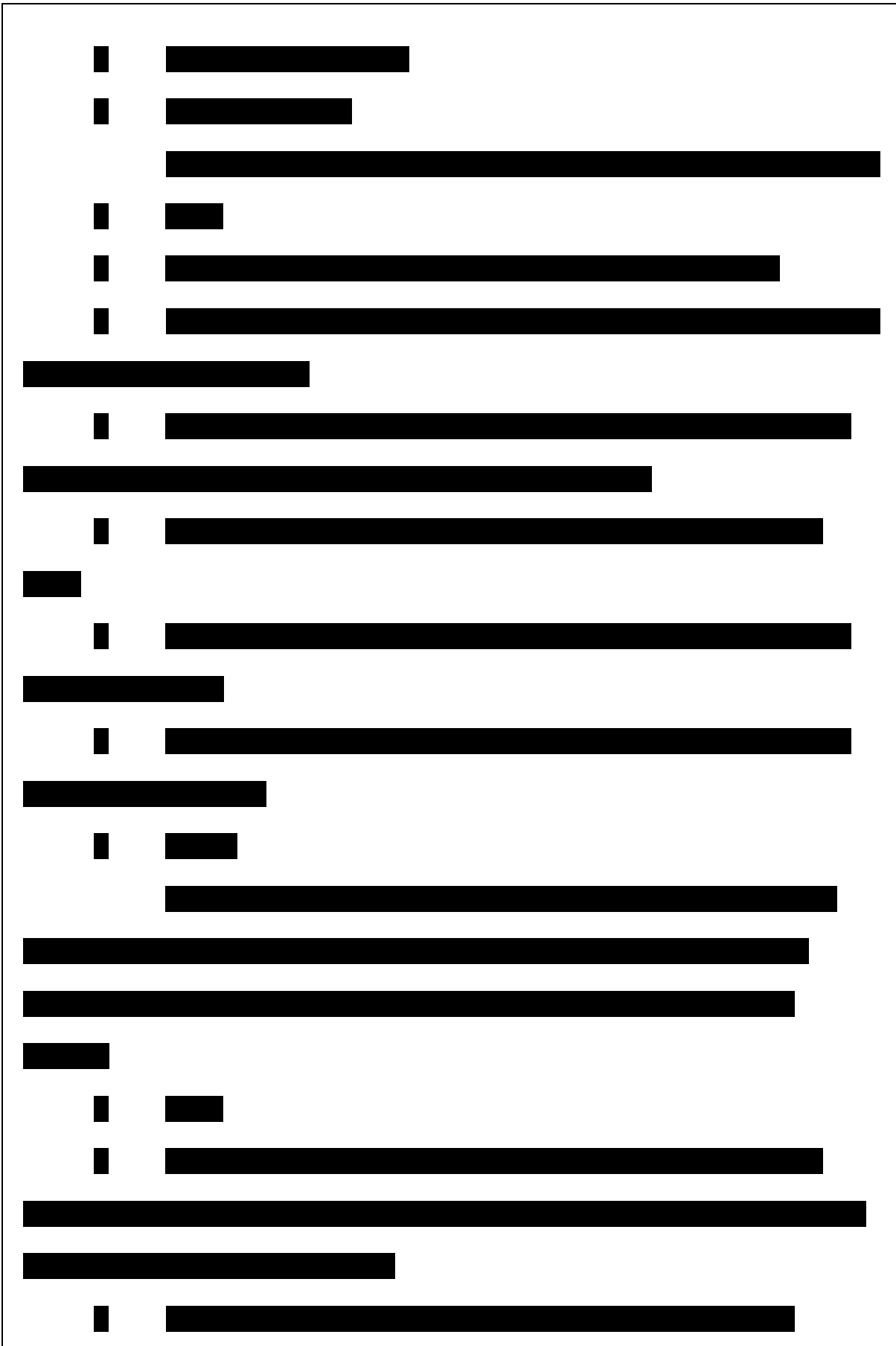


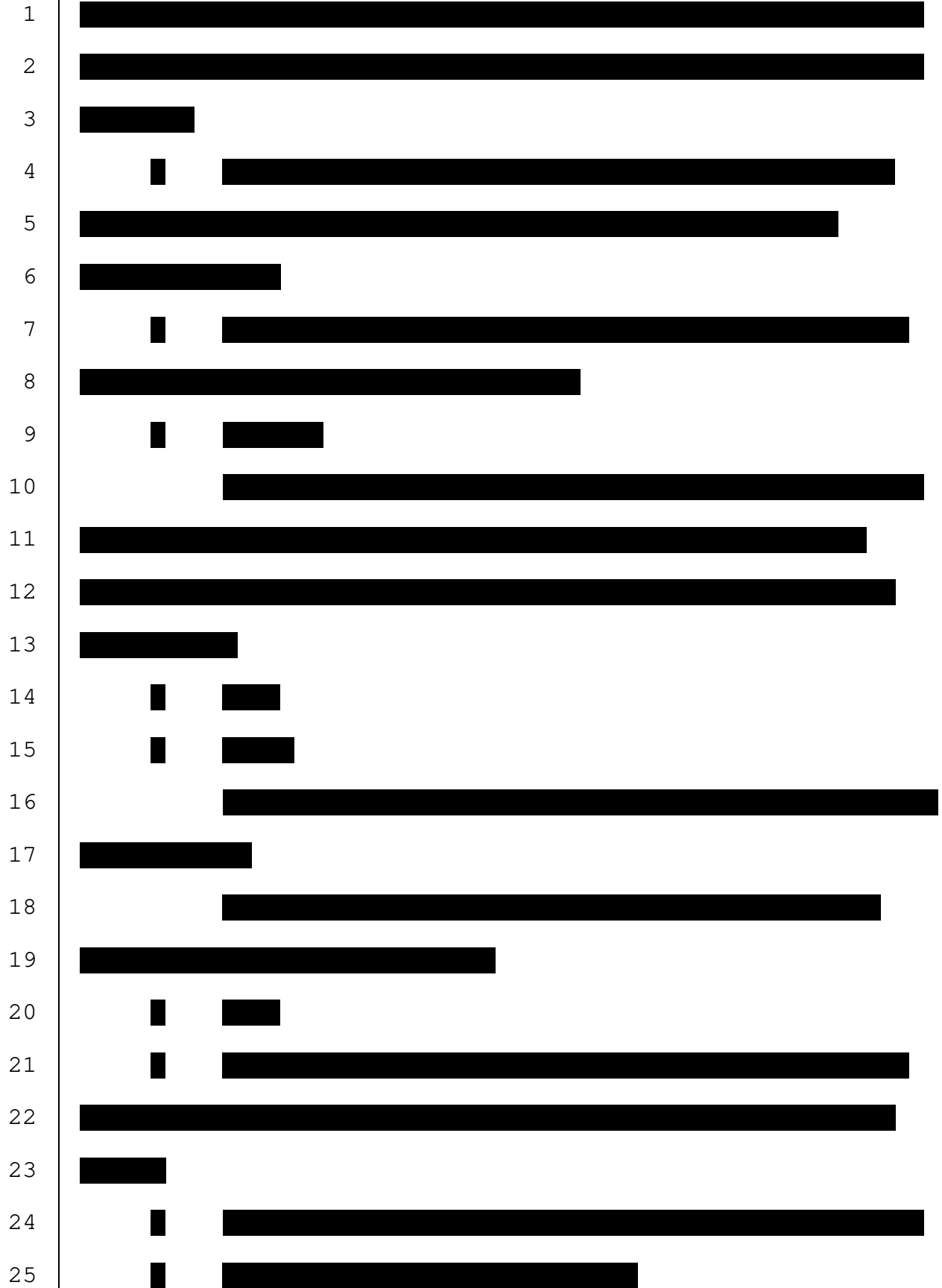
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



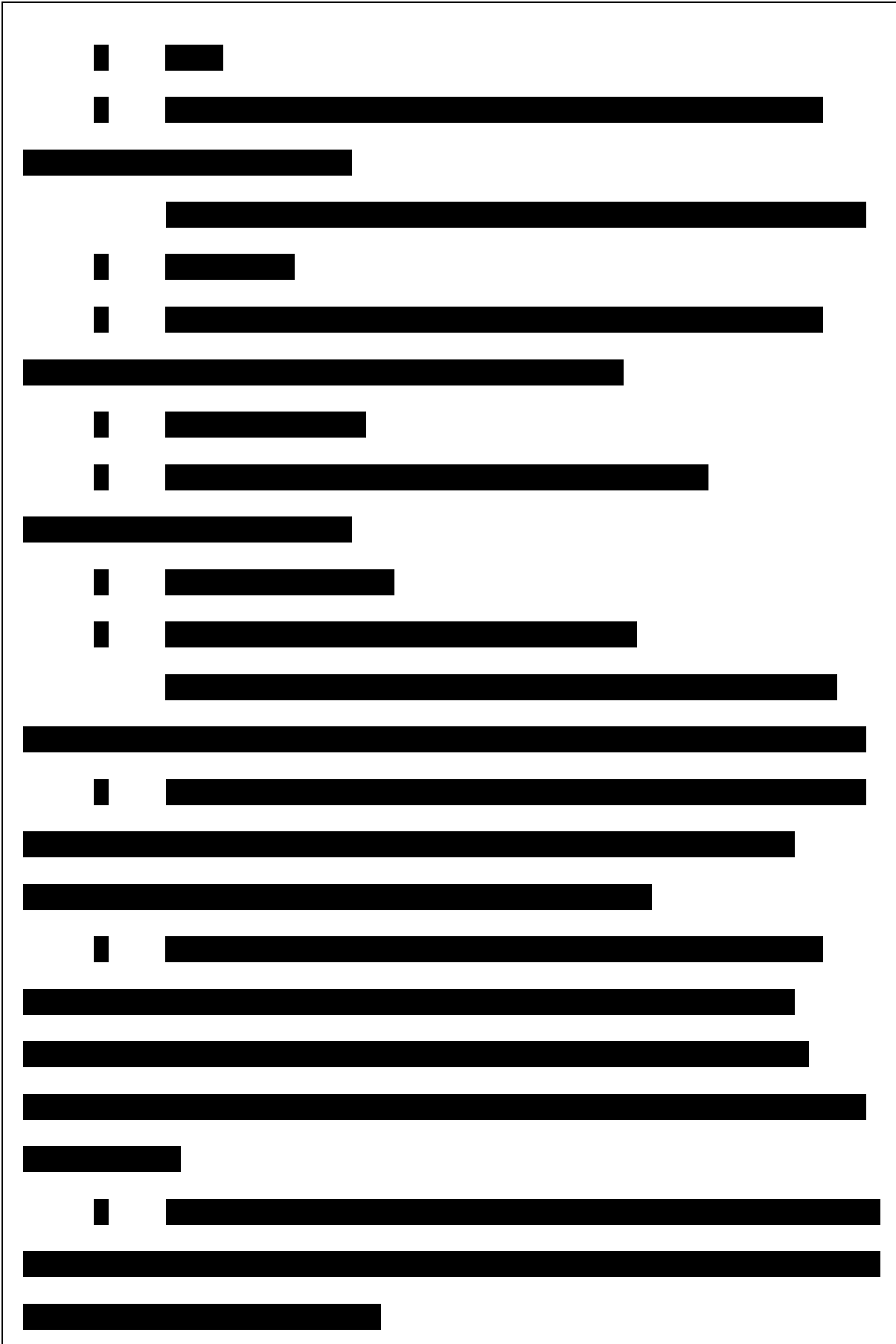


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

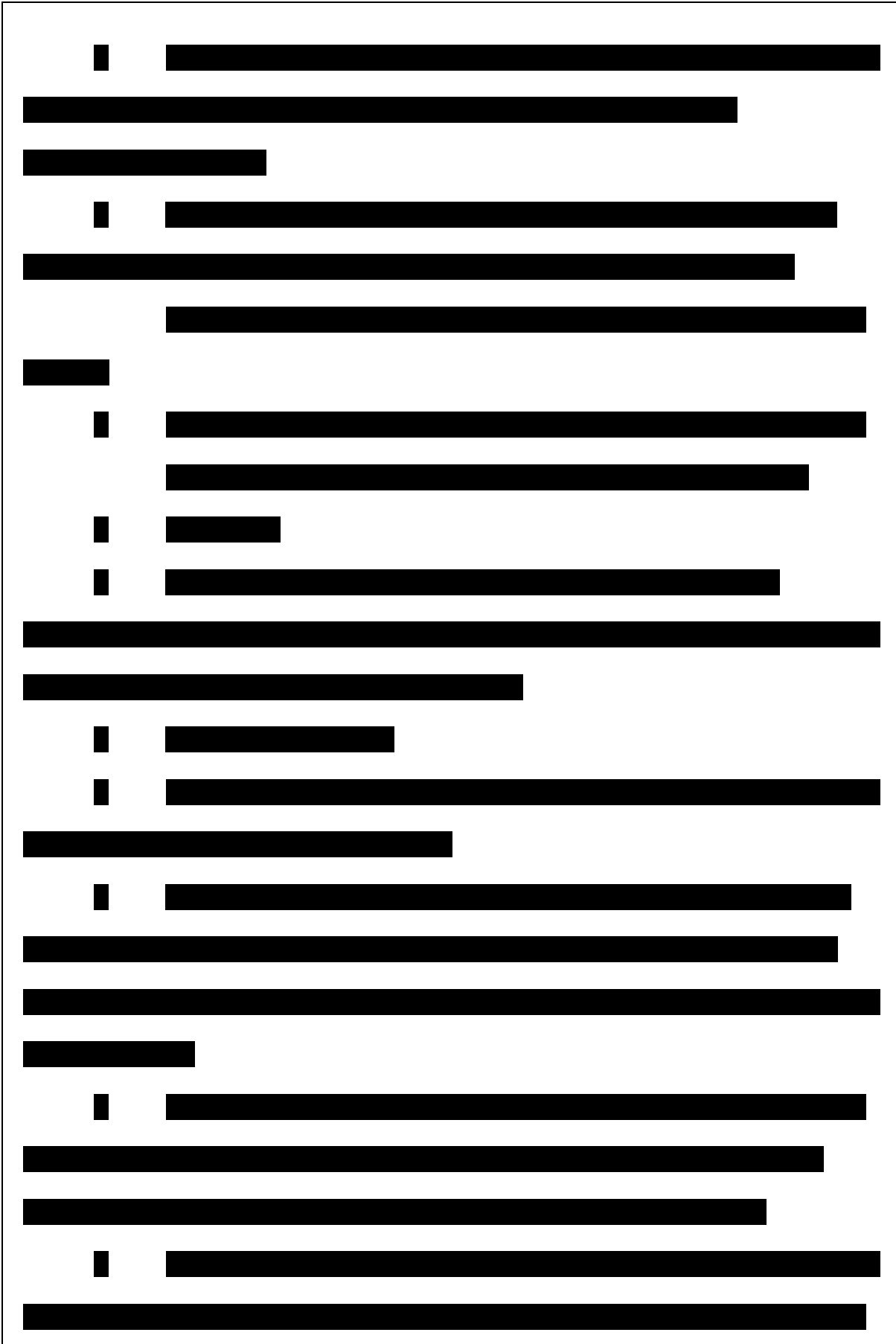


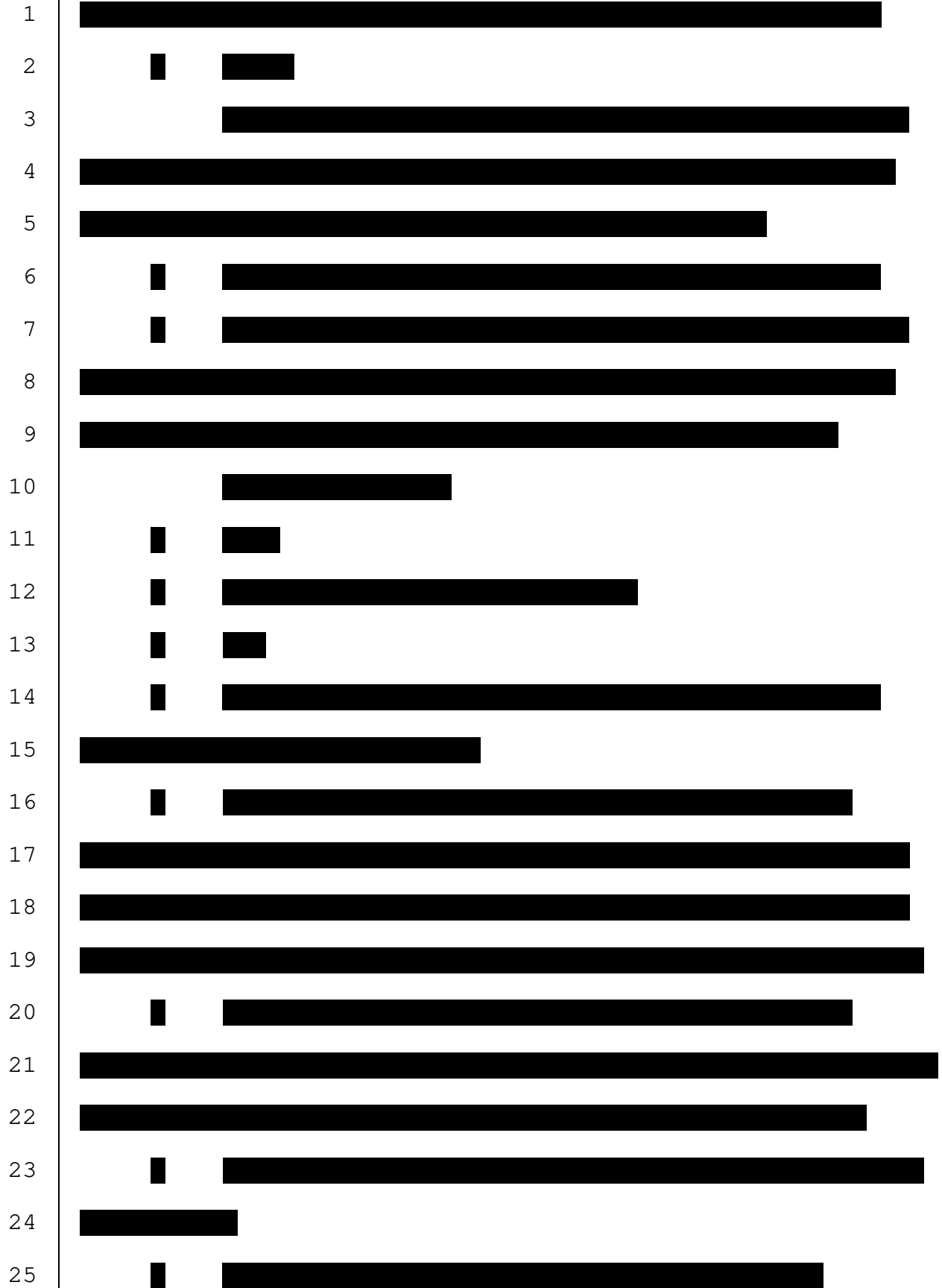


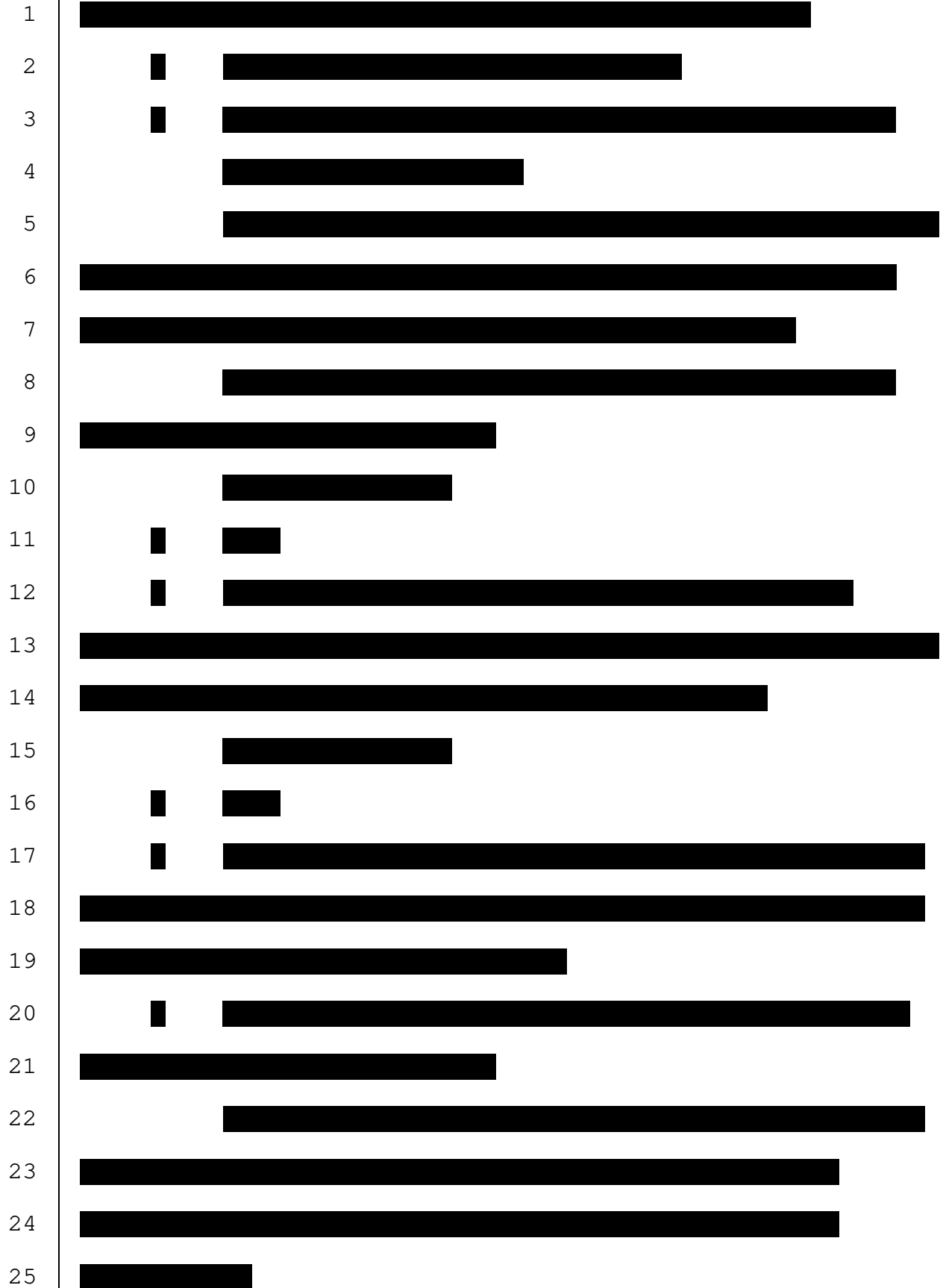
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



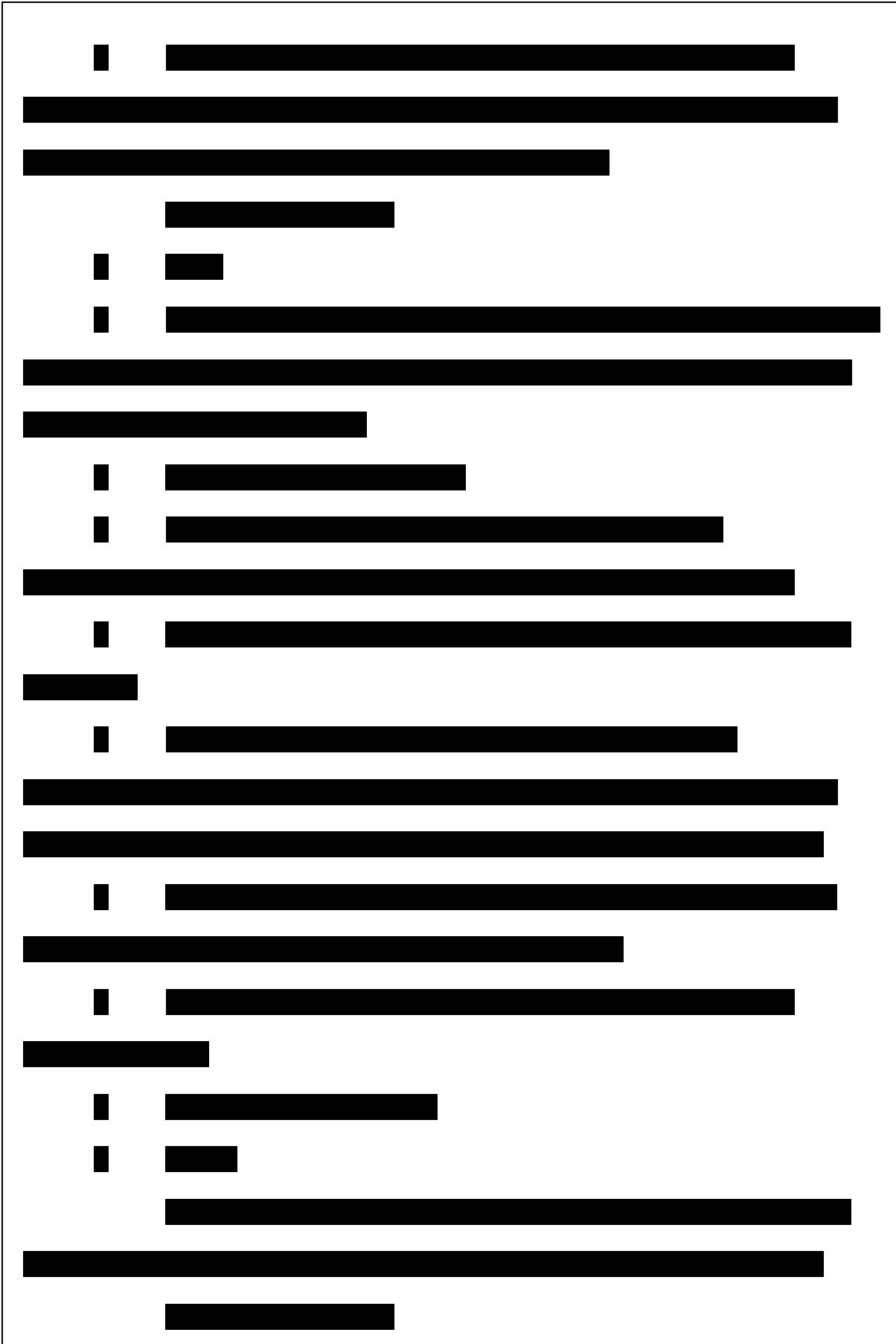
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



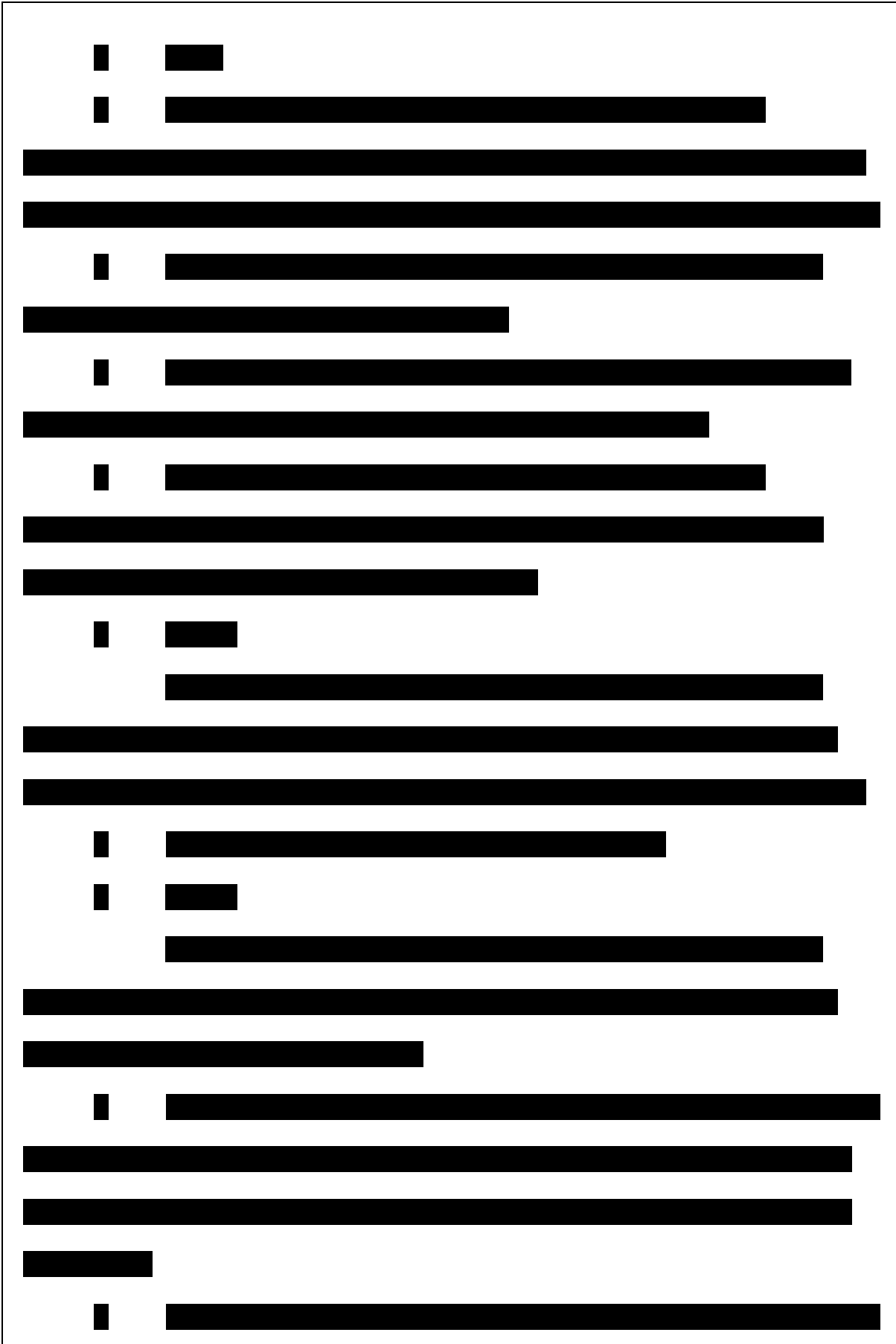


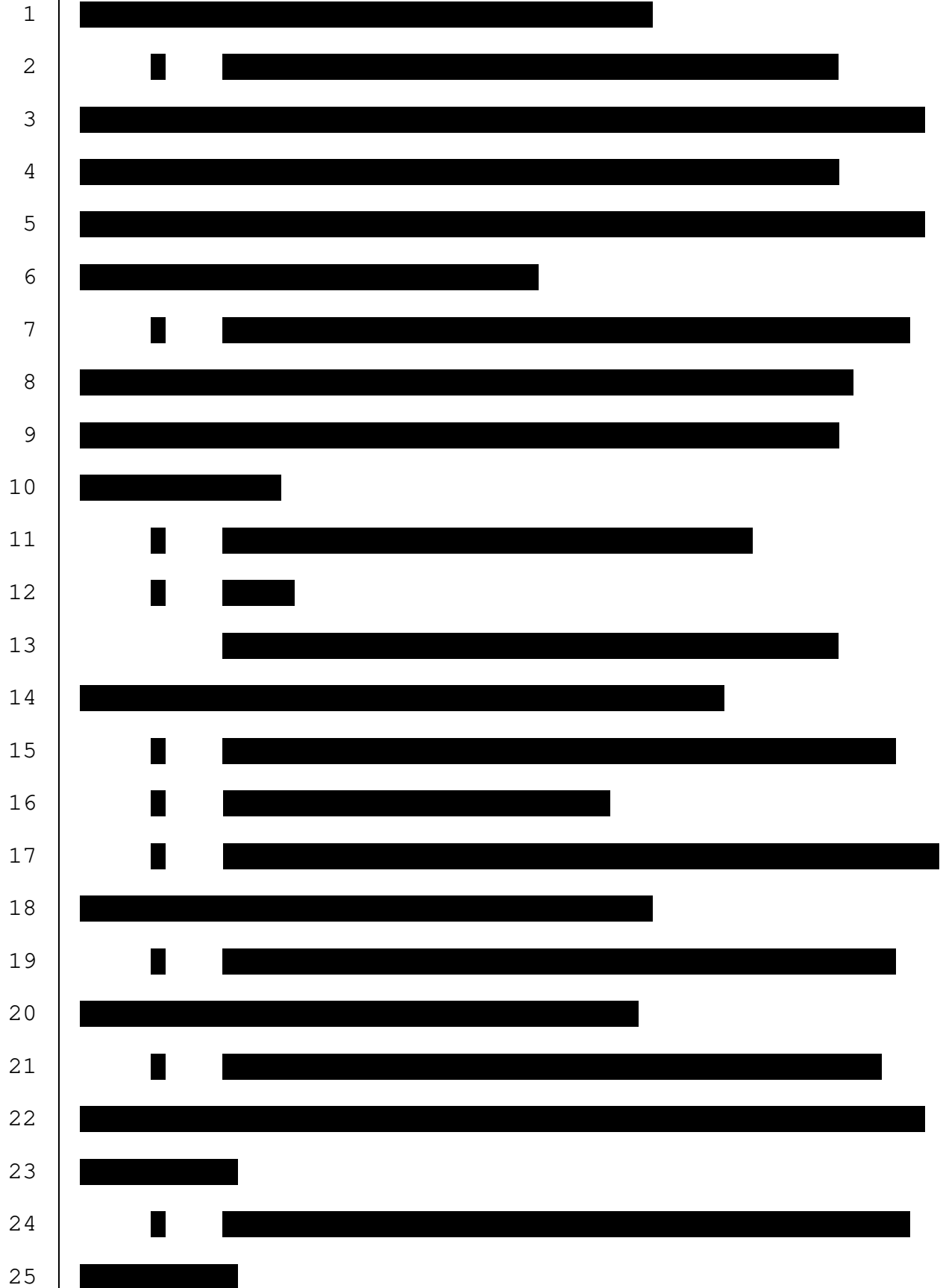


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

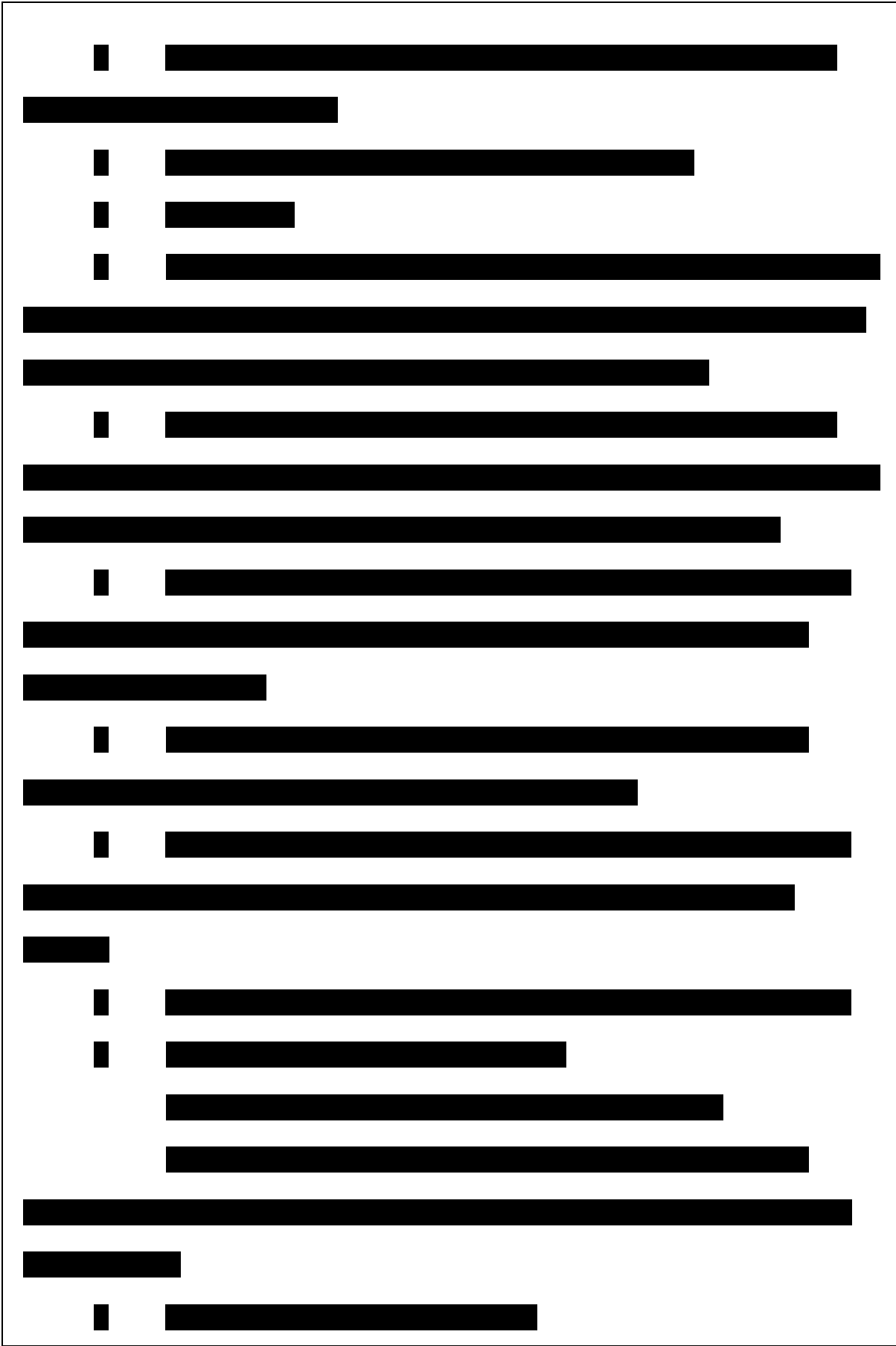


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

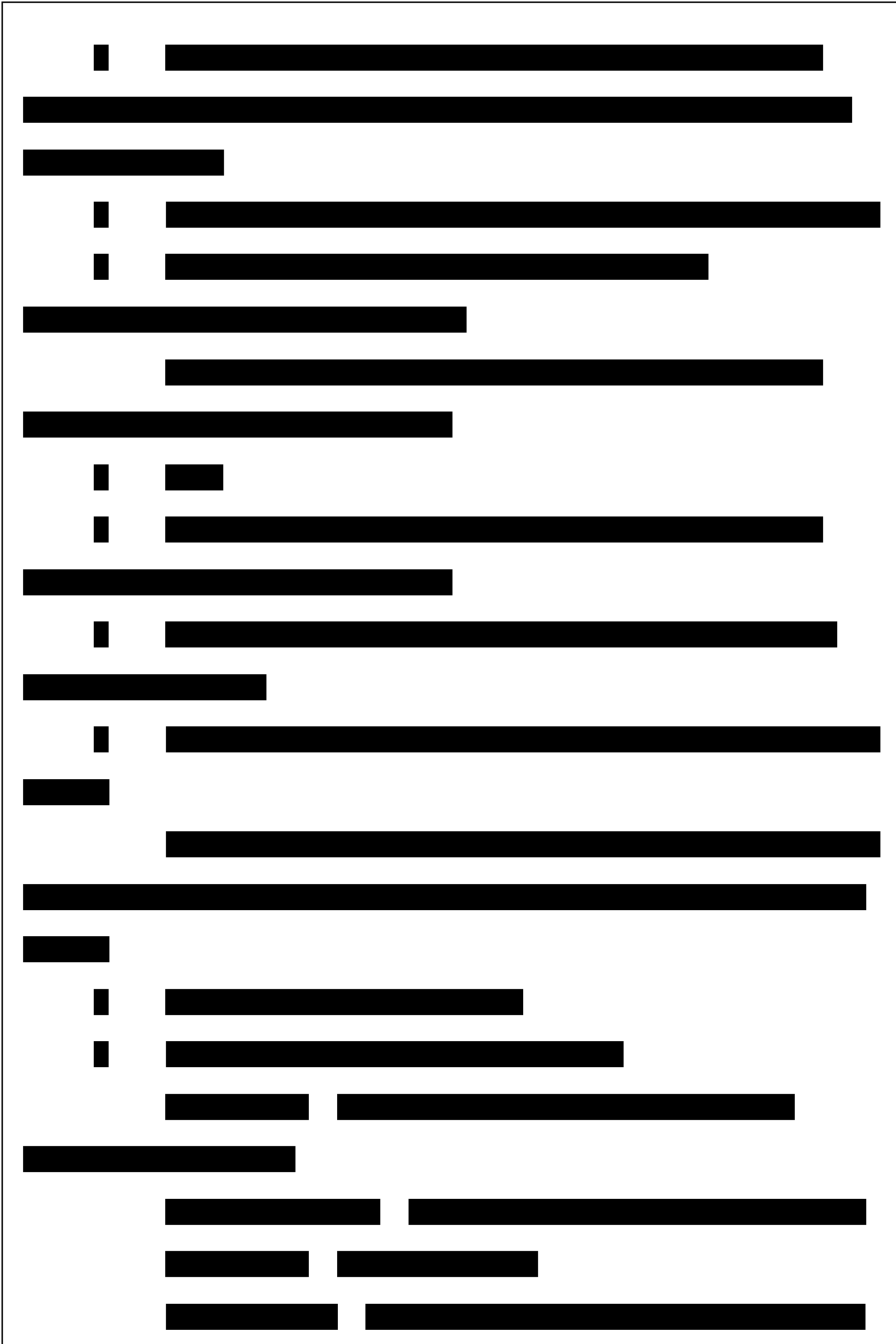


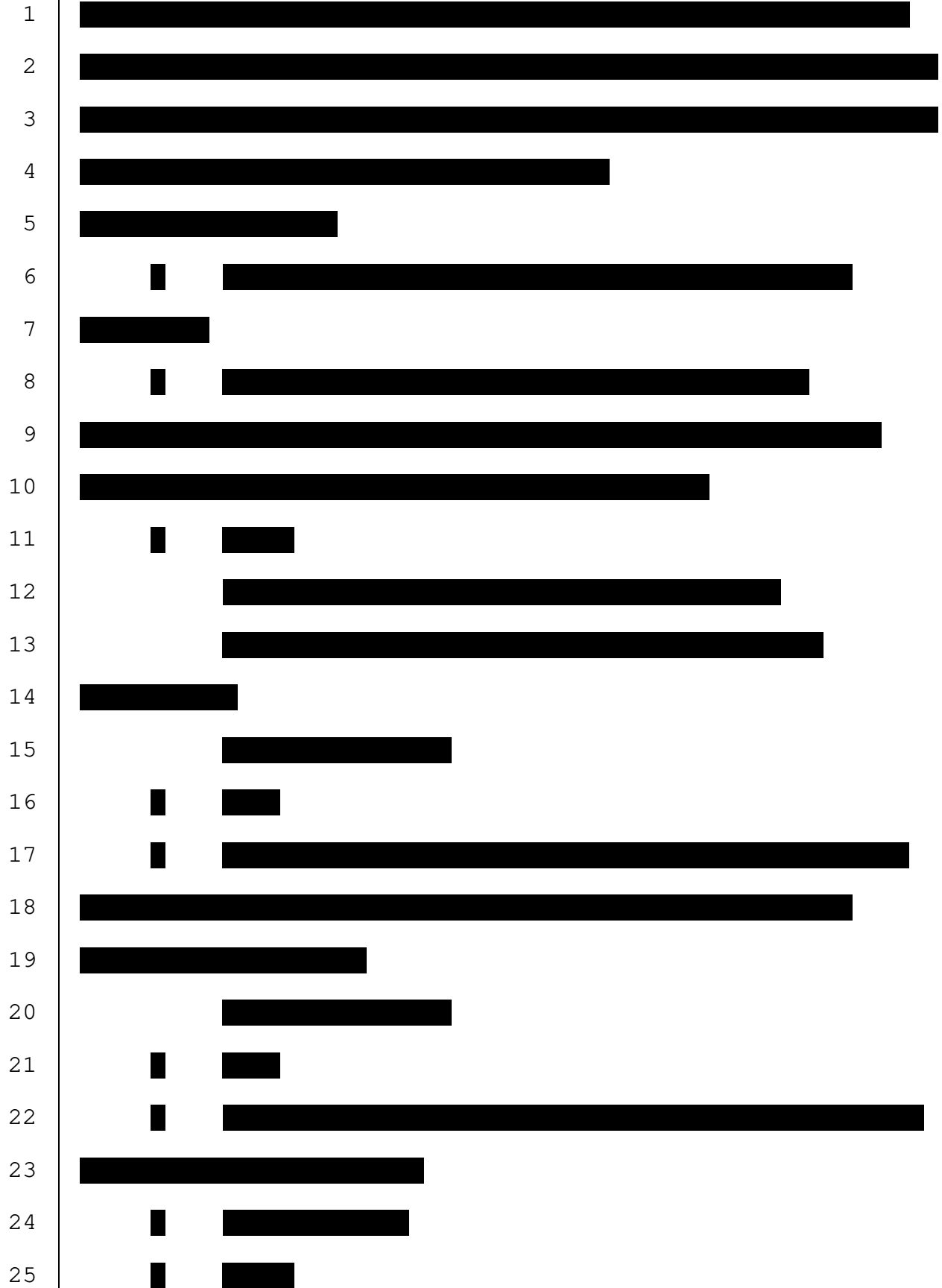


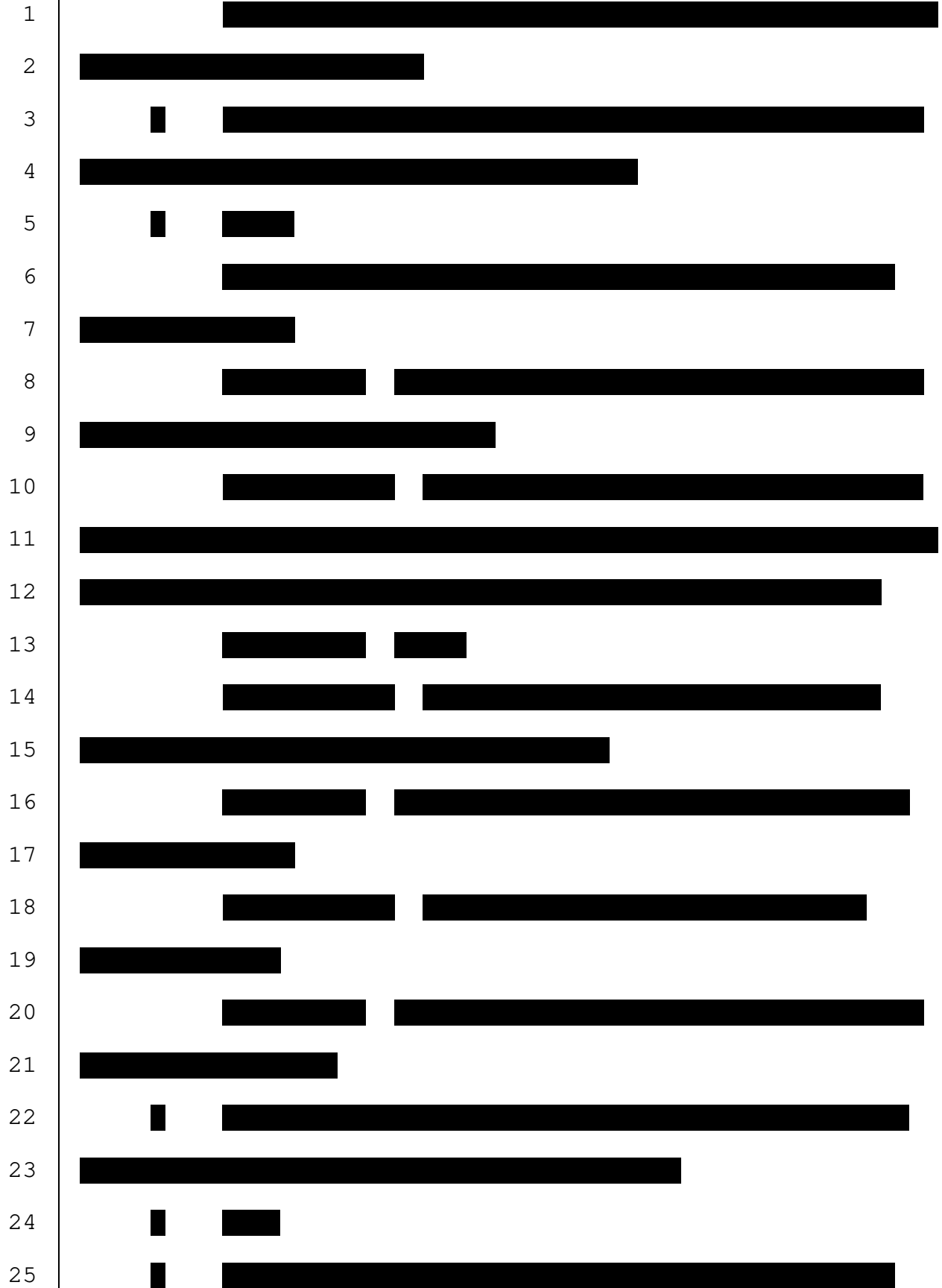
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

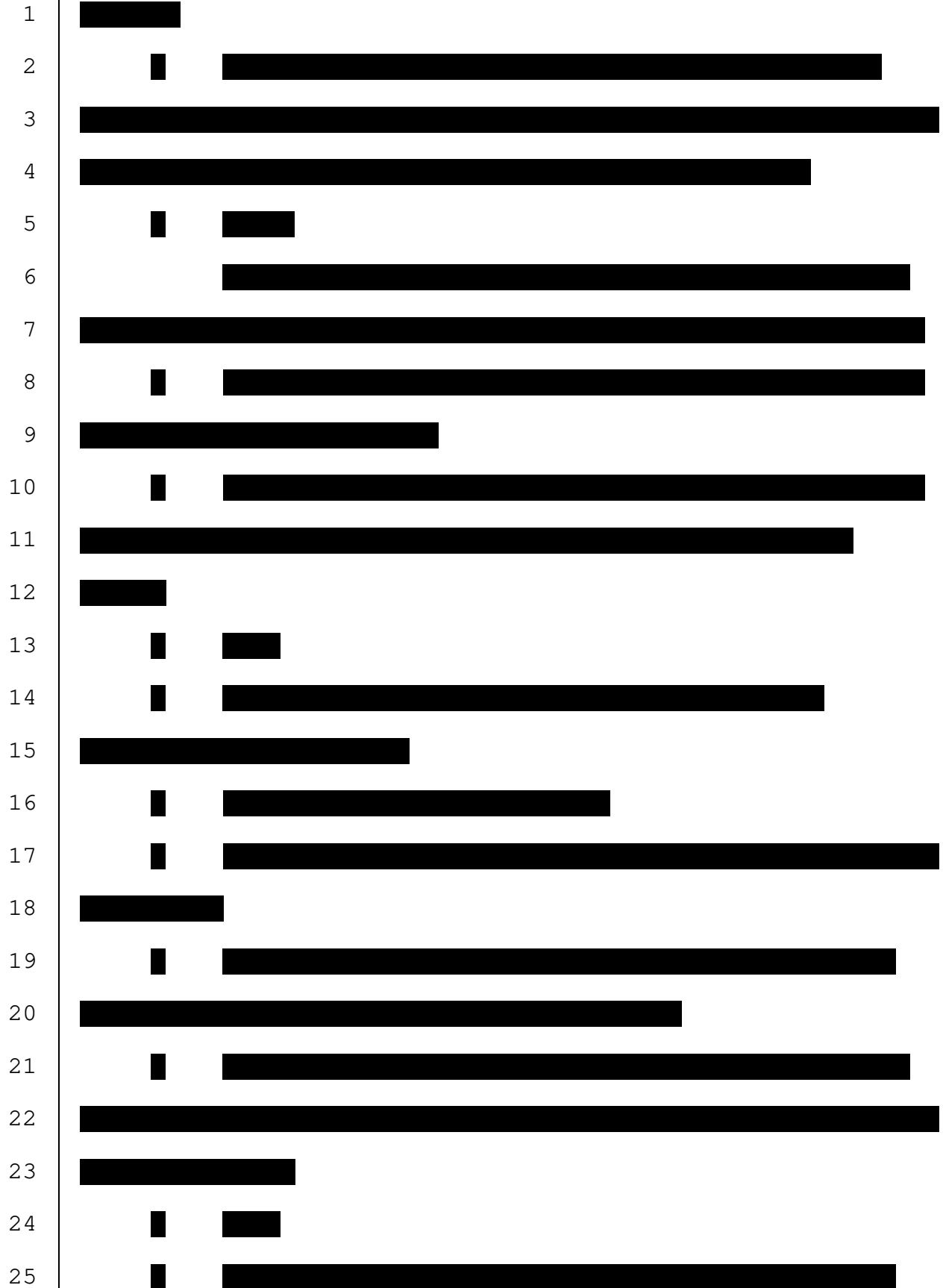


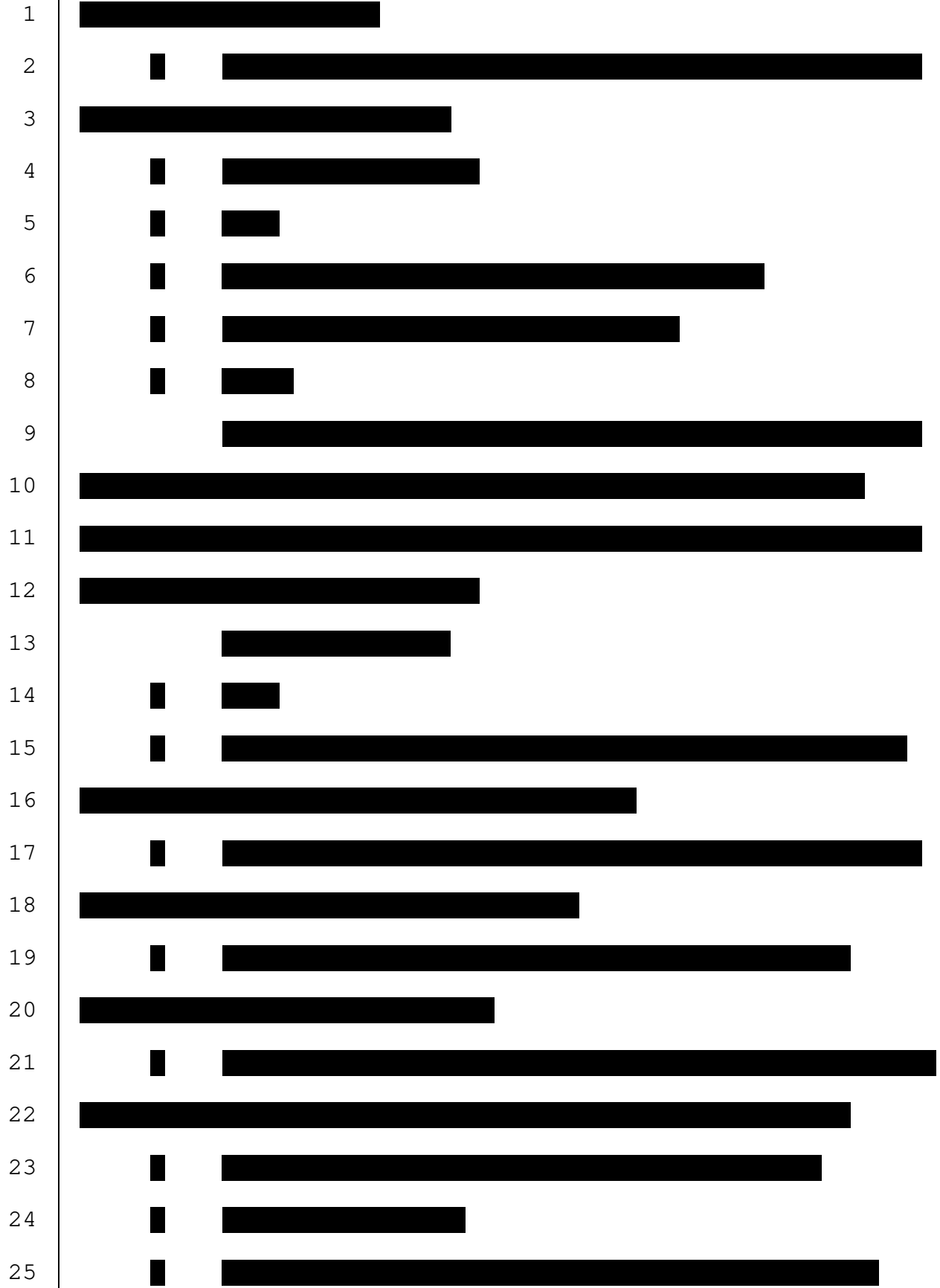
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



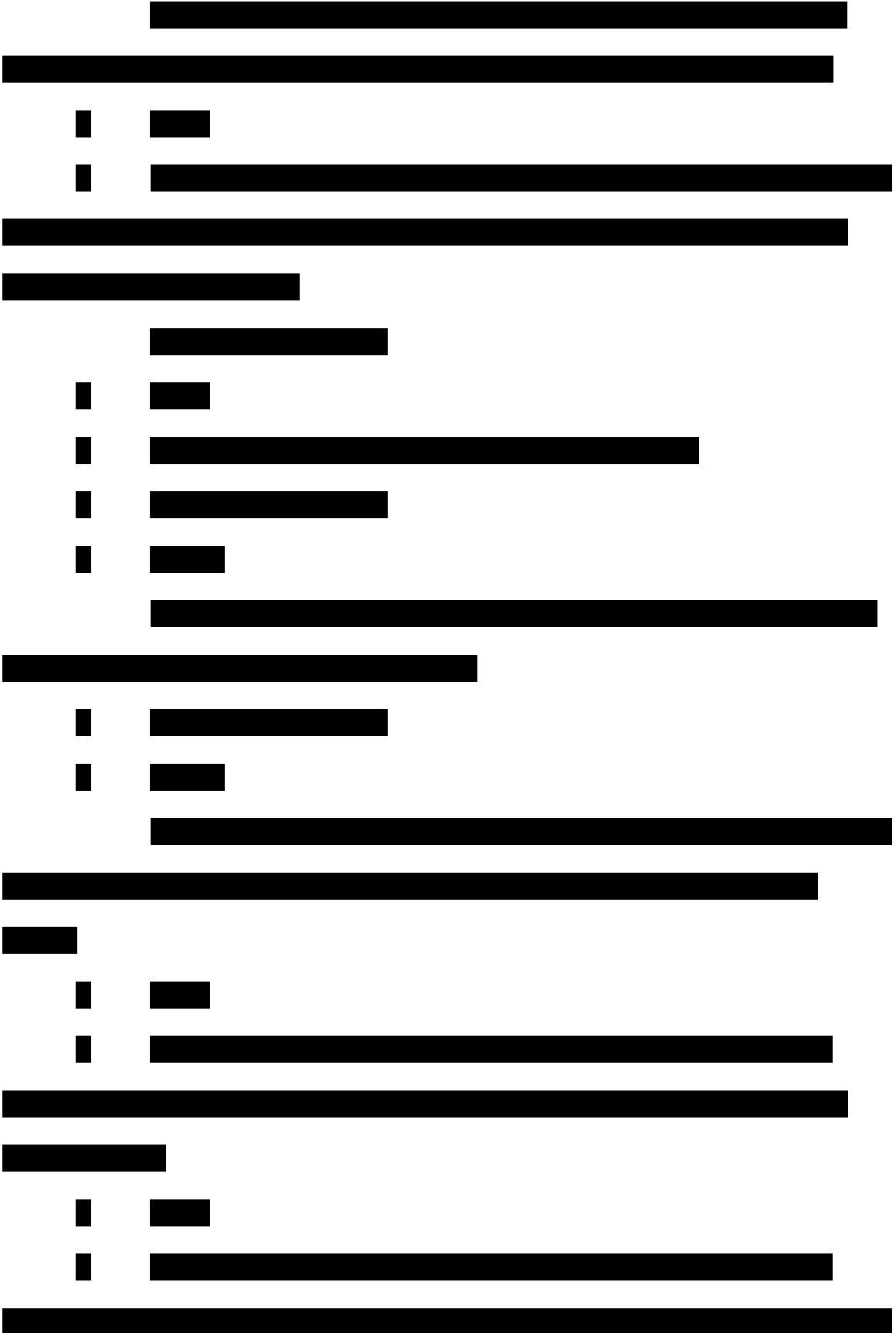


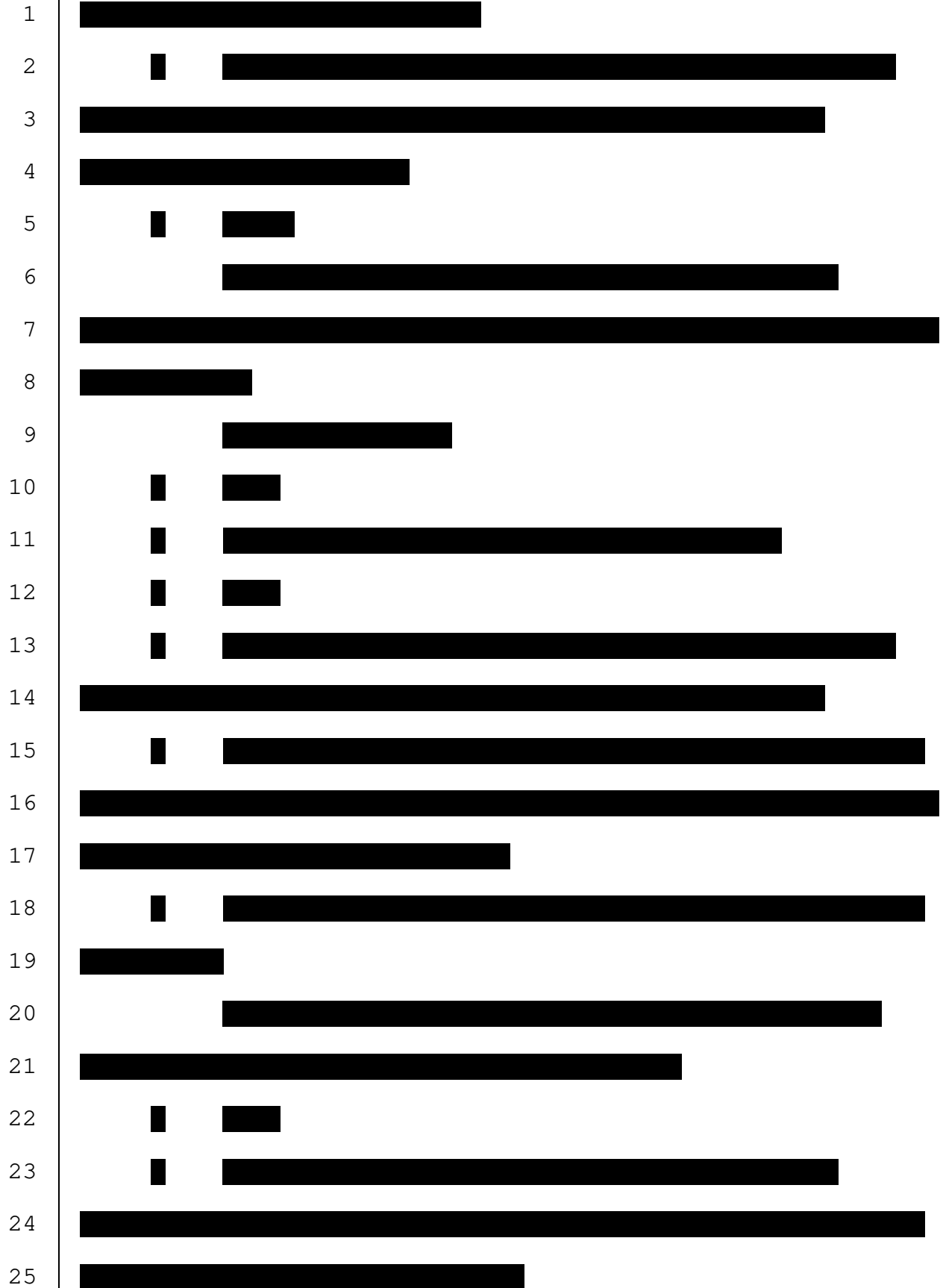




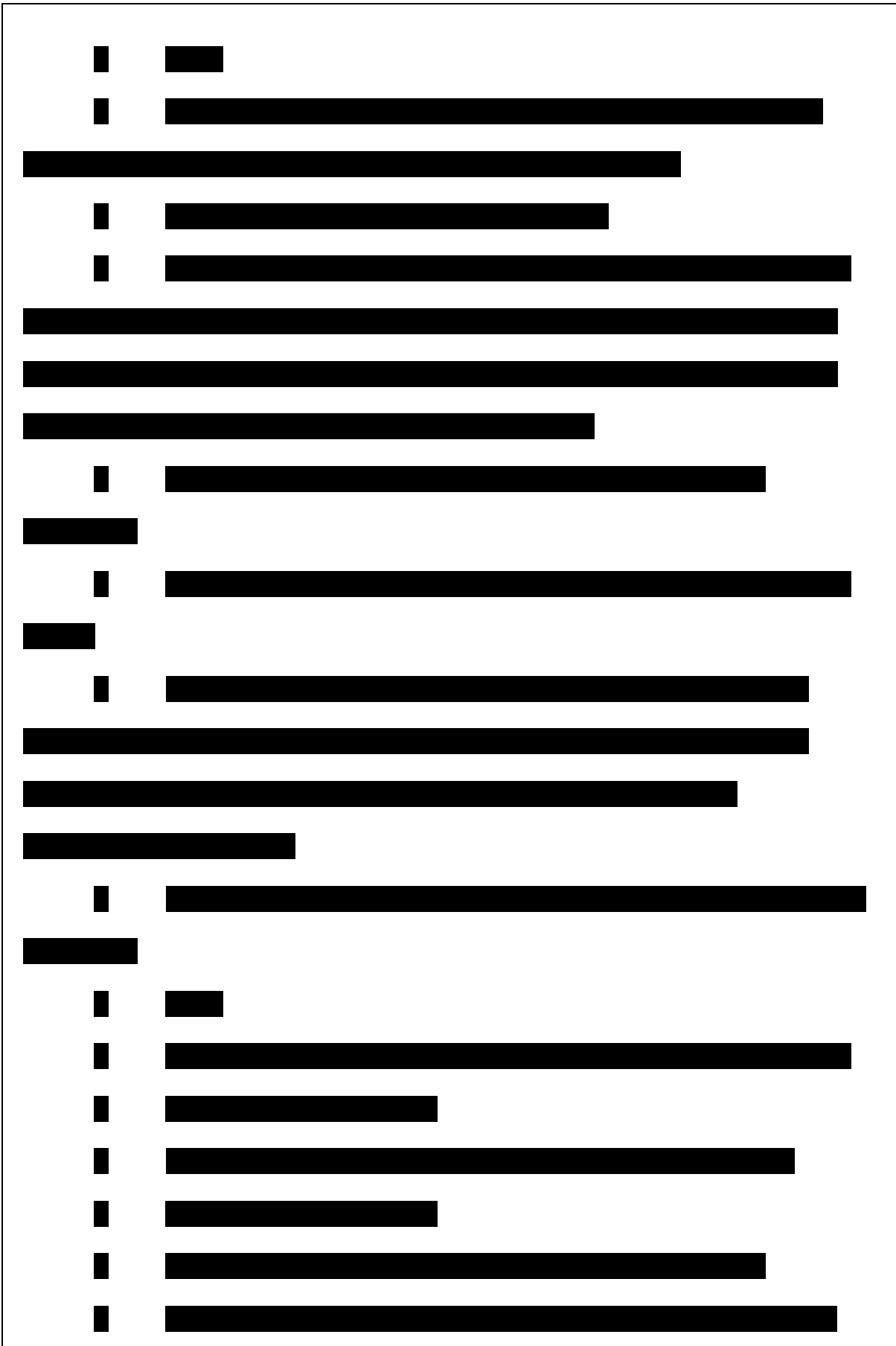


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

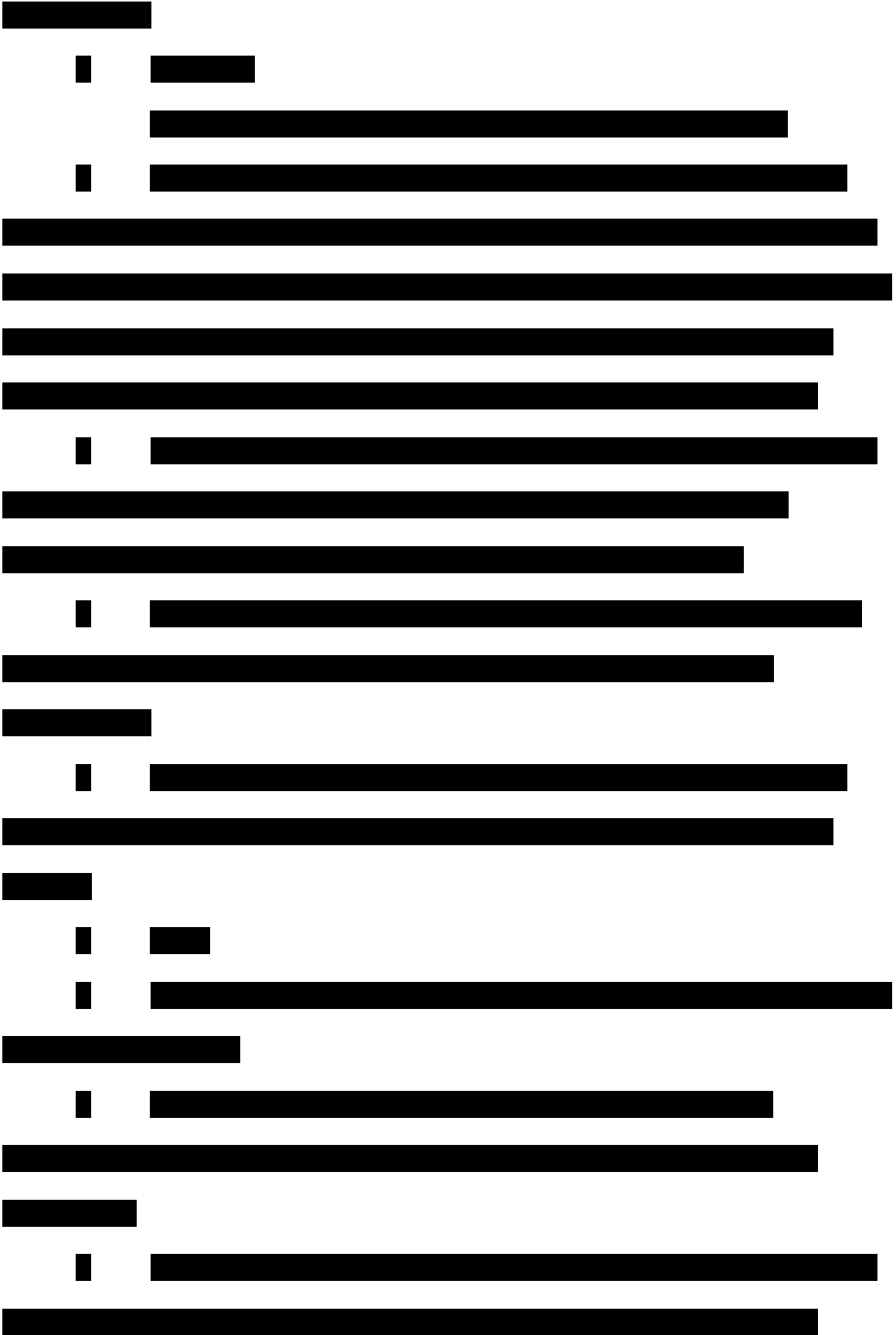


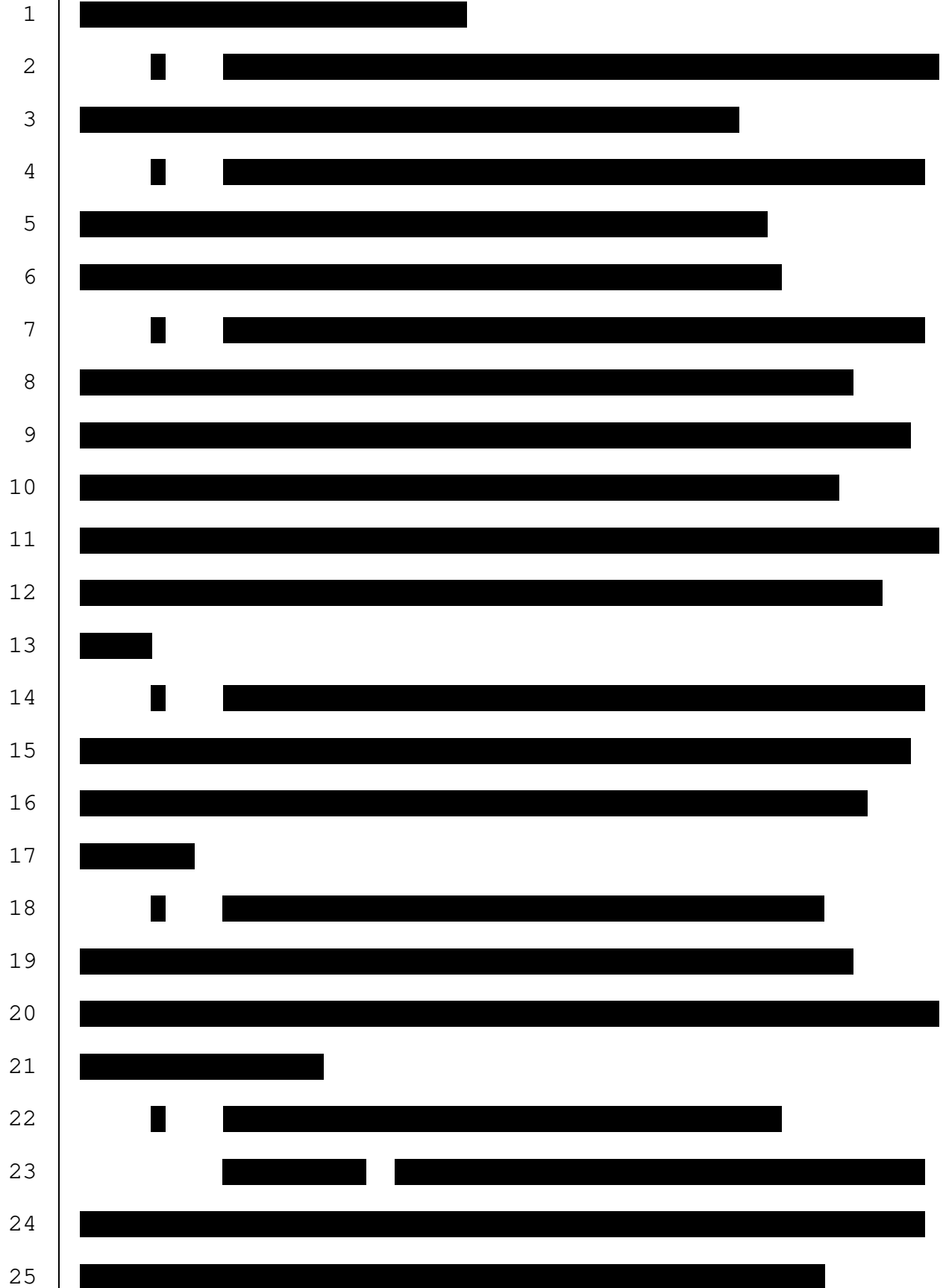


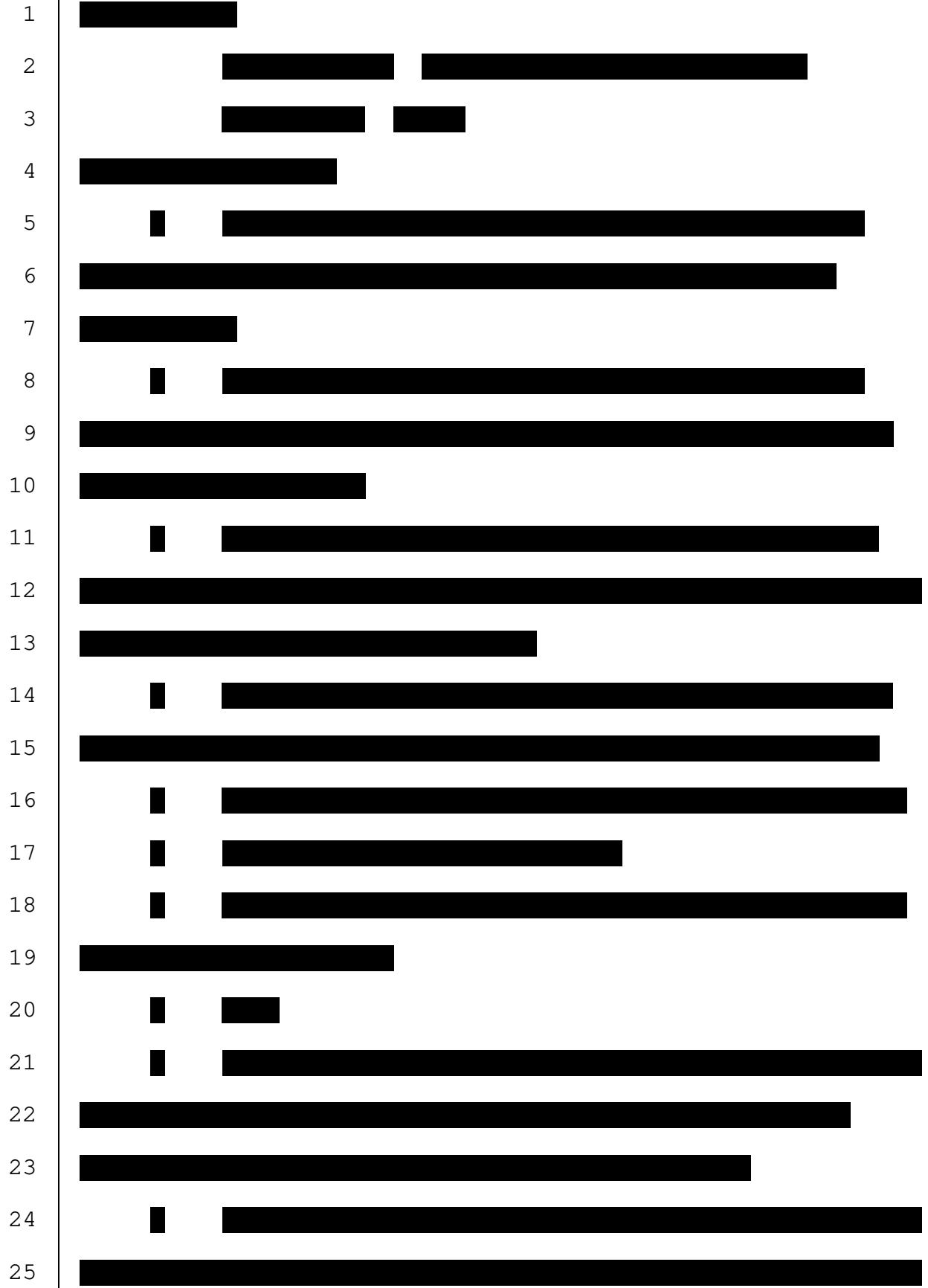
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

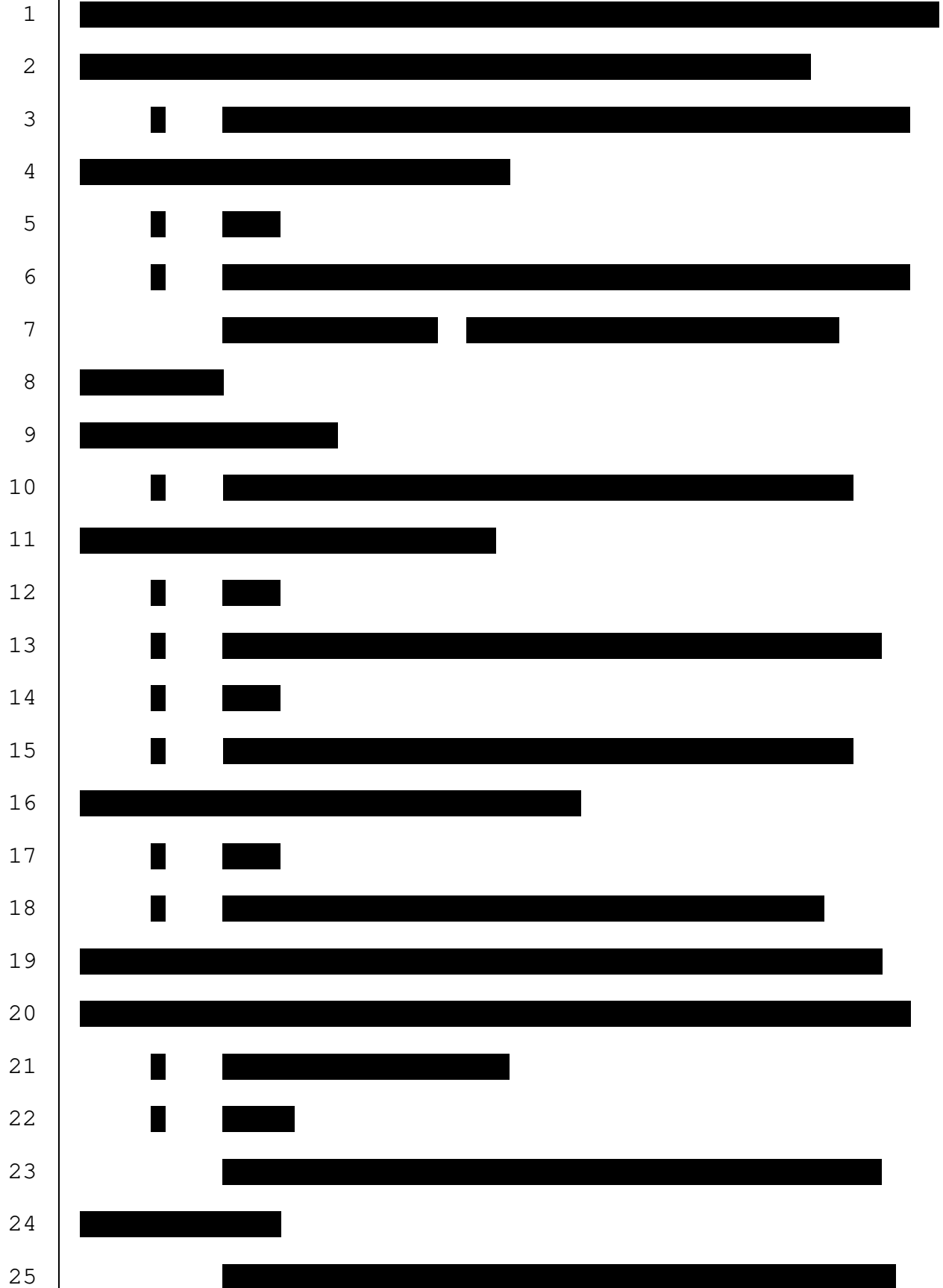


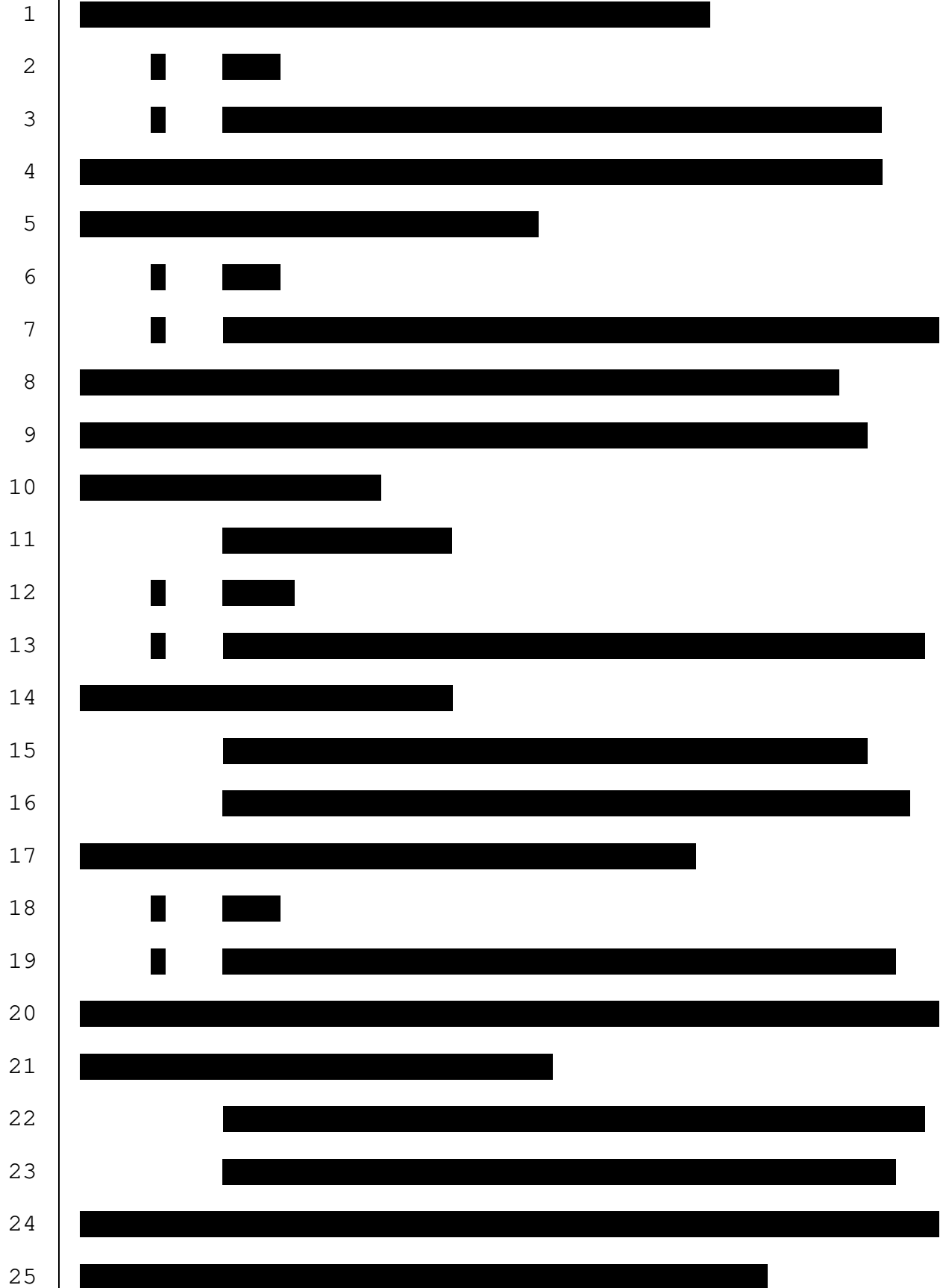
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



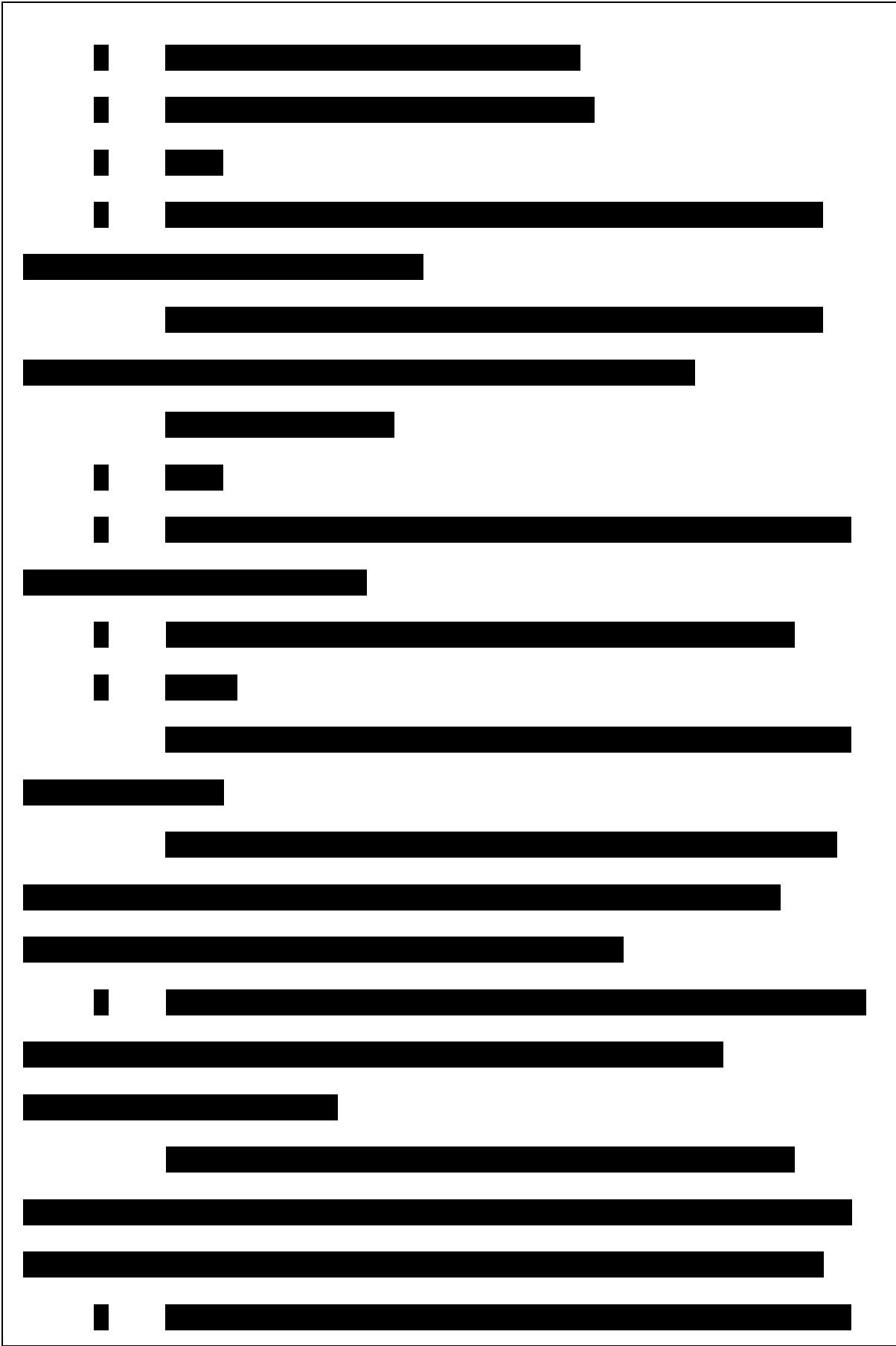


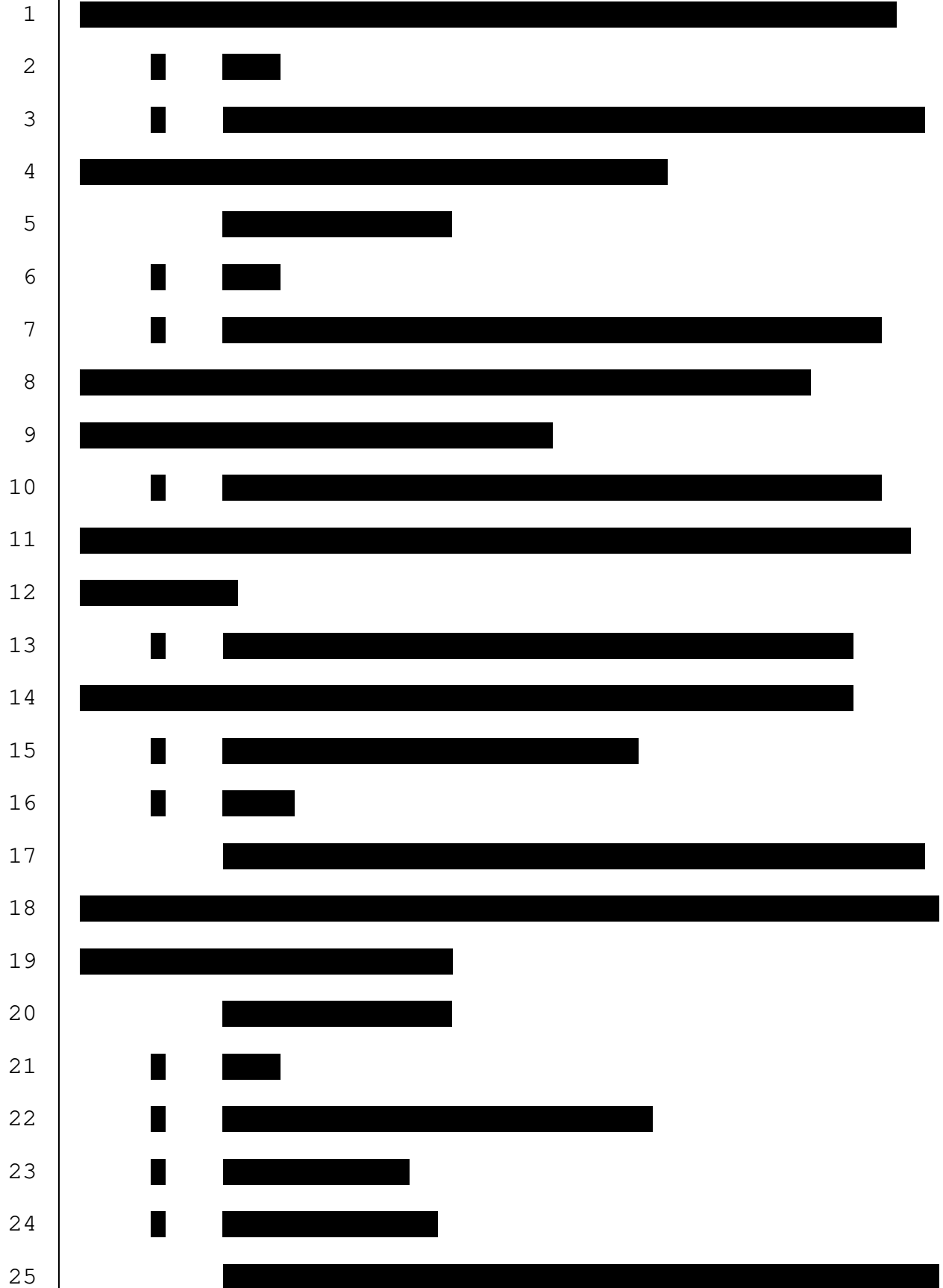


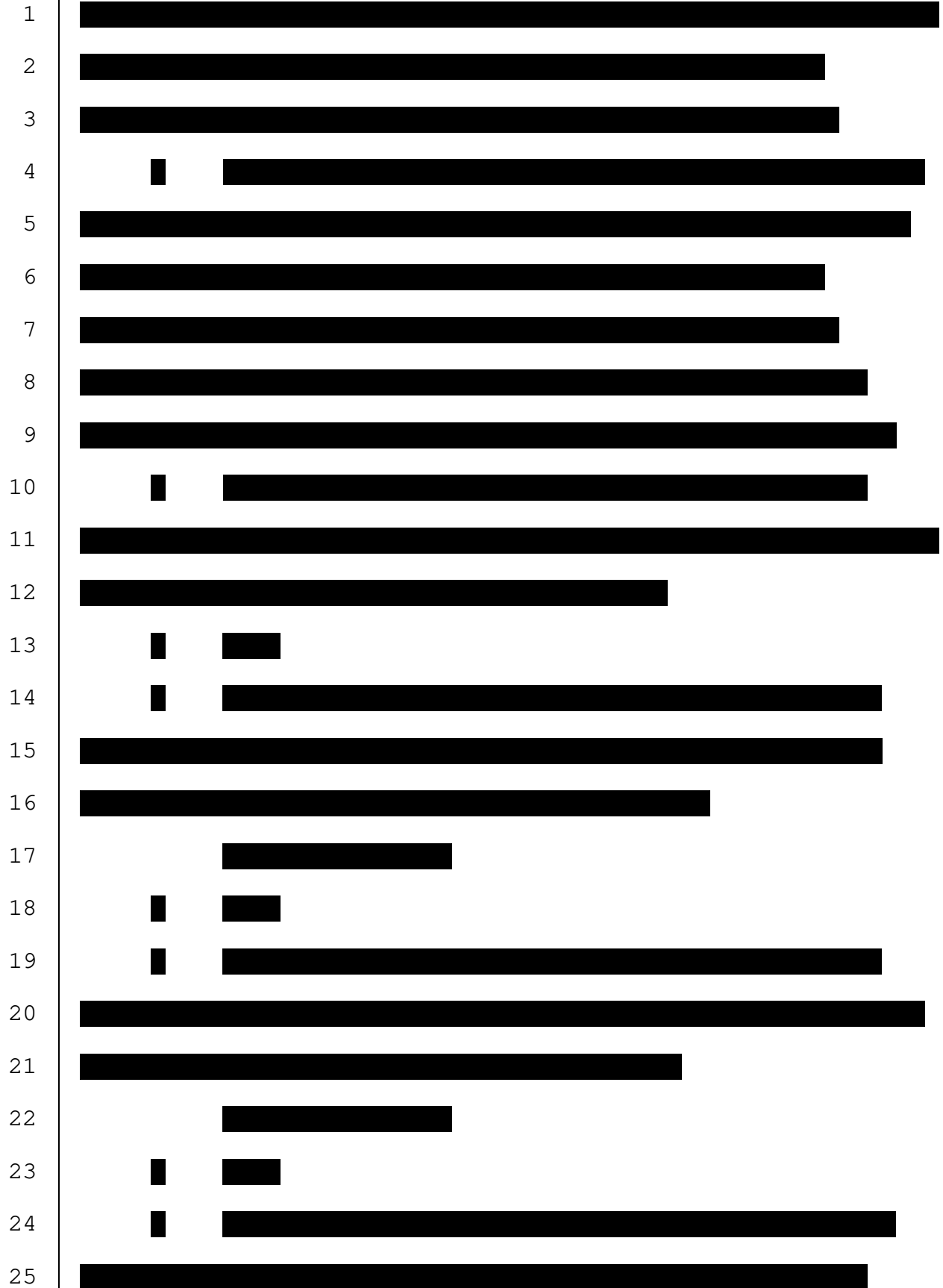


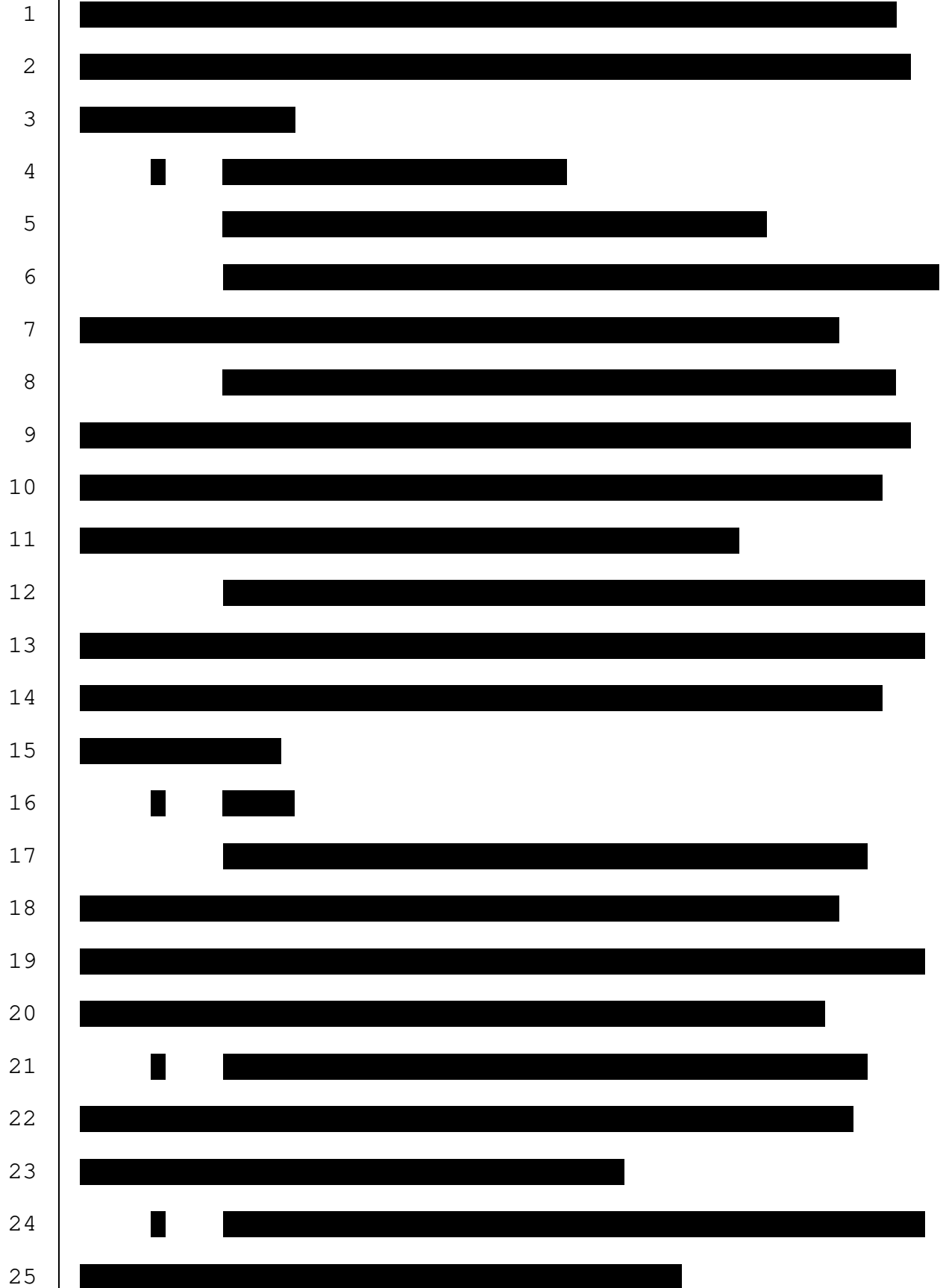


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

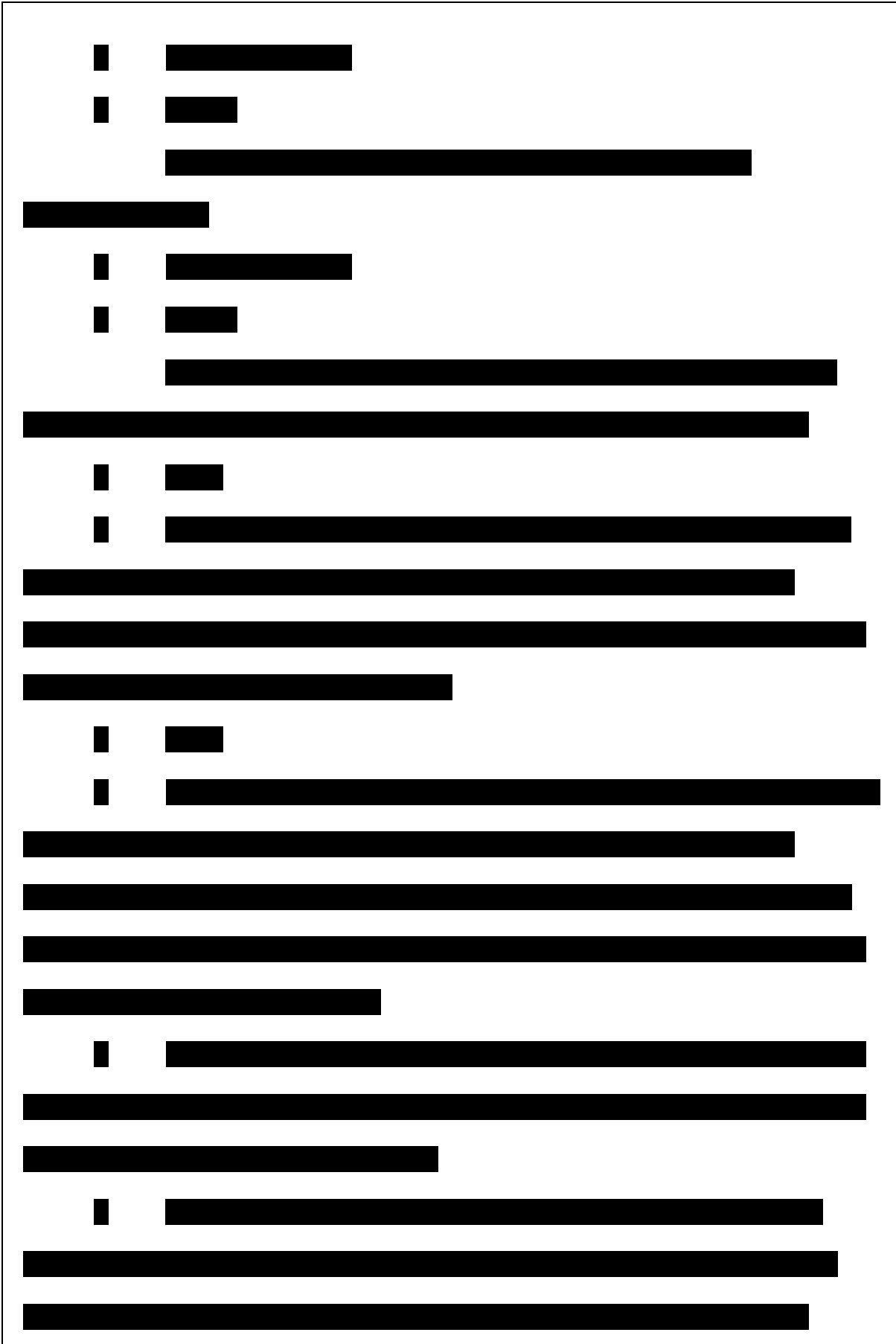


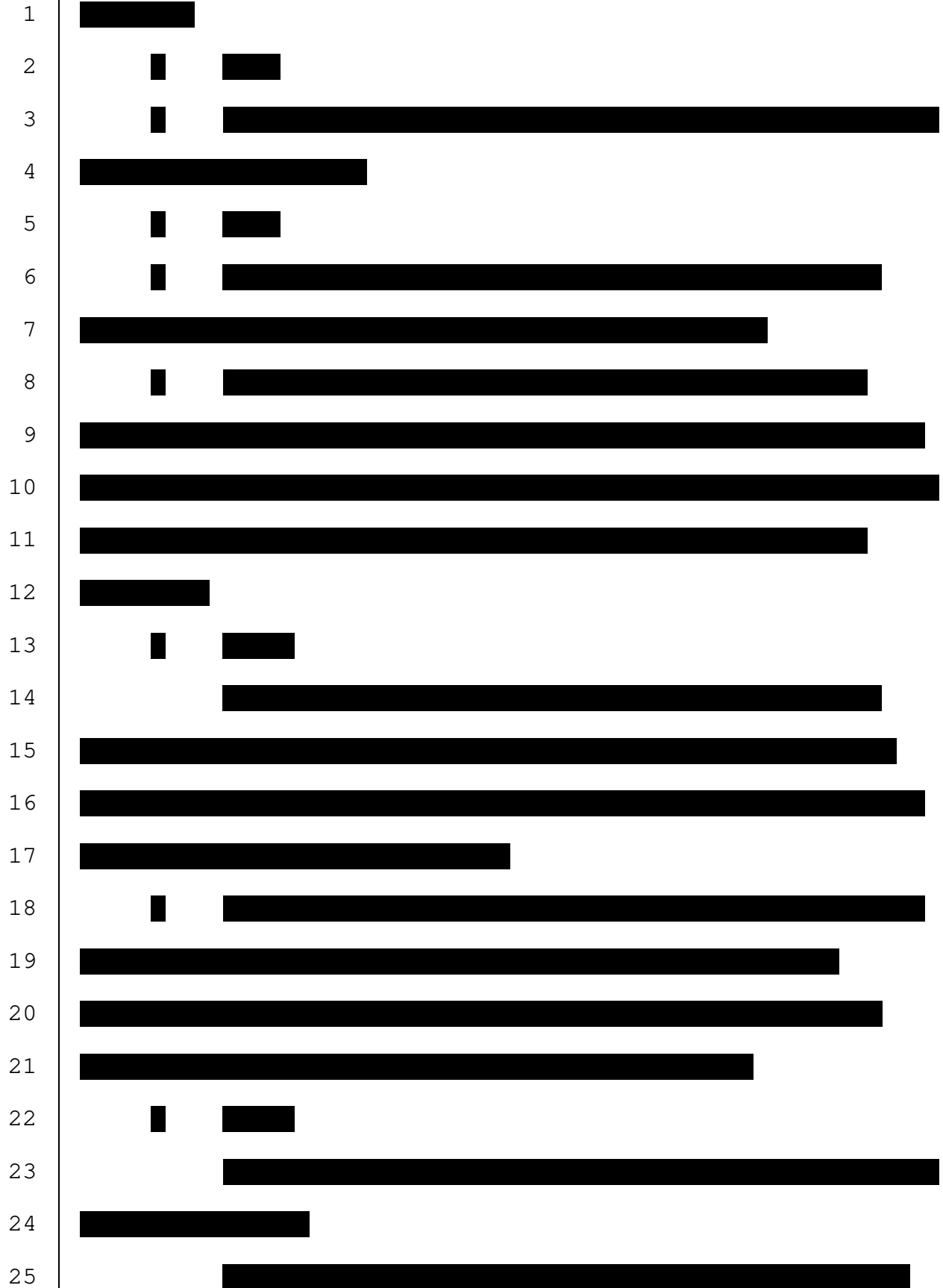


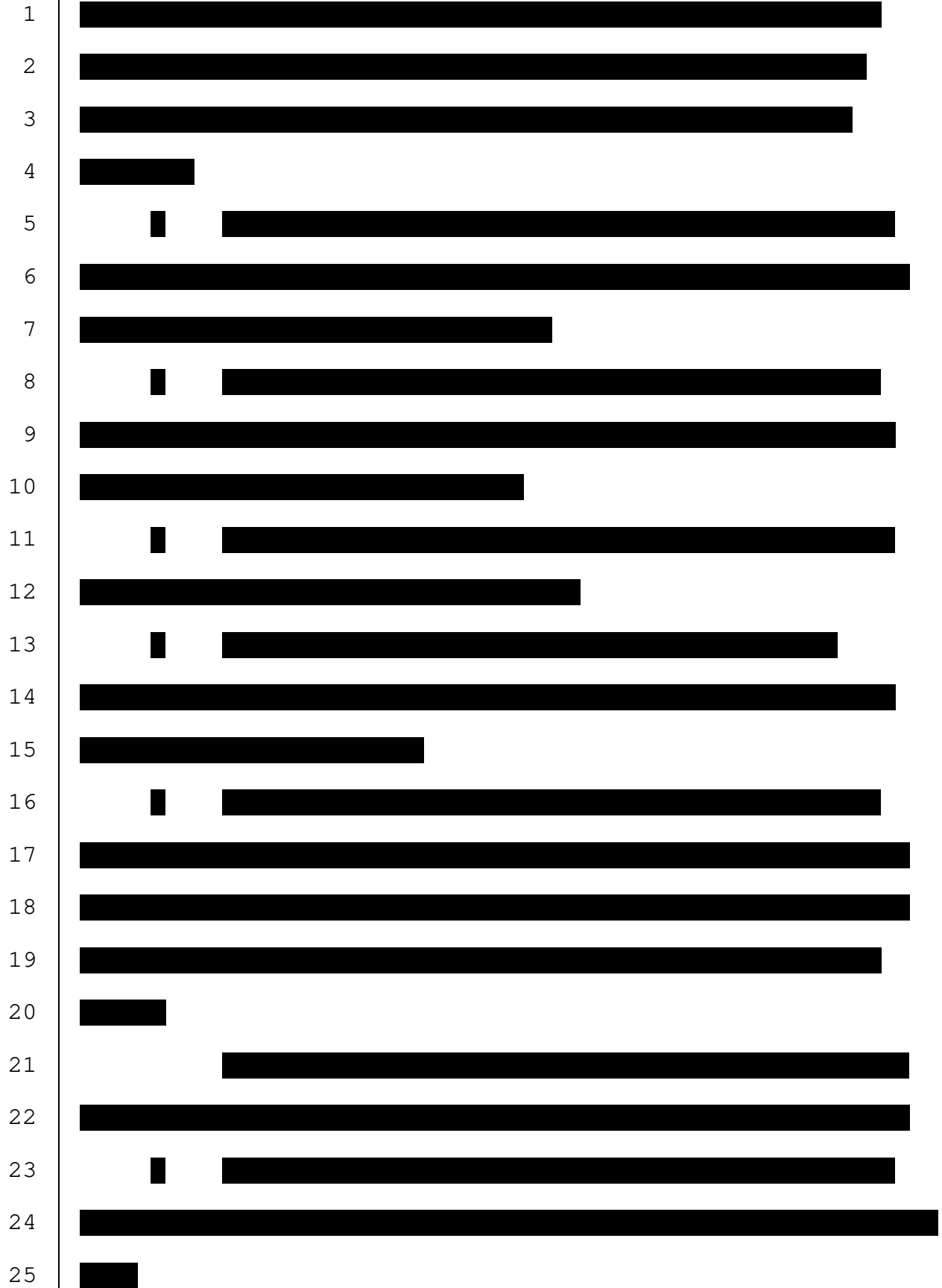




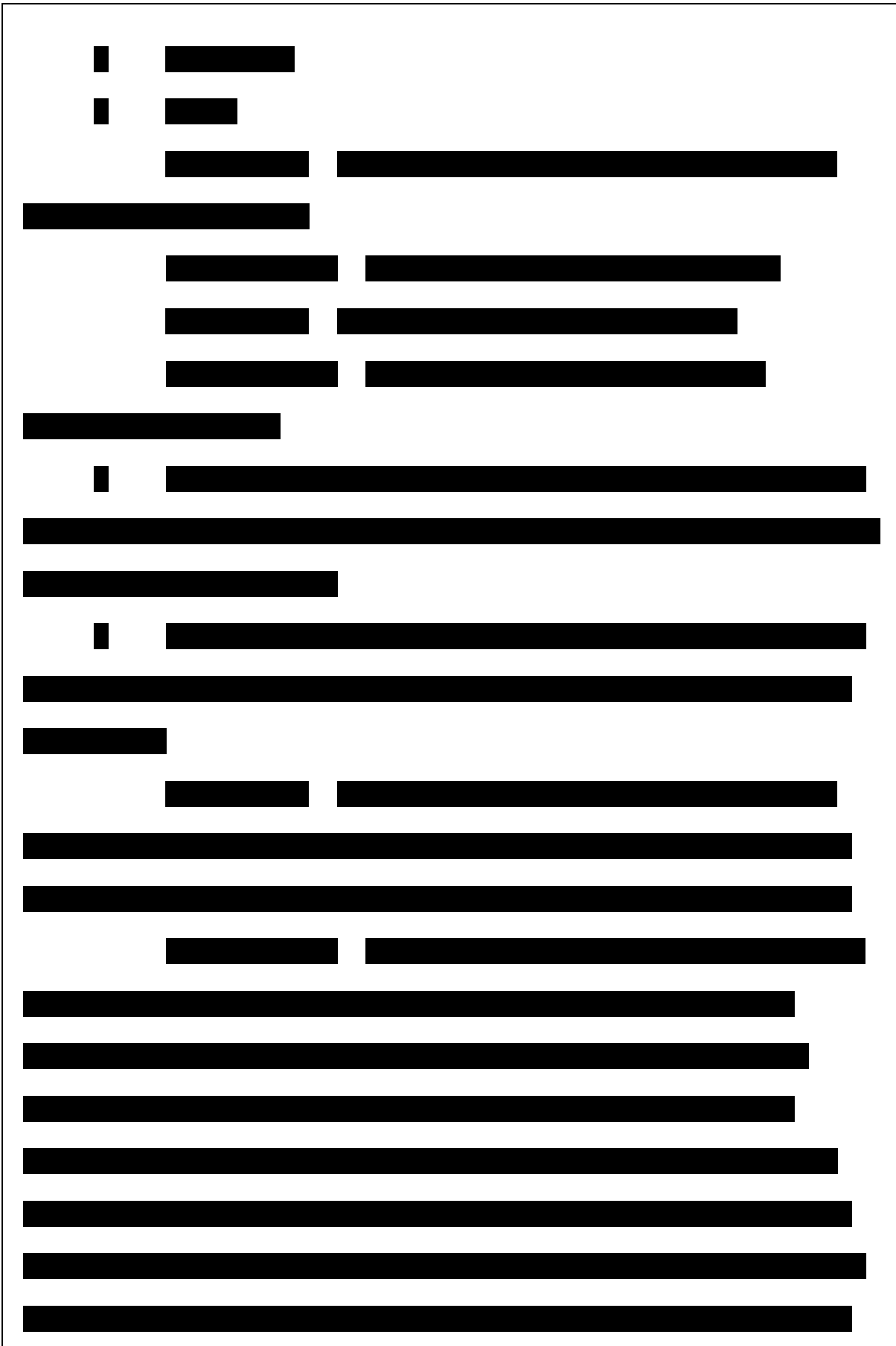
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

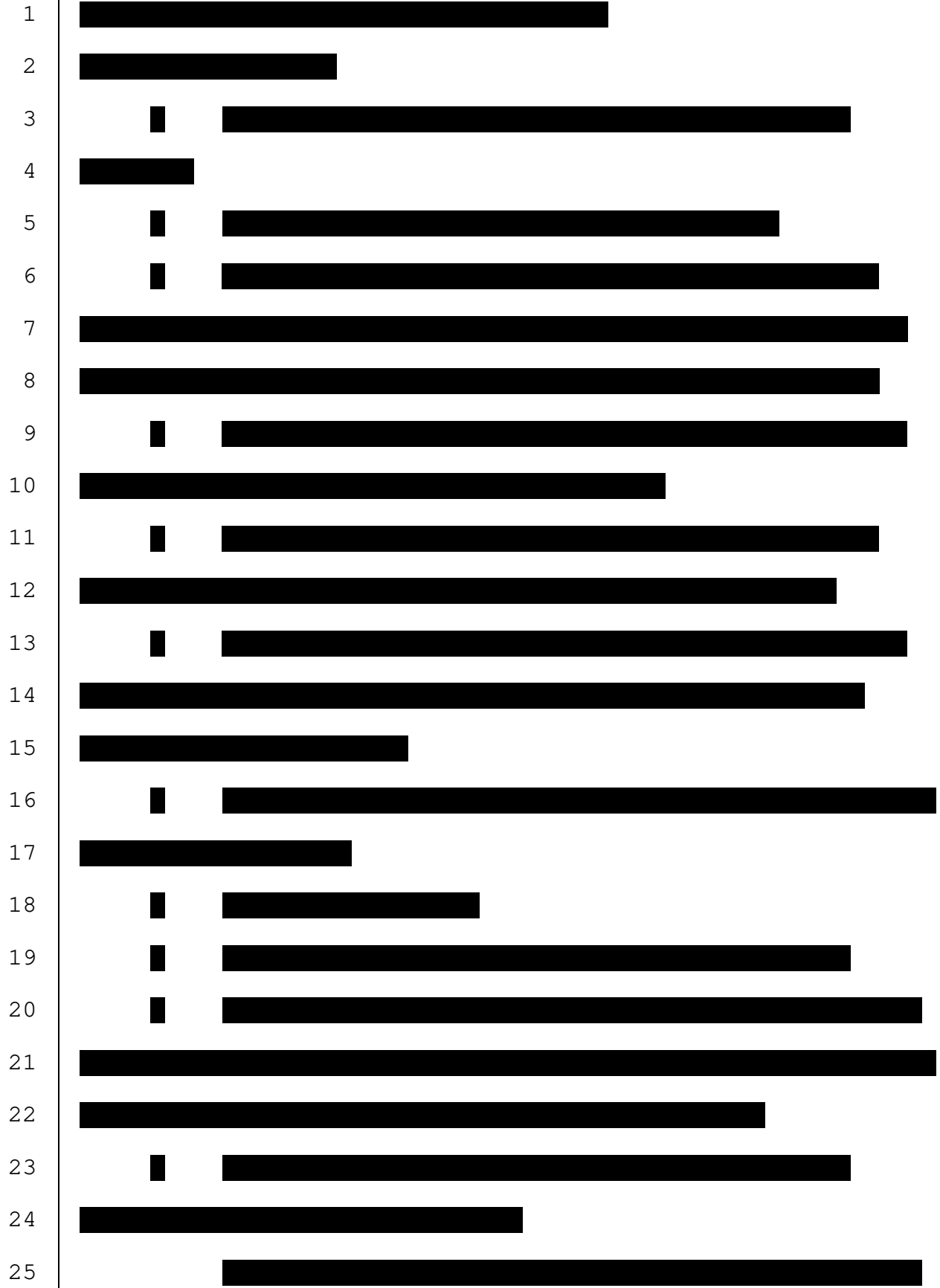






- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25





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

One more document, Mr. Roszak. Let's take a look at UPX38.

MR. HAFENBRACK: And, Your Honor, before we publish -- Mr. Penado -- may we publish UPX38 on the screen?

THE COURT: This is the document we were talking about the end of the day yesterday?

MR. HAFENBRACK: Yes, Your Honor.

THE COURT: Since we're in closed session, we're all in agreement that it can be shown.

MR. BENNETT: That's fine, Your Honor.

BY MR. HAFENBRACK:

Q And, Mr. Roszak, before I get into the document, I want to put the metadata for this document up on the screen.

And this is the metadata sheet that was produced to us in association with this document by your counsel.

1 And did you see that under both custodial --
2 custodian fields your name is there?

3 A I see what is highlighted, yes.

4 Q And you see that that's your name, correct?

5 A Yes.

6 Q And you see the e-author is mroszak@google.com?

7 A Yes.

8 Q Is that your email address?

9 A Yes.

10 Q And you see the file path is a file path for Mike
11 Roszak?

12 A I see that.

13 Q And that would be a file path to a folder you have
14 on your work computer or server?

15 A I do not know what that is.

16 Q Okay. And you see the file name is "Search
17 Advertising Speech"?

18 A Yes.

19 Q And the date created, July 27, 2017, correct?

20 A Yes.

21 Q We can go back to UPX38, Mr. Penado.

22 THE COURT: I'm sorry. What was the date again?
23 I missed that.

24 MR. HAFENBRACK: July 27th, 2017, Your Honor.

25

1 BY MR. HAFENBRACK:

2 Q And, Mr. Roszak is -- to the best of your
3 recollection, is UPX38 a document you wrote on a Google
4 computer?

5 A I don't recall, but I would assume so.

6 Q Okay.

7 Is it your standard practice to write work-related
8 documents on your work computer?

9 A I write most things on my work computer.

10 Q Okay.

11 And I believe you testified that you presented --
12 this is notes for a speech; is that right?

13 A Yes. I mentioned as part of a training class,
14 there was an afternoon communications course. And there
15 were some tips around presentation that, you know, jotted
16 this down as part of that communications training.

17 Q And that was a training at Google?

18 A It was a training -- it was not on -- it was not
19 on, like, at Google. It was off-site. I don't know if
20 that's what you're asking.

21 Q An off-site training, but hosted or sponsored by
22 Google; is that right?

23 A Yes.

24 Q And do you recall how big the class was?

25 A I don't recall.

1 Q And were the other attendees at the class also
2 Google employees?

3 A Attendees, yes.

4 Q And who gave the -- if there was a leader of the
5 presentation, who was the leader of the training?

6 A There was an external firm, I forget who.

7 Q Okay.

8 And you don't recall who the other Google
9 employees at the training were?

10 A I don't recall.

11 Q Would it have been members of your team or people
12 you didn't know?

13 A People I did not know.

14 Q Okay. Okay.

15 Let's take a look at UPX38 and direct your
16 attention to the first paragraph, Mr. Roszak, and we'll
17 highlight that on the screen for you.

18 And there's a reference here to a dinner with a
19 person named Christian. Do you see that?

20 A Yes.

21 Q And Christian is Christian Cramer, C-r-a-m-e-r; is
22 that right?

23 A I think when we touched on this last time, I said
24 that was maybe the case. I do not think it was him.

25 Q Who do you think it was?

1 A I do not know who this Christian was off the top
2 of my head.

3 Q Between your deposition and today, what made you
4 think -- what made you think it wasn't Mr. Cramer?

5 A Connecting the date to this training, Christian
6 was not at this training.

7 Q I see.

8 Were you able to figure out anyone else who was at
9 the training?

10 A No.

11 Q Okay.

12 And in the first paragraph here -- strike that.

13 Do you recall who you had this dinner with?

14 A I don't recall.

15 Q Okay.

16 The first paragraph, I'm going to read it, it
17 says, "Search advertising is one of the world's greatest
18 business models ever created - maybe Windows is on that same
19 level as Christian and I discussed at dinner. And there are
20 certainly illicit businesses (cigarettes or drugs) that
21 could rival these economics, but we are fortunate to have an
22 amazing business."

23 Did I read those words correctly?

24 A I believe so, yes.

25 Q And that's a bullet point that you wrote; is that

1 right?

2 A Yes.

3 Q And the reference to Windows, does that refer to
4 the Microsoft -- the Microsoft computer platform?

5 A I don't recall the specifics of what we were
6 talking about around that.

7 Q And, again, just asking about this bullet point.
8 In the context of this bullet point when you say, "We are
9 fortunate to have an amazing business," you're referring
10 there to Google's search business, right?

11 A Yes.

12 Q Okay.

13 Let's go to the second and third bullets.

14 And the first bullet says, "Part of what's been so
15 amazing about that is that we've essentially been able to
16 ignore one of the fundamental laws of economics - businesses
17 need to worry about supply and demand-businesses," correct?

18 A Well, I see that.

19 I don't know if I would say it's correct.

20 Q I just meant --

21 A I just know this exercise is -- yeah.

22 I don't necessarily believe that was the case, but
23 that is what -- if you're saying is that what it says,
24 that's what it says.

25 Q I just meant that I read that correctly, right?

1 A Yes.

2 Q And that's another bullet point that you wrote,
3 correct?

4 A Yes.

5 Q And the next bullet point down that's highlighted
6 says, "When talking about revenue, we can mostly ignore the
7 demand side of the equation (users and queries), and only
8 focus on supply side of advertisers, ad formats, and sales,"
9 correct?

10 A Well, again --

11 Q That's what it says?

12 A When you say "correct," that's what it says.

13 Q That's what it says, correct?

14 A Yes.

15 Q And you wrote that one as well, right?

16 A Yes.

17 Q And the "we" in "we can mostly ignore the demand
18 side of the equation" is Google; is that right?

19 A So this is where I'm not -- this is where it's,
20 like, full hyperbole and exaggeration. Like, I don't know
21 if I really had any thoughts in mind around what these
22 things were. It was much more around, like, playing around
23 with the hyperbole and exaggeration in terms of this
24 document.

25 Q Okay. But my question is just when you say, "We

1 could mostly ignore the demand side of the equation," is the
2 "we" there a reference to Google, correct?

3 A I would assume it was Google.

4 Q Okay.

5 And then one more bullet point, and the next one
6 says, "Sure. We had to build the best product, made smart
7 marketing/distribution investments to get our product
8 everywhere, but we could essentially tear the economics
9 textbook in half."

10 Did I read that correctly?

11 A Yes.

12 Q And you wrote that sentence as well, correct?

13 A Yes.

14 Q And the smart distribution investments that got
15 Google everywhere were defaults, correct?

16 A I don't recall what I was thinking about at that
17 time.

18 Q Okay.

19 And with respect to all of these bullet points,
20 you -- at the time you wrote these bullet points, you were
21 the finance director for the Google Search product, correct?

22 A I believe so, yes.

23 Q And you'd been in the finance department at Google
24 for almost a decade, correct?

25 A Yes.

1 Q And you're a vice president at Google today,
2 correct?

3 A I am today.

4 MR. HAFENBRACK: No further questions, Your Honor,
5 at this time.

6 THE COURT: Okay. Thank you, Mr. Hafenbrack.

7 MR. HAFENBRACK: Actually, I do have one more
8 question, if I may, Your Honor.

9 THE COURT: Okay.

10 BY MR. HAFENBRACK:

11 Q We briefly discussed a Christian Cramer, and you
12 mentioned you didn't think that the first bullet point in
13 UPX38 was referring to him?

14 A Yes.

15 Q Mr. Cramer is an employee at Google, correct?

16 A Yes.

17 Q And he, like you, is a finance employee at Google;
18 is that right?

19 A Yes.

20 Q Okay.

21 MR. HAFENBRACK: Thank you, Your Honor.

22 MR. CAVANAUGH: Your Honor, we have no questions
23 of this witness.

24 THE COURT: Okay.

25 All right. We'll begin with Google's examination.

1 MR. BENNETT: We do, Your Honor.

2 - - -

3 CROSS-EXAMINATION

4 BY MR. BENNETT:

5 Q Good afternoon. Ted Bennett from Williams &
6 Connolly on behalf of Google.

7 Good afternoon, Mr. Roszak. It is afternoon.

8 A few questions for you. I'll try to be brisk.

9 Just looking at Exhibit 38, which is in front of
10 you, yeah, I noticed in the meta --

11 Can we put the metadata up?

12 The metadata indicates that this document was
13 created and last saved during about an hour-long period, oh,
14 a little over seven years ago. Does that sound about right
15 when you went to this training?

16 A Yes, that sounds about right.

17 Q And you haven't accessed the document in more than
18 seven years?

19 A No.

20 Q The metadata doesn't indicate that you sent that
21 document to anybody. Does that seem about right?

22 A Oh, yes, I did not spend this to anyone. I would
23 not have sent this to anyone.

24 Q This training you went to, did Google assign you
25 to go to the training or was this something you did

1 voluntarily, specifically the public speaking training?

2 A It was part of a broader training. It was part of
3 like a six-day training one afternoon then.

4 I don't remember exactly how I ended up in the
5 overall training.

6 Q But was there a menu of things you could take, of
7 different breakout sessions?

8 A No, it was a pretty set curriculum in terms of --
9 the curriculum was set as we entered the training.

10 Q Okay.

11 The first four bullets on Exhibit 38, I'm not
12 going to walk back through them. First of all,
13 do you believe the statements made in those first four
14 bullets to be true?

15 A No, I do think Google has to care about supply and
16 demand. I do think Google has to care about demand.

17 Part of this exercise was playing around with,
18 like, how to get attention upfront, and I used this training
19 as an opportunity to work on hyperbole and exaggeration and
20 say things that I do not think are true.

21 Q Thank you. You can put that aside.

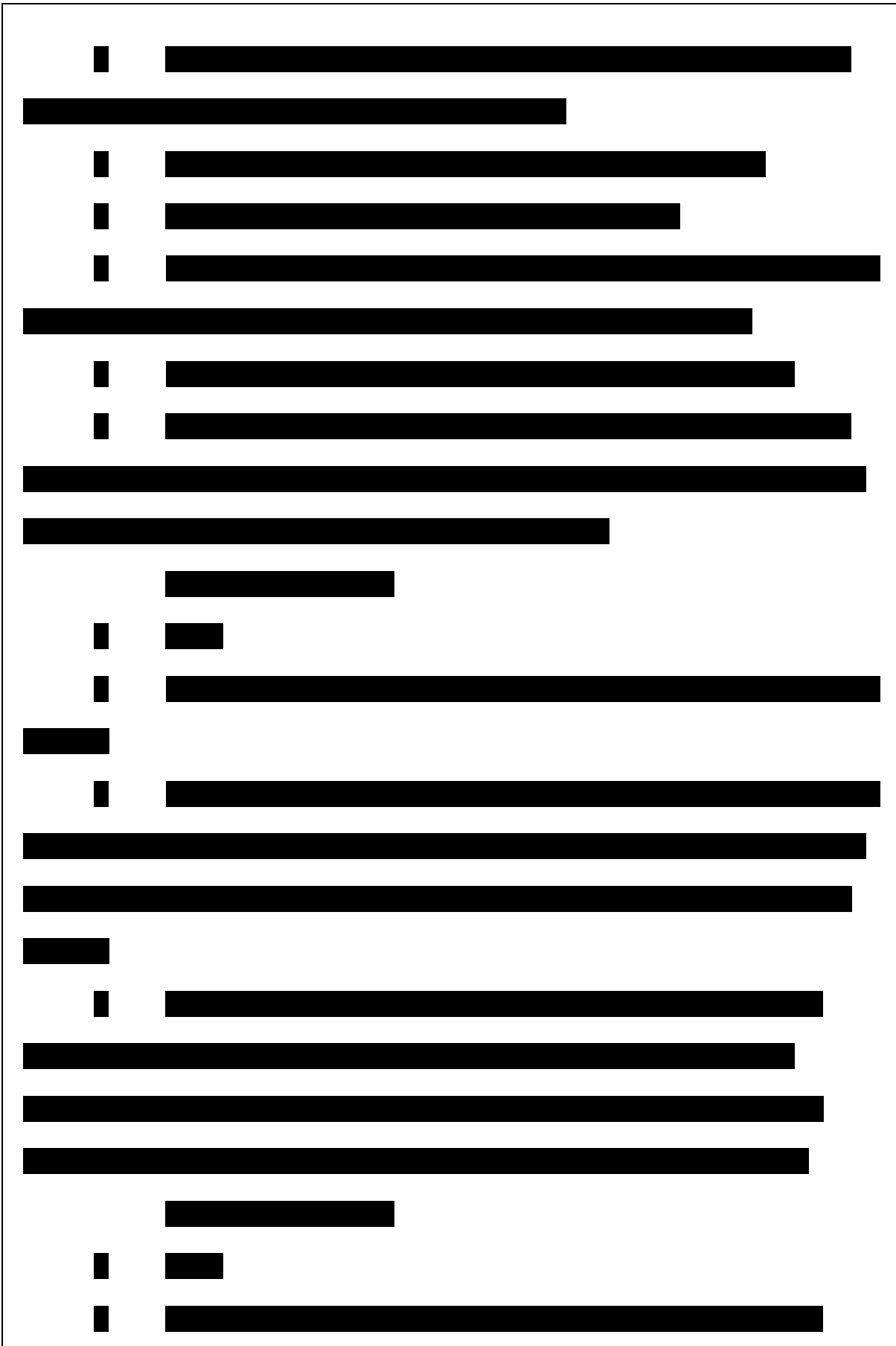
22

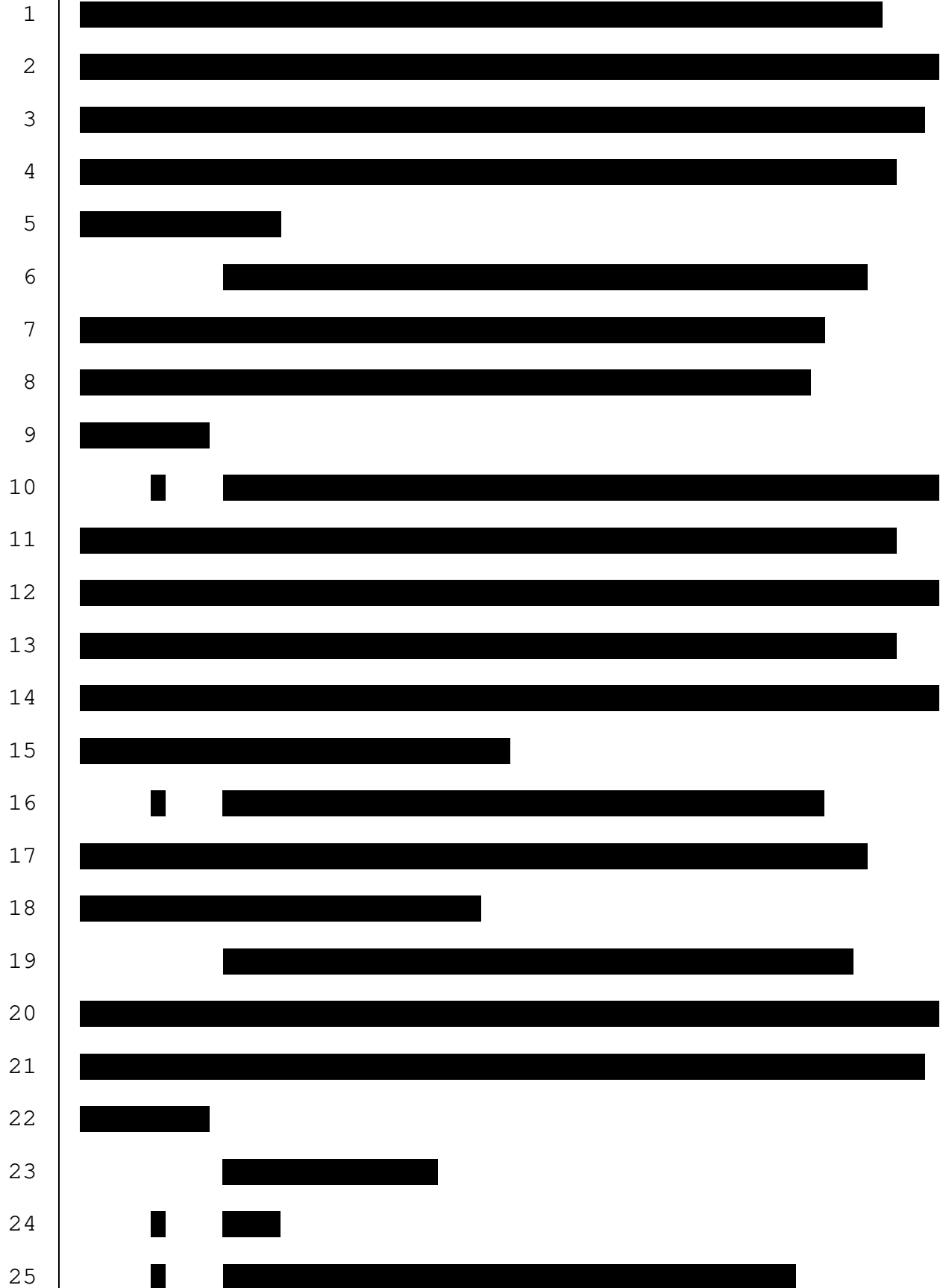
23

24

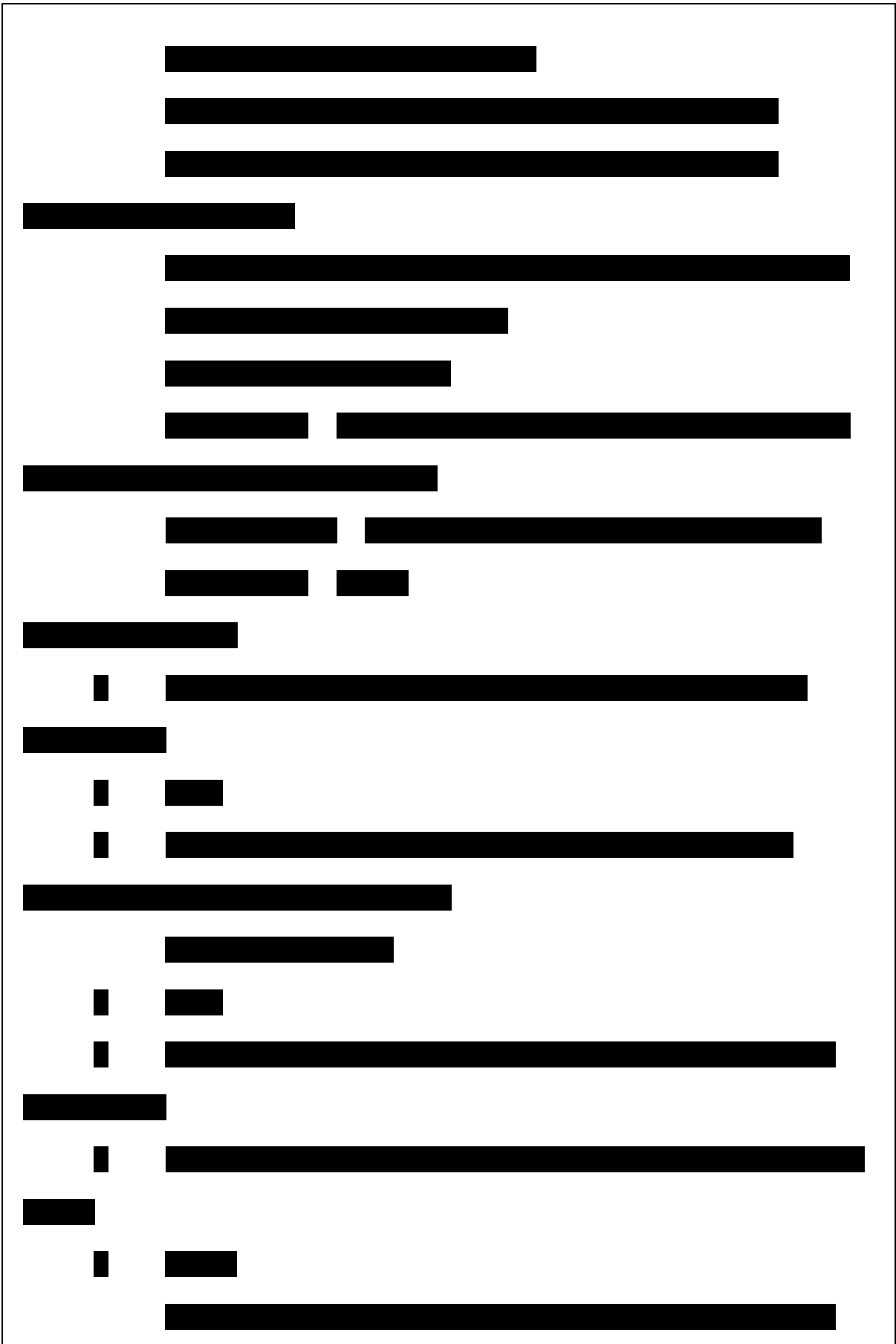
25

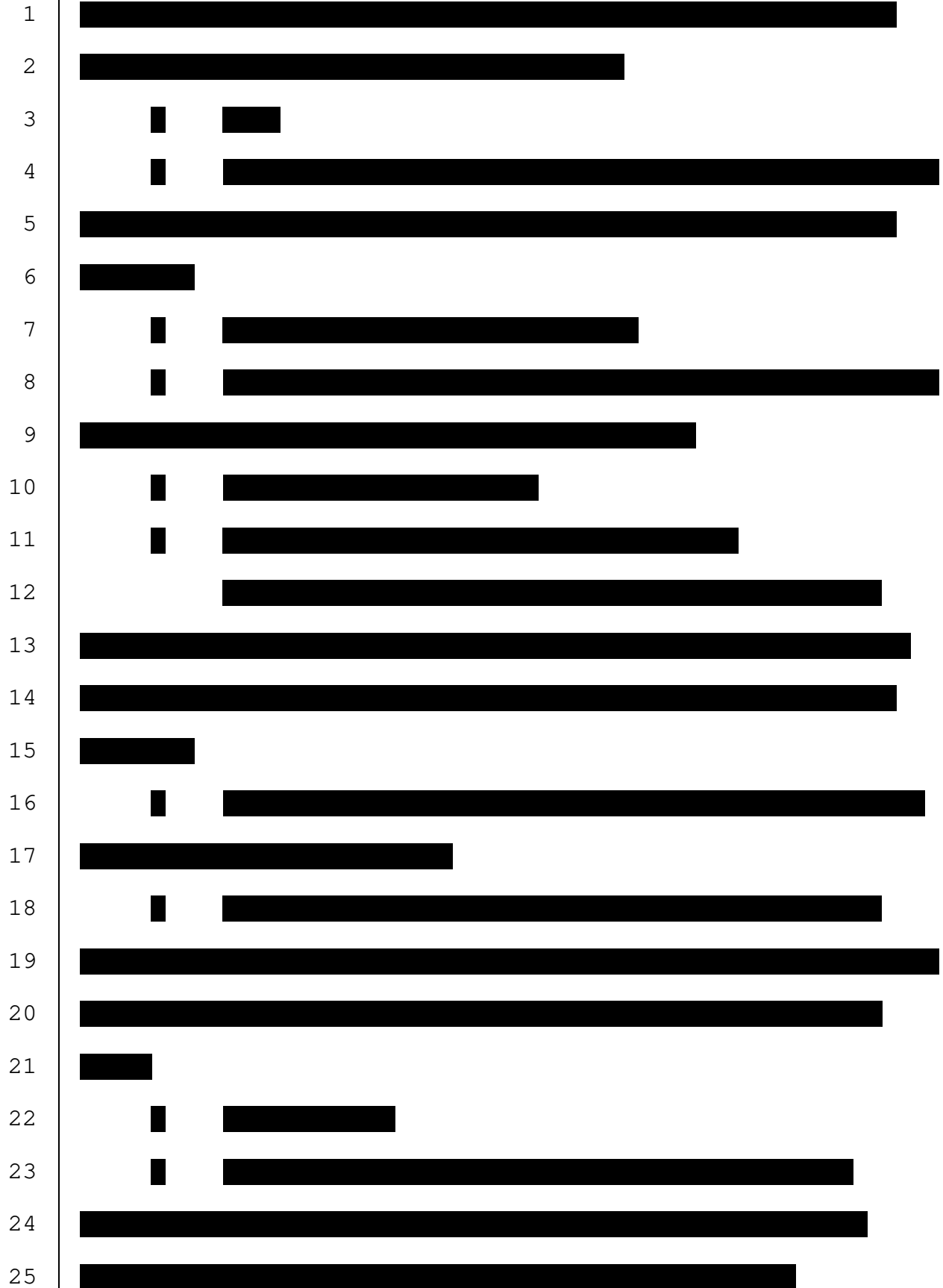
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

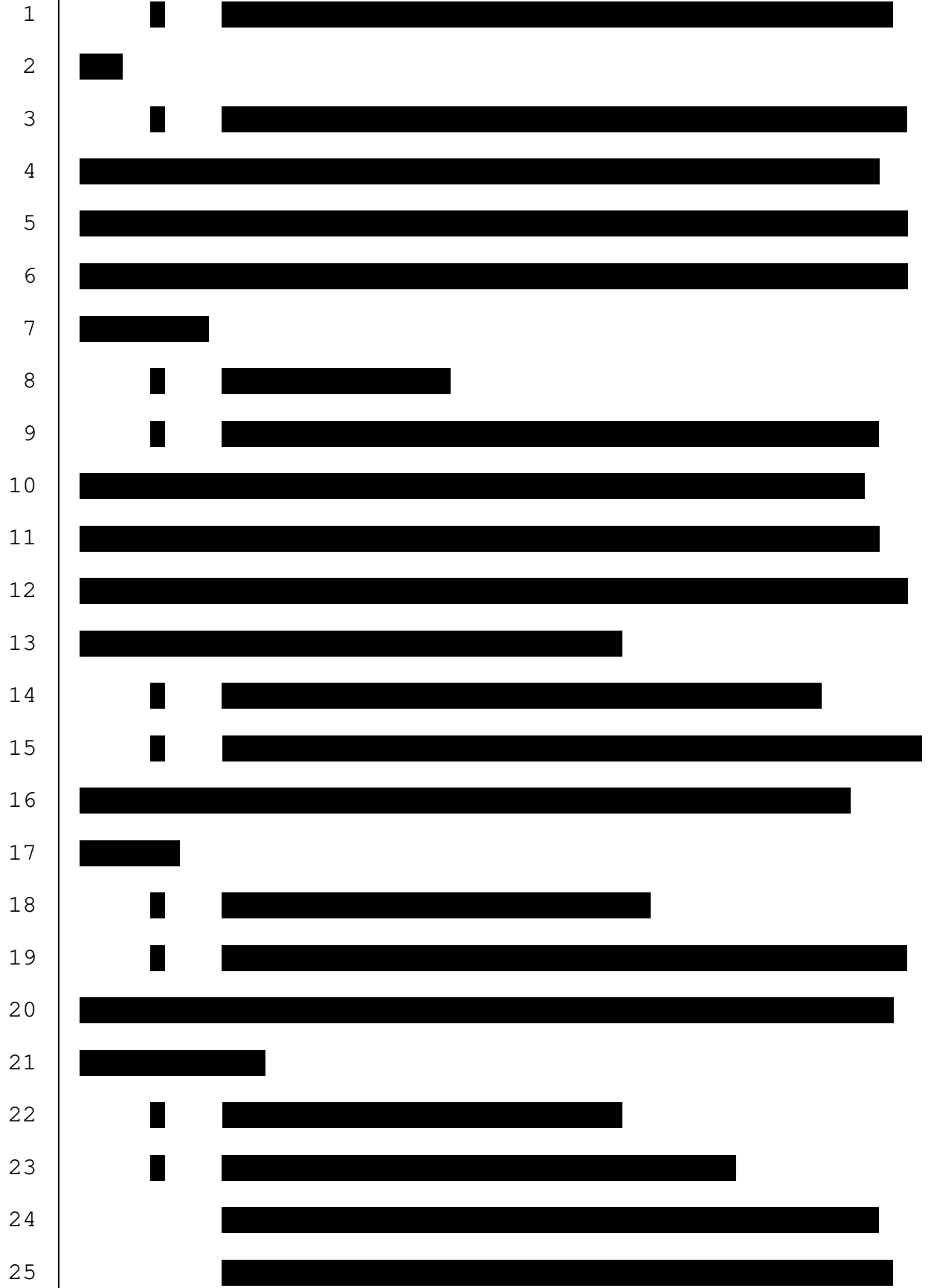


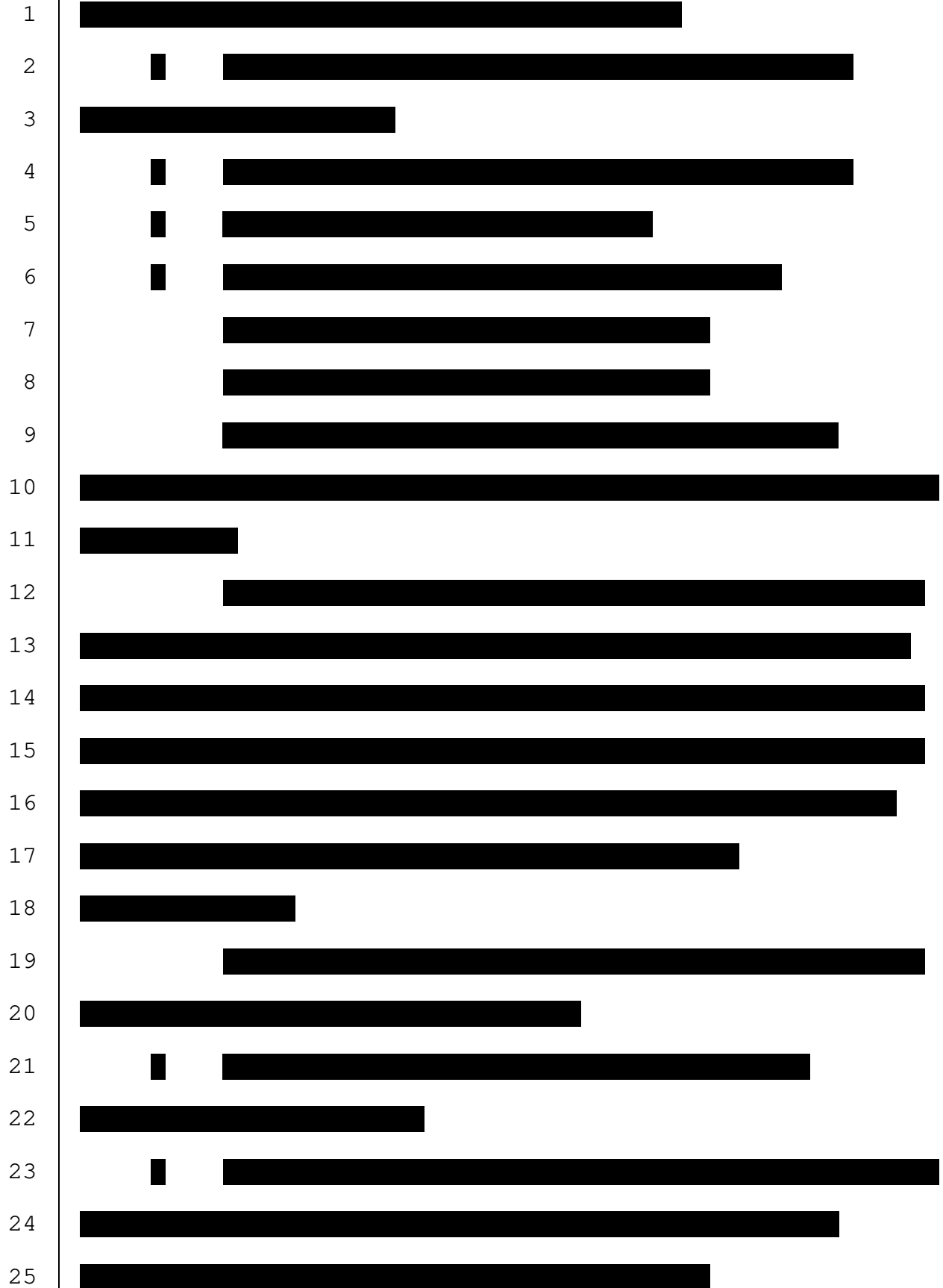


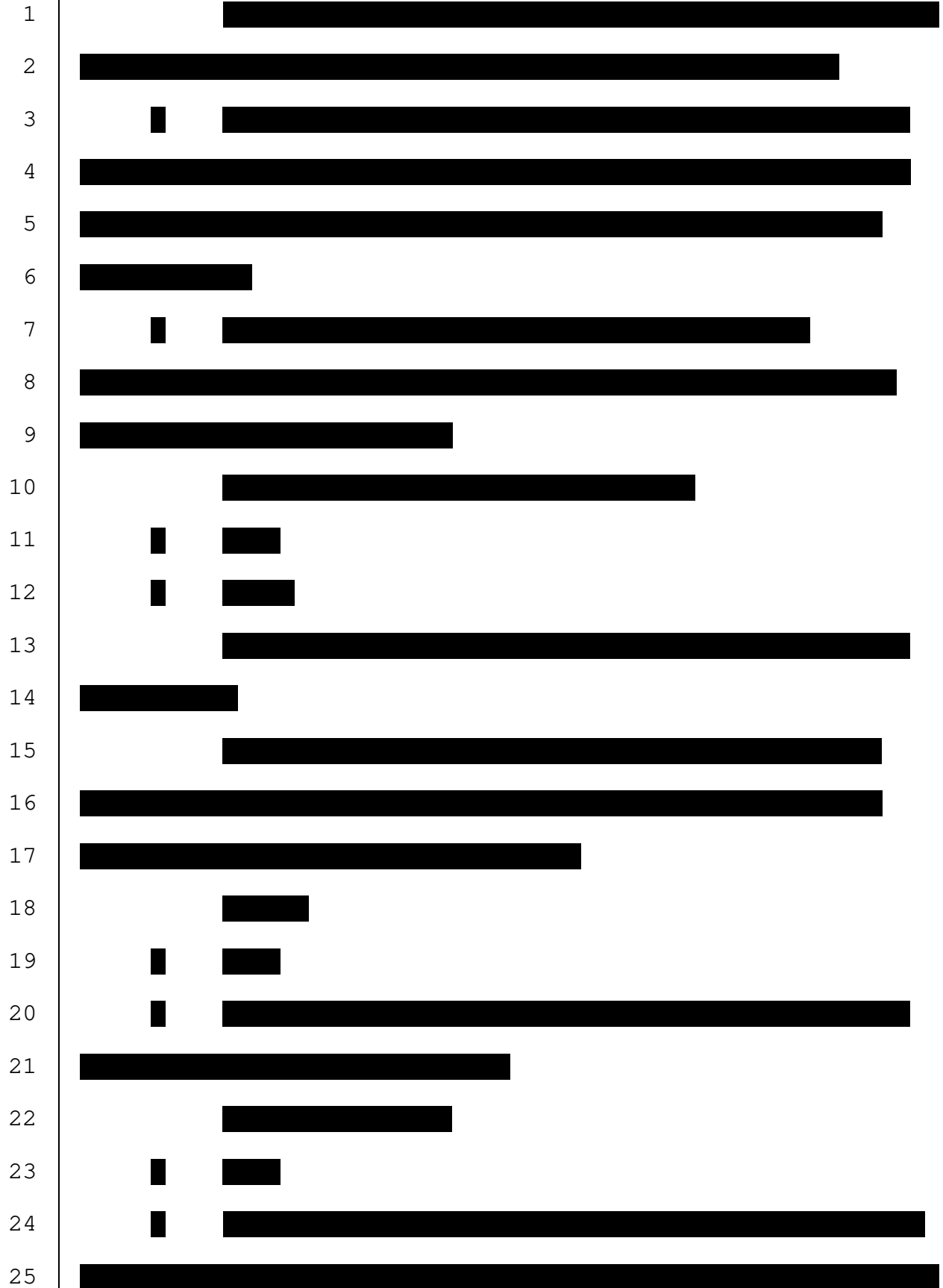
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



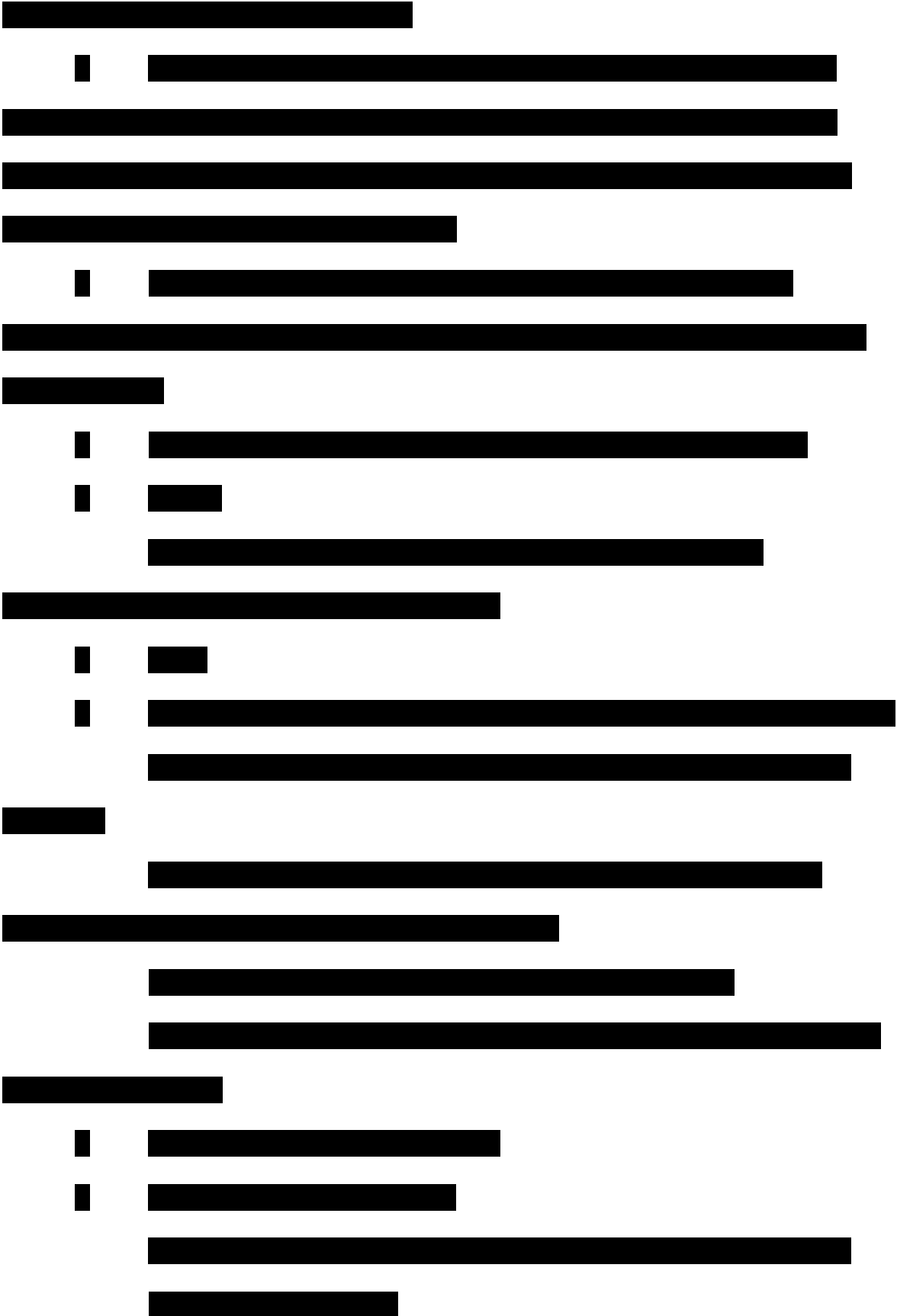




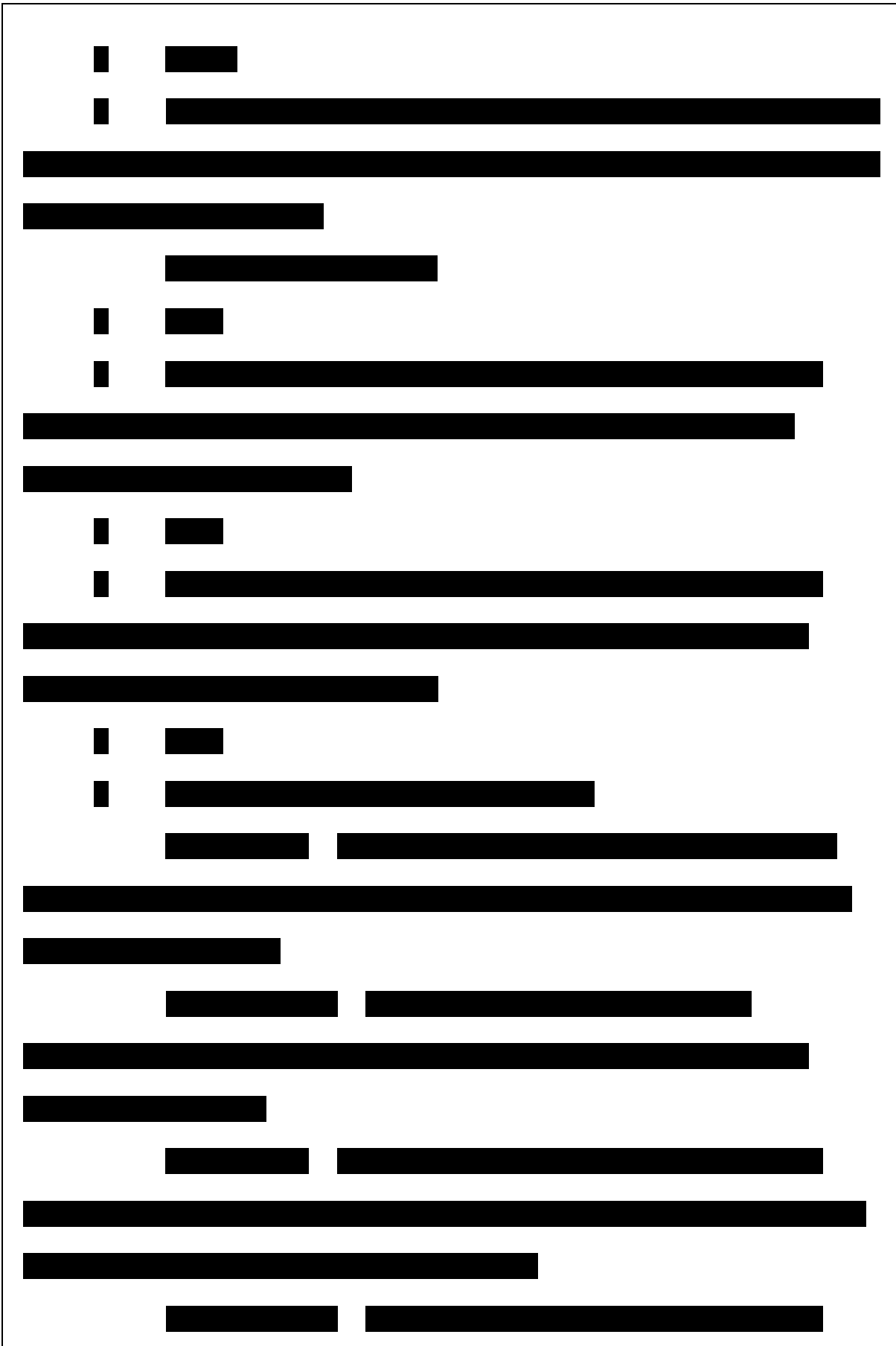




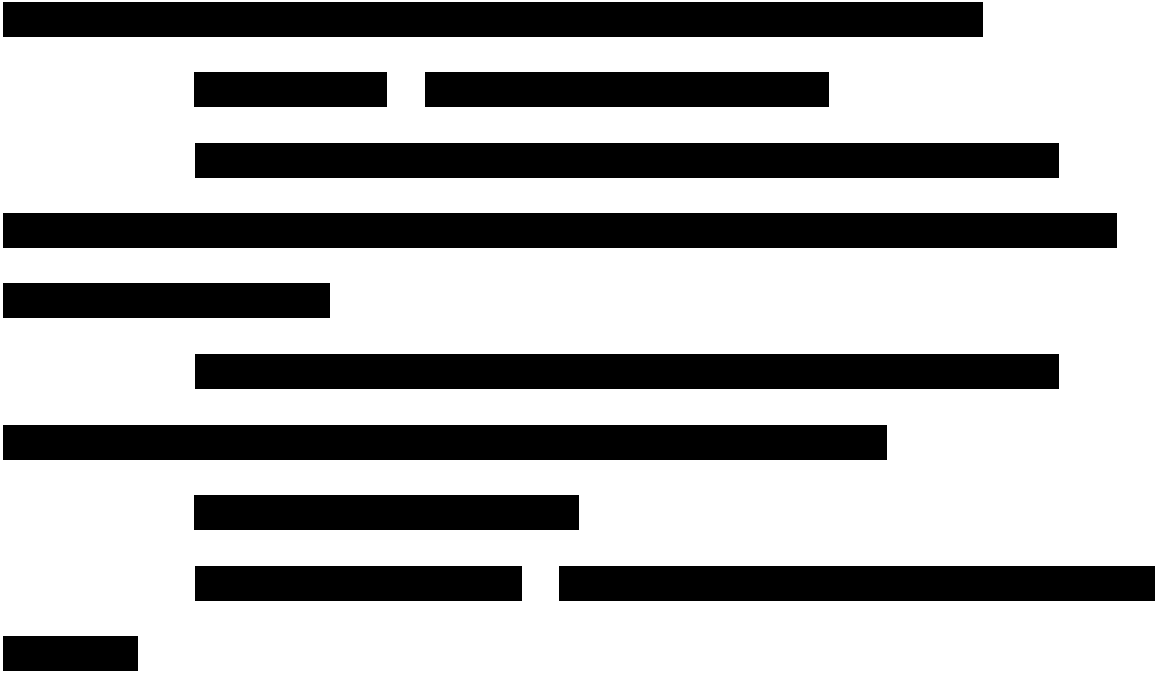
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25



- 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



- 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



(Recess from 12:28 p.m. to 1:30 p.m.)

C E R T I F I C A T E

I, William P. Zaremba, RMR, CRR, certify that the foregoing is a correct transcript from the record of proceedings in the above-titled matter.

Date: September 20, 2023



William P. Zaremba, RMR, CRR

| | | | | |
|--|--|---|---|--|
| <p>BY MR. BENNETT: [2] 1699/4 1703/12</p> <p>BY MR. HAFENBRACK: [18] 1601/7 1608/6 1614/23 1618/20 1625/2 1633/24 1636/13 1654/9 1654/15 1669/5 1670/21 1678/4 1679/9 1688/8 1689/2 1690/21 1691/25 1698/10</p> <p>COURTROOM DEPUTY: [5] 1600/3 1600/5 1653/24 1654/2 1710/9</p> <p>MR. BENNETT: [5] 1690/20 1699/1 1703/10 1709/19 1709/25</p> <p>MR. CAVANAUGH: [1] 1698/22</p> <p>MR. HAFENBRACK: [21] 1600/21 1600/24 1608/1 1614/12 1614/19 1618/19 1633/22 1636/6 1636/9 1653/17 1653/23 1654/8 1654/13 1668/23 1679/7 1690/13 1690/17 1691/24 1698/4 1698/7 1698/21</p> <p>THE COURT: [36] 1600/4 1600/11 1600/17 1600/23 1608/5 1614/17 1614/20 1624/20 1625/1 1636/5 1636/8 1636/12 1653/20 1654/4 1668/21 1668/24 1670/8 1670/13 1670/16 1670/20 1677/23 1678/3 1688/3 1688/6 1688/15 1690/15 1690/18 1691/22 1698/6 1698/9 1698/24 1703/8 1703/11 1709/16 1709/22 1710/2</p> <p>THE WITNESS: [9] 1624/24 1668/25 1670/10 1670/14 1670/18 1678/2 1688/5 1688/7 1688/18</p> | <p>1300 [1] 1597/13 1:30 [1] 1710/11</p> <hr/> <p>2</p> <p>20 [2] 1596/5 1711/7 20-3010 [1] 1596/4 20001 [1] 1598/12 20005 [1] 1598/4 20024 [1] 1598/7 2017 [2] 1691/19 1691/24 202 [5] 1597/4 1597/8 1598/4 1598/8 1598/13 2023 [2] 1596/5 1711/7 20530 [1] 1597/7 212 [1] 1597/19 2200 [1] 1597/18 27 [1] 1691/19 2793 [1] 1597/19 27th [1] 1691/24</p> <hr/> <p>3</p> <p>3010 [1] 1596/4 307-0340 [1] 1597/4 3249 [1] 1598/13 333 [1] 1598/12 335-2793 [1] 1597/19 354-3249 [1] 1598/13 38 [2] 1699/9 1700/11</p> <hr/> <p>4</p> <p>434-5000 [1] 1598/4 434-5083 [1] 1598/8 455 [1] 1597/7</p> <hr/> <p>5</p> <p>5000 [1] 1598/4 508-6000 [1] 1597/15 5083 [1] 1598/8 5th [1] 1597/7</p> <hr/> <p>6</p> <p>6000 [1] 1597/15 603-0857 [1] 1597/8 6710 [1] 1597/19 680 [1] 1598/7</p> <hr/> <p>7</p> <p>720 [1] 1597/15 725 [1] 1598/3 7th [1] 1597/14</p> <hr/> <p>8</p> <p>80203 [1] 1597/14</p> <hr/> <p>9</p> <p>9:45 [1] 1596/6</p> | <p>above [1] 1711/4 above-titled [1] 1711/4 accessed [1] 1699/17 Actually [1] 1698/7 ad [1] 1696/8 address [1] 1691/8 ADMITTED [1] 1599/10 advertisers [1] 1696/8 advertising [2] 1691/17 1694/17 afternoon [5] 1692/14 1699/5 1699/7 1699/7 1700/3 again [3] 1691/22 1695/7 1696/10 ago [1] 1699/14 agreement [1] 1690/19 aided [1] 1598/14 AL [1] 1596/3 all [4] 1690/19 1697/19 1698/25 1700/12 almost [1] 1697/24 also [1] 1693/1 am [1] 1698/3 amazing [3] 1694/22 1695/9 1695/15 AMERICA [1] 1596/3 Americas [1] 1597/18 AMIT [1] 1596/9 another [1] 1696/2 Antitrust [1] 1597/12 any [1] 1696/21 anybody [1] 1699/21 anyone [3] 1694/8 1699/22 1699/23 APPEARANCES [2] 1596/11 1597/21 are [4] 1694/19 1694/21 1695/8 1700/20 around [6] 1692/15 1695/6 1696/21 1696/22 1696/22 1700/17 as [7] 1692/13 1692/16 1694/19 1696/15 1697/12 1700/9 1700/19 aside [1] 1700/21 asking [2] 1692/20 1695/7 assign [1] 1699/24 association [1] 1690/25 assume [2] 1692/5 1697/3 ATR [1] 1597/6 attendees [2] 1693/1 1693/3 attention [2] 1693/16 1700/18 author [1] 1691/6 Avenue [3] 1597/18 1598/7 1598/12</p> | <p>Barrett [1] 1598/11 be [4] 1690/19 1691/13 1699/8 1700/14 been [4] 1693/11 1695/14 1695/15 1697/23 before [3] 1596/9 1690/13 1690/22 begin [1] 1698/25 behalf [1] 1699/6 believe [5] 1692/11 1694/24 1695/22 1697/22 1700/13 BELKNAP [1] 1597/17 BENCH [1] 1596/9 Bennett [2] 1598/6 1699/5 best [2] 1692/2 1697/6 Between [1] 1694/3 big [1] 1692/24 both [1] 1691/1 breakout [1] 1700/7 briefly [1] 1698/11 brisk [1] 1699/8 broader [1] 1700/2 Broadway [1] 1597/13 Bruce [1] 1597/10 build [1] 1697/6 bullet [10] 1694/25 1695/7 1695/8 1695/14 1696/2 1696/5 1697/5 1697/19 1697/20 1698/12 bullets [3] 1695/13 1700/11 1700/14 business [4] 1694/18 1694/22 1695/9 1695/10 businesses [3] 1694/20 1695/16 1695/17</p> <hr/> <p>C</p> <p>C-r-a-m-e-r [1] 1693/21 can [6] 1690/19 1691/21 1696/6 1696/17 1699/11 1700/21 care [2] 1700/15 1700/16 Carr [1] 1597/12 case [2] 1693/24 1695/22 Cavanaugh [1] 1597/16 Center [1] 1597/13 certainly [1] 1694/20 Certified [1] 1598/10 certify [1] 1711/2 CH [1] 1598/11 Charles [1] 1598/2 Christian [7] 1693/19 1693/21 1693/21 1694/1 1694/5 1694/19 1698/11 cigarettes [1] 1694/20 class [3] 1692/13 1692/24 1693/1</p> | <p>closed [2] 1600/2 1690/18 CO [1] 1597/14 coag.gov [1] 1597/15 Colorado [3] 1597/10 1597/11 1597/13 COLUMBIA [1] 1596/1 communications [2] 1692/14 1692/16 computer [6] 1598/14 1691/14 1692/4 1692/8 1692/9 1695/4 computer-aided [1] 1598/14 Connecting [1] 1694/5 CONNOLLY [3] 1598/3 1598/6 1699/6 Constitution [1] 1598/12 Consumer [1] 1597/11 context [1] 1695/8 CONTINUED [1] 1598/1 correct [16] 1691/4 1691/19 1695/17 1695/19 1696/3 1696/9 1696/12 1696/13 1697/2 1697/12 1697/15 1697/21 1697/24 1698/2 1698/15 1711/3 correctly [3] 1694/23 1695/25 1697/10 could [4] 1694/21 1697/1 1697/8 1700/6 counsel [1] 1690/25 course [1] 1692/14 COURT [3] 1596/1 1598/9 1598/11 Cramer [4] 1693/21 1694/4 1698/11 1698/15 created [3] 1691/19 1694/18 1699/13 CROSS [2] 1599/4 1699/3 CROSS-EXAMINATION [1] 1699/3 CRR [2] 1711/2 1711/8 curriculum [2] 1700/8 1700/9 custodial [1] 1691/1 custodian [1] 1691/2 CV [1] 1596/4</p> <hr/> <p>D</p> <p>D.C [6] 1596/5 1597/3 1597/7 1598/4 1598/7 1598/12 date [4] 1691/19 1691/22 1694/5 1711/7 day [3] 1596/7 1690/16 1700/3 decade [1] 1697/24 defaults [1] 1697/15 Defendant [2] 1596/7 1598/2 DEFENDANT'S [1]</p> |
| <p>0</p> <p>0340 [1] 1597/4 0857 [1] 1597/8</p> <hr/> <p>1</p> <p>10036-6710 [1] 1597/19 1100 [1] 1597/3 1133 [1] 1597/18 12:28 [1] 1710/11 12th [1] 1598/3</p> | <p>A</p> <p>a.m [1] 1596/6 able [2] 1694/8 1695/15 about [13] 1690/16 1695/6 1695/7 1695/15 1695/17 1696/6 1697/16 1699/13 1699/14 1699/16 1699/21 1700/15 1700/16</p> | <p>B</p> <p>back [2] 1691/21 1700/12</p> | | |

| | | | | | |
|--|--|--|--|---|--|
| <p>D</p> <p>DEFENDANT'S... [1] 1599/10</p> <p>demand [6] 1695/17 1696/7 1696/17 1697/1 1700/16 1700/16</p> <p>demand-businesses [1] 1695/17</p> <p>Denver [1] 1597/14</p> <p>department [3] 1597/2 1597/11 1697/23</p> <p>deposition [1] 1694/3</p> <p>did [7] 1691/1 1693/13 1694/23 1697/10 1699/22 1699/24 1699/25</p> <p>didn't [2] 1693/12 1698/12</p> <p>different [1] 1700/7</p> <p>dinner [3] 1693/18 1694/13 1694/19</p> <p>Dintzer [1] 1597/2</p> <p>direct [2] 1599/4 1693/15</p> <p>director [1] 1697/21</p> <p>discussed [2] 1694/19 1698/11</p> <p>distribution [2] 1697/7 1697/14</p> <p>DISTRICT [3] 1596/1 1596/1 1596/10</p> <p>do [13] 1691/15 1692/24 1693/19 1693/24 1693/25 1694/1 1694/13 1698/7 1699/1 1700/13 1700/15 1700/16 1700/20</p> <p>do you [2] 1692/24 1694/13</p> <p>do you believe [1] 1700/13</p> <p>Do you see [1] 1693/19</p> <p>document [10] 1690/11 1690/15 1690/22 1690/23 1690/25 1692/3 1696/24 1699/12 1699/17 1699/21</p> <p>documents [1] 1692/8</p> <p>does [3] 1695/3 1699/14 1699/21</p> <p>doesn't [1] 1699/20</p> <p>DOJ [2] 1597/2 1597/6</p> <p>DOJ-ATR [1] 1597/6</p> <p>don't [12] 1692/5 1692/19 1692/25 1693/8 1693/10 1694/14 1695/5 1695/19 1695/22 1696/20 1697/16 1700/4</p> <p>down [2] 1692/16 1696/5</p> <p>drugs [1] 1694/20</p> <p>during [1] 1699/13</p> | <p>E</p> <p>e-author [1] 1691/6</p> <p>ebennett [1] 1598/8</p> <p>economics [3] 1694/21 1695/16 1697/8</p> <p>Edward [1] 1598/6</p> <p>else [1] 1694/8</p> <p>email [7] 1597/4 1597/8 1597/15 1597/20 1598/5 1598/8 1691/8</p> <p>employee [2] 1698/15 1698/17</p> <p>employees [2] 1693/2 1693/9</p> <p>end [1] 1690/16</p> <p>ended [1] 1700/4</p> <p>entered [1] 1700/9</p> <p>equation [3] 1696/7 1696/18 1697/1</p> <p>essentially [2] 1695/15 1697/8</p> <p>ET [1] 1596/3</p> <p>ever [1] 1694/18</p> <p>everywhere [2] 1697/8 1697/15</p> <p>exactly [1] 1700/4</p> <p>exaggeration [3] 1696/20 1696/23 1700/19</p> <p>examination [2] 1698/25 1699/3</p> <p>exercise [2] 1695/21 1700/17</p> <p>Exhibit [2] 1699/9 1700/11</p> <p>EXHIBITS [1] 1599/8</p> <p>external [1] 1693/6</p> | <p>1695/16</p> <p>further [1] 1698/4</p> <p>G</p> <p>gave [1] 1693/4</p> <p>get [3] 1690/22 1697/7 1700/18</p> <p>go [3] 1691/21 1695/13 1699/25</p> <p>going [2] 1694/16 1700/12</p> <p>Good [2] 1699/5 1699/7</p> <p>GOOGLE [21] 1596/6 1598/2 1692/3 1692/17 1692/19 1692/22 1693/2 1693/8 1696/18 1697/2 1697/3 1697/15 1697/21 1697/23 1698/1 1698/15 1698/17 1699/6 1699/24 1700/15 1700/16</p> <p>Google's [2] 1695/10 1698/25</p> <p>google.com [1] 1691/6</p> <p>got [1] 1697/14</p> <p>greatest [1] 1694/17</p> <p>H</p> <p>had [3] 1694/13 1696/21 1697/6</p> <p>Hafenbrack [2] 1597/6 1698/6</p> <p>half [1] 1697/9</p> <p>has [2] 1700/15 1700/16</p> <p>have [7] 1691/13 1693/11 1694/21 1695/9 1698/7 1698/22 1699/23</p> <p>haven't [1] 1699/17</p> <p>he [1] 1698/17</p> <p>head [1] 1694/2</p> <p>here [2] 1693/18 1694/12</p> <p>here -- strike [1] 1694/12</p> <p>highlight [1] 1693/17</p> <p>highlighted [2] 1691/3 1696/5</p> <p>him [2] 1693/24 1698/13</p> <p>Honor [9] 1690/13 1690/17 1690/20 1691/24 1698/4 1698/8 1698/21 1698/22 1699/1</p> <p>HONORABLE [1] 1596/9</p> <p>hosted [1] 1692/21</p> <p>hour [1] 1699/13</p> <p>hour-long [1] 1699/13</p> <p>how [3] 1692/24 1700/4 1700/18</p> <p>hyperbole [3] 1696/20 1696/23 1700/19</p> | <p>I</p> <p>I am [1] 1698/3</p> <p>I believe [1] 1692/11</p> <p>I did [1] 1693/13</p> <p>I do [1] 1700/20</p> <p>I don't [2] 1695/22 1700/4</p> <p>I don't recall [6] 1692/5 1692/25 1693/10 1694/14 1695/5 1697/16</p> <p>I think [1] 1693/23</p> <p>I was [1] 1697/16</p> <p>I'll [1] 1699/8</p> <p>I'm [4] 1691/22 1694/16 1696/19 1700/11</p> <p>I'm going [1] 1694/16</p> <p>I'm not [1] 1696/19</p> <p>I'm sorry [1] 1691/22</p> <p>ignore [4] 1695/16 1696/6 1696/17 1697/1</p> <p>illicit [1] 1694/20</p> <p>INDEX [2] 1599/2 1599/8</p> <p>indicate [1] 1699/20</p> <p>indicates [1] 1699/12</p> <p>investments [2] 1697/7 1697/14</p> <p>is [36] 1690/15 1690/24 1691/2 1691/3 1691/6 1691/8 1691/10 1691/15 1691/16 1692/2 1692/3 1692/7 1692/12 1692/12 1692/22 1693/21 1693/21 1694/17 1694/18 1694/25 1695/15 1695/21 1695/23 1695/23 1696/18 1696/18 1696/19 1696/19 1696/25 1697/1 1698/15 1698/17 1698/18 1699/7 1699/9 1711/3</p> <p>it [23] 1690/19 1692/7 1692/18 1692/18 1692/18 1692/19 1693/11 1693/24 1693/25 1694/4 1694/16 1694/16 1695/23 1695/24 1696/11 1696/12 1696/13 1696/22 1697/3 1699/7 1700/2 1700/2 1700/8</p> <p>it's [2] 1695/19 1696/19</p> | <p>Jr [1] 1597/16</p> <p>jschmidlein [1] 1598/5</p> <p>JUDGE [1] 1596/10</p> <p>Judicial [1] 1597/13</p> <p>July [2] 1691/19 1691/24</p> <p>July 27 [1] 1691/19</p> <p>July 27th [1] 1691/24</p> <p>just [6] 1695/7 1695/20 1695/21 1695/25 1696/25 1699/9</p> <p>JUSTICE [1] 1597/2</p> <p>K</p> <p>Kenneth [2] 1597/2 1598/2</p> <p>kenneth.dintzer2 [1] 1597/5</p> <p>know [9] 1691/15 1692/15 1692/19 1693/12 1693/13 1694/1 1695/19 1695/21 1696/20</p> <p>L</p> <p>last [2] 1693/23 1699/13</p> <p>LAW [1] 1597/11</p> <p>laws [1] 1695/16</p> <p>leader [2] 1693/4 1693/5</p> <p>Let's [3] 1690/11 1693/15 1695/13</p> <p>level [1] 1694/19</p> <p>like [7] 1692/19 1696/20 1696/20 1696/22 1698/17 1700/3 1700/18</p> <p>little [1] 1699/14</p> <p>LLC [1] 1596/6</p> <p>LLP [3] 1597/17 1598/3 1598/6</p> <p>long [1] 1699/13</p> <p>look [2] 1690/11 1693/15</p> <p>looking [1] 1699/9</p> | <p>M</p> <p>made [4] 1694/3 1694/4 1697/6 1700/13</p> <p>Maine [1] 1598/7</p> <p>marketing [1] 1697/7</p> <p>marketing/distribution [1] 1697/7</p> <p>matter [1] 1711/4</p> <p>may [2] 1690/14 1698/8</p> <p>maybe [2] 1693/24 1694/18</p> <p>meant [2] 1695/20 1695/25</p> <p>mechanical [1] 1598/14</p> <p>MEHTA [1] 1596/9</p> <p>members [1] 1693/11</p> <p>mentioned [2] 1692/13 1698/12</p> |
|--|--|--|--|---|--|

| | | | | |
|--|---|---|---|--|
| <p>M</p> <p>menu [1] 1700/6</p> <p>Merit [1] 1598/10</p> <p>meta [1] 1699/10</p> <p>metadata [5] 1690/23 1690/24 1699/11 1699/12 1699/20</p> <p>Microsoft [2] 1695/4 1695/4</p> <p>Mike [1] 1691/10</p> <p>mind [1] 1696/21</p> <p>missed [1] 1691/23</p> <p>models [1] 1694/18</p> <p>more [5] 1690/11 1696/22 1697/5 1698/7 1699/17</p> <p>Morning [1] 1596/7</p> <p>most [1] 1692/9</p> <p>mostly [3] 1696/6 1696/17 1697/1</p> <p>Mr. [10] 1690/11 1690/14 1690/22 1691/21 1692/2 1693/16 1694/4 1698/6 1698/15 1699/7</p> <p>Mr. Cramer [2] 1694/4 1698/15</p> <p>Mr. Hafenbrack [1] 1698/6</p> <p>Mr. Penado [2] 1690/14 1691/21</p> <p>Mr. Roszak [5] 1690/11 1690/22 1692/2 1693/16 1699/7</p> <p>mroszak [1] 1691/6</p> <p>much [1] 1696/22</p> <p>my [3] 1692/9 1694/2 1696/25</p> | <p>1692/21</p> <p>Official [1] 1598/11</p> <p>oh [2] 1699/13 1699/22</p> <p>Okay [17] 1691/16 1692/6 1692/10 1693/7 1693/14 1693/14 1694/11 1694/15 1695/12 1696/25 1697/4 1697/18 1698/6 1698/9 1698/20 1698/24 1700/10</p> <p>one [8] 1690/11 1694/17 1695/16 1696/15 1697/5 1697/5 1698/7 1700/3</p> <p>only [1] 1696/7</p> <p>opportunity [1] 1700/19</p> <p>other [2] 1693/1 1693/8</p> <p>our [1] 1697/7</p> <p>out [1] 1694/8</p> <p>over [1] 1699/14</p> <p>overall [1] 1700/5</p> | <p>1690/24</p> <p>product [3] 1697/6 1697/7 1697/21</p> <p>Protection [1] 1597/11</p> <p>public [1] 1700/1</p> <p>publish [2] 1690/14 1690/14</p> <p>put [3] 1690/23 1699/11 1700/21</p> | <p>1696/12 1696/25 1700/20</p> <p>saying [1] 1695/23</p> <p>says [9] 1694/17 1695/14 1695/23 1695/24 1696/6 1696/11 1696/12 1696/13 1697/6</p> <p>Schmidtlein [1] 1598/2</p> <p>screen [3] 1690/14 1690/23 1693/17</p> <p>Sealed [1] 1600/2</p> <p>search [4] 1691/16 1694/17 1695/10 1697/21</p> <p>second [1] 1695/13</p> <p>Section [1] 1597/11</p> <p>see [10] 1691/1 1691/3 1691/4 1691/6 1691/10 1691/12 1691/16 1693/19 1694/7 1695/18</p> <p>seem [1] 1699/21</p> <p>sent [2] 1699/20 1699/23</p> <p>sentence [1] 1697/12</p> <p>September [2] 1596/5 1711/7</p> <p>server [1] 1691/14</p> <p>session [2] 1596/7 1690/18</p> <p>sessions [1] 1700/7</p> <p>set [2] 1700/8 1700/9</p> <p>seven [2] 1699/14 1699/18</p> <p>sheet [1] 1690/24</p> <p>shown [1] 1690/19</p> <p>side [4] 1696/7 1696/8 1696/18 1697/1</p> <p>Since [1] 1690/18</p> <p>site [2] 1692/19 1692/21</p> <p>six [1] 1700/3</p> <p>six-day [1] 1700/3</p> <p>smart [2] 1697/6 1697/14</p> <p>Smurzynski [1] 1598/2</p> <p>so [5] 1692/5 1694/24 1695/14 1696/19 1697/22</p> <p>So this is [1] 1696/19</p> <p>some [1] 1692/15</p> <p>something [1] 1699/25</p> <p>sorry [1] 1691/22</p> <p>sound [1] 1699/14</p> <p>sounds [1] 1699/16</p> <p>speaking [1] 1700/1</p> <p>specifically [1] 1700/1</p> <p>specifics [1] 1695/5</p> <p>speech [2] 1691/17 1692/12</p> <p>spend [1] 1699/22</p> <p>sponsored [1] 1692/21</p> <p>St [1] 1598/3</p> <p>standard [1] 1692/7</p> <p>State [1] 1597/10</p> <p>statements [1] 1700/13</p> | <p>STATES [3] 1596/1 1596/3 1596/10</p> <p>stenography [1] 1598/14</p> <p>Street [2] 1597/3 1597/7</p> <p>strike [1] 1694/12</p> <p>Suite [2] 1597/14 1597/18</p> <p>supply [3] 1695/17 1696/8 1700/15</p> <p>Sure [1] 1697/6</p> <p>SW [1] 1598/7</p> |
| <p>N</p> <p>name [3] 1691/2 1691/4 1691/16</p> <p>named [1] 1693/19</p> <p>necessarily [1] 1695/22</p> <p>need [1] 1695/17</p> <p>New [1] 1597/19</p> <p>next [2] 1696/5 1697/5</p> <p>no [7] 1596/4 1694/10 1698/4 1698/22 1699/19 1700/8 1700/15</p> <p>not [12] 1691/15 1692/18 1692/18 1693/13 1693/24 1694/1 1694/6 1696/19 1699/22 1699/23 1700/11 1700/20</p> <p>notes [1] 1692/12</p> <p>noticed [1] 1699/10</p> <p>NW [4] 1597/3 1597/7 1598/3 1598/12</p> <p>NY [1] 1597/19</p> | <p>P</p> <p>p.m [2] 1710/11 1710/11</p> <p>paragraph [3] 1693/16 1694/12 1694/16</p> <p>part [6] 1692/13 1692/16 1695/14 1700/2 1700/2 1700/17</p> <p>path [3] 1691/10 1691/10 1691/13</p> <p>PATTERSON [1] 1597/17</p> <p>pbwt.com [1] 1597/20</p> <p>Penado [2] 1690/14 1691/21</p> <p>people [2] 1693/11 1693/13</p> <p>period [1] 1699/13</p> <p>person [1] 1693/19</p> <p>Plaintiff [1] 1597/10</p> <p>PLAINTIFF's [1] 1599/5</p> <p>Plaintiffs [2] 1596/4 1597/2</p> <p>platform [1] 1695/4</p> <p>playing [2] 1696/22 1700/17</p> <p>point [7] 1694/25 1695/7 1695/8 1696/2 1696/5 1697/5 1698/12</p> <p>points [2] 1697/19 1697/20</p> <p>practice [1] 1692/7</p> <p>presentation [2] 1692/15 1693/5</p> <p>presented [1] 1692/11</p> <p>president [1] 1698/1</p> <p>pretty [1] 1700/8</p> <p>Prettyman [1] 1598/11</p> <p>proceedings [4] 1596/9 1598/14 1600/2 1711/4</p> <p>produced [2] 1598/14</p> | <p>Q</p> <p>queries [1] 1696/7</p> <p>question [2] 1696/25 1698/8</p> <p>questions [3] 1698/4 1698/22 1699/8</p> | <p>R</p> <p>Ralph [1] 1597/12</p> <p>read [4] 1694/16 1694/23 1695/25 1697/10</p> <p>really [1] 1696/21</p> <p>Realtime [1] 1598/10</p> <p>recall [9] 1692/5 1692/24 1692/25 1693/8 1693/10 1694/13 1694/14 1695/5 1697/16</p> <p>Recess [1] 1710/11</p> <p>recollection [1] 1692/3</p> <p>record [1] 1711/3</p> <p>recorded [1] 1598/14</p> <p>RECROSS [1] 1599/4</p> <p>REDIRECT [1] 1599/4</p> <p>refer [1] 1695/3</p> <p>reference [3] 1693/18 1695/3 1697/2</p> <p>referring [2] 1695/9 1698/13</p> <p>Registered [1] 1598/10</p> <p>related [1] 1692/7</p> <p>remember [1] 1700/4</p> <p>Reporter [4] 1598/9 1598/10 1598/10 1598/11</p> <p>respect [1] 1697/19</p> <p>revenue [1] 1696/6</p> <p>right [13] 1692/12 1692/22 1693/22 1695/1 1695/10 1695/25 1696/15 1696/18 1698/18 1698/25 1699/14 1699/16 1699/21</p> <p>rival [1] 1694/21</p> <p>RMR [2] 1711/2 1711/8</p> <p>Rozzak [6] 1690/11 1690/22 1691/11 1692/2 1693/16 1699/7</p> | <p>T</p> <p>take [3] 1690/11 1693/15 1700/6</p> <p>talking [3] 1690/15 1695/6 1696/6</p> <p>team [1] 1693/11</p> <p>tear [1] 1697/8</p> <p>Ted [1] 1699/5</p> <p>terms [2] 1696/23 1700/8</p> <p>testified [1] 1692/11</p> <p>textbook [1] 1697/9</p> <p>than [1] 1699/17</p> <p>Thank [3] 1698/6 1698/21 1700/21</p> <p>Thank you [3] 1698/6 1698/21 1700/21</p> <p>that [52] 1690/19 1690/24 1691/1 1691/4 1691/8 1691/12 1691/13 1691/15 1691/23 1692/11 1692/12 1692/15 1692/16 1692/17 1692/22 1693/17 1693/19 1693/22 1693/24 1694/12 1694/18 1694/20 1694/25 1694/25 1695/3 1695/6 1695/15 1695/15 1695/18 1695/22 1695/23 1695/23 1695/25 1695/25 1696/2 1696/15 1696/18 1697/10 1697/12 1697/14 1697/16 1698/12 1698/18 1699/12 1699/14 1699/16 1699/20 1699/20 1699/21 1700/20 1700/21 1711/2</p> <p>that's [10] 1690/20 1691/4 1692/20 1694/25 1695/24 1696/2 1696/5 1696/11 1696/12 1696/13</p> <p>them [1] 1700/12</p> <p>then [2] 1697/5 1700/3</p> <p>there [9] 1691/2 1692/14 1692/14 1693/4 1693/6 1694/19 1695/10 1697/2 1700/6</p> |
| <p>O</p> <p>off [3] 1692/19 1692/21 1694/1</p> <p>off-site [2] 1692/19</p> | | <p>S</p> <p>said [1] 1693/23</p> <p>sales [1] 1696/8</p> <p>Sallet [1] 1597/10</p> <p>same [1] 1694/18</p> <p>saved [1] 1699/13</p> <p>say [5] 1695/8 1695/19</p> | | |

| | | | |
|---|--|--|--|
| <p>T</p> <p>there's [1] 1693/18</p> <p>these [4] 1694/21 1696/21 1697/19 1697/20</p> <p>things [4] 1692/9 1696/22 1700/6 1700/20</p> <p>think [9] 1693/23 1693/24 1693/25 1694/4 1694/4 1698/12 1700/15 1700/16 1700/20</p> <p>thinking [1] 1697/16</p> <p>third [1] 1695/13</p> <p>this [27] 1690/15 1690/23 1690/24 1690/25 1692/12 1692/16 1693/23 1694/1 1694/5 1694/6 1694/13 1695/7 1695/8 1695/21 1696/19 1696/19 1696/23 1698/5 1698/23 1699/12 1699/15 1699/22 1699/23 1699/24 1699/25 1700/17 1700/18</p> <p>those [2] 1694/23 1700/13</p> <p>thoughts [1] 1696/21</p> <p>through [1] 1700/12</p> <p>time [4] 1693/23 1697/17 1697/20 1698/5</p> <p>tips [1] 1692/15</p> <p>titled [1] 1711/4</p> <p>today [3] 1694/3 1698/1 1698/3</p> <p>top [1] 1694/1</p> <p>touched [1] 1693/23</p> <p>training [19] 1692/13 1692/16 1692/17 1692/18 1692/21 1693/5 1693/9 1694/5 1694/6 1694/9 1699/15 1699/24 1699/25 1700/1 1700/2 1700/3 1700/5 1700/9 1700/18</p> <p>transcript [3] 1596/9 1598/14 1711/3</p> <p>transcription [1] 1598/14</p> <p>TRIAL [1] 1596/9</p> <p>true [2] 1700/14 1700/20</p> <p>try [1] 1699/8</p> <p>TYLER [1] 1597/17</p> | <p>UPX38 [6] 1690/12 1690/14 1691/21 1692/3 1693/15 1698/13</p> <p>us [1] 1690/25</p> <p>usdoj.gov [2] 1597/5 1597/9</p> <p>used [1] 1700/18</p> <p>users [1] 1696/7</p> <hr/> <p>V</p> <p>vice [1] 1698/1</p> <p>voluntarily [1] 1700/1</p> <p>vs [1] 1596/5</p> <hr/> <p>W</p> <p>walk [1] 1700/12</p> <p>want [1] 1690/23</p> <p>was [31] 1690/24 1691/22 1692/14 1692/17 1692/18 1692/18 1692/18 1692/19 1692/24 1693/4 1693/5 1693/6 1693/24 1693/24 1693/25 1694/1 1694/6 1694/8 1695/22 1696/22 1697/3 1697/16 1698/13 1699/12 1699/25 1700/2 1700/2 1700/6 1700/8 1700/9 1700/17</p> <p>Washington [6] 1596/5 1597/3 1597/7 1598/4 1598/7 1598/12</p> <p>wasn't [1] 1694/4</p> <p>wc.com [2] 1598/5 1598/8</p> <p>we [20] 1690/13 1690/14 1690/15 1691/21 1693/23 1694/21 1695/5 1695/8 1696/6 1696/17 1696/17 1696/25 1697/2 1697/6 1697/8 1698/11 1698/22 1699/1 1699/11 1700/9</p> <p>we'll [2] 1693/16 1698/25</p> <p>we're [2] 1690/18 1690/18</p> <p>we've [1] 1695/15</p> <p>WEBB [1] 1597/17</p> <p>well [4] 1695/18 1696/10 1696/15 1697/12</p> <p>went [2] 1699/15 1699/24</p> <p>were [9] 1690/15 1692/15 1693/1 1693/9 1694/8 1695/5 1696/22 1697/15 1697/20</p> <p>wfcavanaugh [1] 1597/20</p> <p>what [15] 1691/3 1691/15 1691/22 1692/20 1694/3 1694/4 1695/5 1695/23</p> | <p>1695/23 1695/24 1696/11 1696/12 1696/13 1696/21 1697/16</p> <p>what's [1] 1695/14</p> <p>when [6] 1693/23 1695/8 1696/6 1696/12 1696/25 1699/15</p> <p>where [2] 1696/19 1696/19</p> <p>which [1] 1699/9</p> <p>who [8] 1693/4 1693/5 1693/6 1693/8 1693/25 1694/1 1694/8 1694/13</p> <p>William [4] 1597/16 1598/9 1711/2 1711/8</p> <p>WILLIAMS [3] 1598/3 1598/6 1699/5</p> <p>Windows [2] 1694/18 1695/3</p> <p>witness [2] 1599/2 1698/23</p> <p>WITNESSES [1] 1599/4</p> <p>words [1] 1694/23</p> <p>work [5] 1691/14 1692/7 1692/8 1692/9 1700/19</p> <p>work-related [1] 1692/7</p> <p>world's [1] 1694/17</p> <p>worry [1] 1695/17</p> <p>would [6] 1691/13 1692/5 1693/11 1695/19 1697/3 1699/22</p> <p>write [2] 1692/7 1692/9</p> <p>wrote [6] 1692/3 1694/25 1696/2 1696/15 1697/12 1697/20</p> <hr/> <p>Y</p> <p>yeah [2] 1695/21 1699/10</p> <p>years [2] 1699/14 1699/18</p> <p>yes [27] 1690/17 1691/3 1691/5 1691/7 1691/9 1691/18 1691/20 1692/13 1692/23 1693/3 1693/20 1694/24 1695/2 1695/11 1696/1 1696/4 1696/14 1696/16 1697/11 1697/13 1697/22 1697/25 1698/14 1698/16 1698/19 1699/16 1699/22</p> <p>yesterday [1] 1690/16</p> <p>York [1] 1597/19</p> <p>you [48] 1691/1 1691/4 1691/6 1691/10 1691/13 1691/16 1692/3 1692/11 1692/11 1692/15 1692/24 1693/8</p> | <p>1693/12 1693/17 1693/19 1693/25 1694/3 1694/4 1694/8 1694/13 1694/13 1694/25 1695/8 1696/2 1696/12 1696/15 1696/25 1697/12 1697/20 1697/20 1697/20 1698/6 1698/11 1698/12 1698/17 1698/21 1699/8 1699/10 1699/15 1699/17 1699/20 1699/24 1699/24 1699/25 1700/6 1700/13 1700/21 1700/21</p> <p>you'd [1] 1697/23</p> <p>you're [4] 1692/20 1695/9 1695/23 1698/1</p> <p>your [20] 1690/13 1690/17 1690/20 1690/25 1691/2 1691/4 1691/8 1691/14 1691/24 1692/2 1692/7 1692/8 1693/11 1693/15 1694/3 1698/4 1698/8 1698/21 1698/22 1699/1</p> <p>Your Honor [9] 1690/13 1690/17 1690/20 1691/24 1698/4 1698/8 1698/21 1698/22 1699/1</p> <hr/> <p>Z</p> <p>Zaremba [3] 1598/9 1711/2 1711/8</p> |
| <p>U</p> <p>U.S [1] 1597/2</p> <p>under [1] 1691/1</p> <p>Unit [1] 1597/12</p> <p>UNITED [3] 1596/1 1596/3 1596/10</p> <p>up [3] 1690/23 1699/11 1700/4</p> <p>upfront [1] 1700/18</p> | | | |