

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

Judge Robert W. Schroeder III

VIRNETX INC., et al	§	
	§	
V.	§	CIVIL NO. 6:12cv855
	§	
APPLE INC.	§	

MINUTES FOR POST-TRIAL MOTIONS HEARING
HELD BEFORE JUDGE ROBERT W. SCHROEDER III
MAY 25, 2016

OPEN: 10:00 am

ADJOURN: 5:57 pm

ATTORNEY FOR PLAINTIFFS: See Attorney Sign-In Sheet

ATTORNEY FOR DEFENDANTS: See Attorney Sign-In Sheet

LAW CLERK: Jenna Rea

COURTROOM DEPUTY: Betty Schroeder

COURT REPORTER: Brenda Smith

10:00 am	Case called, parties announced ready, Court welcomes parties
10:03 am	Mr. Austin Curry argues VirnetX's Motion for Injunction (dkt. #462)
10:07 am	Court questions Mr. Curry; Mr. Curry responds
10:15 am	Court questions Mr. Curry; Mr. Curry responds
10:23 am	Court questions Mr. Curry; Mr. Curry responds
10:26 am	Mr. Greg Arovas responds
10:39 am	Court questions Mr. Arovas; Mr. Arovas responds
10:49 am	Mr. Curry responds

10:55 am	Mr. Arovas responds
10:57 am	Mr. Mike Jones argues Apple's Motion for Mistrial (dkt. #424)
11:06 am	Court questions Mr. Jones; Mr. Jones responds
11:14 am	Mr. Brad Caldwell responds
11:19 am	Court questions Mr. Caldwell; Mr. Caldwell responds
11:23 am	Court questions Mr. Caldwell; Mr. Caldwell responds
11:30 am	Court questions Mr. Caldwell; Mr. Caldwell responds
11:37 am	Court questions Mr. Caldwell; Mr. Caldwell responds
11:42 am	Mr. Jones responds
11:49 am	Mr. Caldwell responds
11:53 am	Mr. Jones responds
11:54 am	Recess
1:06 pm	Mr. Warren McCarty argues VirnetX's Motion for Enhanced Damage; Willfulness (dkt. #462)
1:28 pm	Mr. Joseph Loy responds and argues Apple's Motion for JMOL/New Trial; Willfulness (dkt. #463)
1:30 pm	Court questions Mr. Loy; Mr. Loy responds
1:53 pm	Mr. McCarty responds
1:55 pm	Mr. Loy responds
1:56 pm	Court questions parties as to any objection to additional briefing; Mr. Caldwell responds; Mr. Loy responds; Court responds; any additional briefing is to be done within seven days
1:57 pm	Mr. Jason McManis responds to Mr. Loy's argument
2:16 pm	Mr. Loy responds
2:20 pm	Mr. McManis responds

2:22 pm	Mr. Loy responds
2:23 pm	Mr. McCarty argues VirnetX's Motion for Attorneys Fees (dkt. #462)
2:24 pm	Mr. Loy responds
2:25 pm	Ms. Jeanne Heffernan argues Apple's Motion for JMOL/New Trial; Damages (dkt. #463)
2:43 pm	Court questions Ms. Heffernan; Ms. Heffernan responds
2:47 pm	Court questions Ms. Heffernan; Ms. Heffernan responds
2:57 pm	Court questions Ms. Heffernan; Ms. Heffernan responds
3:00 pm	Mr. Jason Cassady responds
3:15 pm	Court questions Mr. Cassady; Mr. Cassady responds
3:23 pm	Ms. Heffernan responds
3:30 pm	Mr. Cassady responds
3:33 pm	Recess
3:48 pm	Mr. Daniel Pearson argues VirnetX's Motion for Compulsory Royalty & Supplemental Damages (dkt. #462)
3:57 pm	Court questions Mr. Pearson; Mr. Pearson responds
3:58 pm	Ms. Heffernan responds
4:04 pm	Mr. Pearson responds
4:06 pm	Mr. Arovas argues Apple's Motion for JMOL of Non-Infringement (VPN on Demand) (dkt. #463)
4:29 pm	Mr. Curry responds
4:40 pm	Mr. Arovas responds
4:45 pm	Mr. Curry responds
4:48 pm	Mr. Robert Appleby argues Apple's Motion for JMOL of Non-Infringement (FaceTime, iMessage, no indirect infringement) (dkt. #463) (arguess FaceTime)

5:03 pm	Mr. Curry responds
5:06 pm	Court questions Mr. Curry; Mr. Curry responds
5:18 pm	Mr. Curry responds
5:19 pm	Court questions Mr. Curry; Mr. Curry responds
5:20 pm	Mr. Appleby argues the motion regarding iMessages
5:27 pm	Mr. Curry responds
5:28 pm	Court questions Mr. Curry; Mr. Curry responds
5:33 pm	Mr. Appleby responds
5:36 pm	Mr. Curry responds
5:36 pm	Court advises that defendant's are out of time; will allow defendant's to argue consolidation issues (dkt. #463)
5:37 pm	Mr. Arovas argues Motion for New Trial; Consolidation (#463)
5:37 pm	Court questions Mr. Arovas; Mr. Arovas responds
5:43 pm	Mr. Caldwell responds
5:54 pm	Mr. Arovas responds
5:55 pm	Mr. Caldwell responds
5:56 pm	Court advises the parties that the briefing was excellent as well as presentations made today; will get orders out as quickly as possible
5:57 pm	Recess

ATTORNEY SIGN-IN SHEET

Judge Robert W. Schroeder III
6:12cv855

VIRNETX INC., et al v. APPLE INC.
MAY 25, 2016

POST-TRIAL MOTIONS HEARING

PLEASE PRINT CLEARLY

ATTORNEY'S NAME	REPRESENTING
Mike Jones	Apple
Warren McLarty	Virnetx
Jason McManis	"
Daniel Pearson	"
Jason Cassidy	"
Austin Curry	"
Brad Caldwell	"
ANDY TINDEL	LEIDOS/SAIC
CHRIS BUNT	VIRNETX
Jeannie Heffernan	Apple
Leslie Schmidt	"
Joseph Loy	"

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