

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

CELLULAR SOUTH INC.,) C-25-01487 YGR
)
 PLAINTIFF,) OAKLAND, CALIFORNIA
)
 VS.) JULY 7, 2025
)
 GOOGLE, LLC,) PAGES 1-9
)
 DEFENDANT.)
 _____)

TRANSCRIPT OF ZOOM PROCEEDINGS
 BEFORE THE HONORABLE YVONNE GONZALEZ ROGERS
 UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S:

FOR THE PLAINTIFF: HOLLAND & KNIGHT
 BY: ROBERT S. HILL
 MORGAN DELABAR
 1722 ROUTH STREET, SUITE 1500
 DALLAS, TEXAS 75201

BY: JACOB S. SCHNEIDER
 10 ST. JAMES AVENUE
 BOSTON, MASSACHUSETTS 02116

FOR THE DEFENDANT: COOLEY LLP
 BY: HEIDI L, KEEFE
 REUBEN H. CHEN
 MATTHEW J. BRIGHAM
 3175 HANOVER STREET
 PALO ALTO, CALIFORNIA 94304

OFFICIAL COURT REPORTER: LEE-ANNE SHORTRIDGE, CSR, CRR
 CERTIFICATE NUMBER 9595

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY
 TRANSCRIPT PRODUCED WITH COMPUTER

OAKLAND, CALIFORNIA

JULY 7, 2025

P R O C E E D I N G S

(ZOOM PROCEEDINGS CONVENED AT 2:22 P.M.)

THE CLERK: GOOD AFTERNOON, YOUR HONOR.

THESE PROCEEDINGS ARE BEING COURT REPORTED BY THIS COURT.
ANY OTHER RECORDING OF THIS PROCEEDING, EITHER BY VIDEO, AUDIO,
INCLUDING SCREENSHOTS, ARE STRICTLY PROHIBITED.

YOUR HONOR, NOW CALLING THE CIVIL MATTER 25-CV-1487-YGR,
CELLULAR SOUTH INCORPORATED VERSUS GOOGLE LLC.

PARTIES, PLEASE STATE YOUR APPEARANCES FOR THE RECORD,
STARTING WITH THE PLAINTIFF.

MR. HILL: GOOD AFTERNOON.

MY NAME IS ROBERT HILL. I'M WITH HOLLAND & KNIGHT. AND
I'M JOINED BY MY COLLEAGUES JAKE SCHNEIDER AND MORGAN DELABAR.

THE COURT: OKAY. GOOD AFTERNOON.

MS. KEEFE: GOOD AFTERNOON, YOUR HONOR.

HEIDI KEEFE FROM COOLEY, ALONG WITH MY COLLEAGUES
MATT BRIGHAM AND REUBEN CHEN, REPRESENTING GOOGLE.

THE COURT: OKAY. GOOD AFTERNOON.

SO WHAT IS GOING ON WITH THE, WITH THE PROCEEDINGS IN
FRONT OF THE PTAB?

MS. KEEFE: SO, YOUR HONOR, WE FILED IPR PETITIONS ON
ALL OF THE ASSERTED CLAIMS IN MAY. WE EXPECT A DECISION ON
WHETHER OR NOT THOSE WILL BE INSTITUTED BY DECEMBER.

AS YOUR HONOR KNOWS, THERE'S ALSO THE NEW PROCESS OF

1 DISCRETIONARY DENIAL AND THOSE THINGS THAT ARE ALSO HAPPENING
2 KIND OF RIGHT NOW.

3 SO WE'LL KNOW VERY SHORTLY WHETHER OR NOT WE THINK WE'LL
4 BE GOING FORWARD.

5 THE COURT: OKAY. BUT YOU STILL WANT TO PROCEED ON
6 THIS SCHEDULE?

7 MS. KEEFE: WELL, I WAS -- ONE OF THE THINGS WE
8 WANTED TO ASK YOUR HONOR, I WAS HAPPY TO FILE A MOTION TO STAY
9 RIGHT AWAY, BUT I ALWAYS WANT TO MAKE SURE WITH JUDGES IF THEY
10 HAVE DEEP PREFERENCES ABOUT FILING PRE-INSTITUTION OR ONLY
11 POST-INSTITUTION.

12 SO WE WORKED IN, I THINK HONESTLY, QUITE NICE HARMONY WITH
13 PLAINTIFFS TO PUT TOGETHER A CALENDAR.

14 WE ALSO DID TELL THEM THAT WE WOULD BE ASKING YOUR HONOR
15 FOR PERMISSION TO MOVE TO STAY THE PROCEEDINGS PENDING THE IPR.

16 BUT JUST IN CASE YOUR HONOR WANTED US TO WAIT UNTIL
17 INSTITUTION, WE WENT AHEAD AND PUT TOGETHER A FULL SCHEDULE.

18 WE, OF COURSE, WOULD PREFER IT TO BE STAYED.

19 THE COURT: MR. HILL?

20 MR. HILL: SO WE DO PLAN TO PUT IN BOTH A
21 DISCRETIONARY DENIAL PAPER, AS WELL AS A POPR, PATENT OWNER
22 PRELIMINARY RESPONSIVE DOCUMENT.

23 OUR PREFERENCE WOULD BE FOR THE MATTER TO PROCEED AT LEAST
24 UNTIL SUCH TIME AS A DECISION IS MADE WITH RESPECT TO IPR
25 INSTITUTION.

1 AND THEN OUR POSITION IS WE COULD TALK TO OUR COLLEAGUES
2 AT GOOGLE THEN ABOUT WHETHER OR NOT WE WOULD OPPOSE A STAY AT
3 THAT TIME.

4 BUT WE THINK THAT THERE COULD BE SOME MEANINGFUL PROGRESS
5 MADE IN THE INTERIM. BUT IT WON'T BE, AS MS. KEEFE SAYS, VERY
6 LONG BEFORE WE WOULD ANTICIPATE A DECISION ON THE PRELIMINARY
7 BASIS.

8 THE COURT: ALL RIGHT. SO TYPICALLY I WOULD GRANT
9 THE REQUEST TO STAY IF IPR IS INSTITUTED, JUST SO THAT YOU
10 KNOW. IT DOESN'T SEEM TO MAKE SENSE FOR A DISTRICT JUDGE TO GO
11 THROUGH ALL THAT WORK WHERE THERE ARE PARALLEL PROCEEDINGS THAT
12 WOULD TAKE PRECEDENCE ULTIMATELY WITH RESPECT TO A DECISION.
13 WE HAVE ENOUGH ON OUR PLATE.

14 SO YOU CAN LET YOUR FOLKS KNOW THAT AS WELL. THOSE KINDS
15 OF MOTIONS, I DON'T EVER EVEN GRANT HEARINGS. I JUST BASICALLY
16 GRANT THEM. SO -- UNLESS THERE'S SOME REASON NOT TO.

17 THE ONLY REASON WHY I WOULDN'T IS LET'S SAY THEY GRANT
18 ONE, BUT DON'T GRANT THE OTHER TWO AND THEY'RE ENTIRELY
19 DIFFERENT, I MIGHT STAY ONE, NOT STAY THE OTHERS. IN THAT
20 SENSE, IT MIGHT GET COMPLICATED.

21 BUT THAT'S WHAT I WOULD TYPICALLY DO.

22 IN TERMS OF YOUR -- SO WE'LL JUST WAIT UNTIL WE HEAR FROM
23 THEM ONE WAY OR THE OTHER.

24 IN TERMS OF YOUR PROPOSAL FOR SCHEDULING, I DON'T DO THREE
25 BRIEFS FOR CLAIM CONSTRUCTION. YOU ALL NEED TO DO SIMULTANEOUS

1 OPENINGS, SIMULTANEOUS REBUTTALS. SO THAT WOULD BE
2 FEBRUARY 26TH AND MARCH 12TH. SO SIMULTANEOUS OPENING,
3 SIMULTANEOUS RESPONSE.

4 MS. KEEFE: NO PROBLEM, YOUR HONOR. THANK YOU.

5 THE COURT: YOU CAN STILL -- LOOK, YOU CAN STILL MEET
6 AND CONFER AND SEE IF YOU CAN AGREE SO WE CAN LEAVE THE
7 APRIL 6TH DATE. THAT'S RIGHT, THAT'S FINE.

8 I DON'T DO TUTORIALS ON MONDAYS. I DO THEM ON WEDNESDAYS
9 AND FRIDAYS. AROUND THAT TIMEFRAME, I'M SUPPOSED TO BE IN
10 TRIAL WITH MUSK VERSUS ALTMAN.

11 SO I WILL GIVE YOU A TUTORIAL DATE OF -- WELL, LET'S DO IT
12 THE -- WE'LL TENTATIVELY DO IT THE 15TH AT 2:00 P.M.

13 AND THEN, AGAIN, I DON'T DO THINGS ON THURSDAYS. I
14 THOUGHT I HAD THIS IN MY STANDING ORDER. THURSDAYS I HAVE MY
15 CRIMINAL CALENDAR.

16 SO WE'LL PUT APRIL 29TH AT 2:00 P.M.

17 MS. KEEFE: THANK YOU, YOUR HONOR.

18 MR. HILL: THANK YOU, YOUR HONOR.

19 THE COURT: IN TERMS OF EXPERT REPORTS, A COUPLE
20 REMINDERS.

21 AND EVERYBODY ON THE PLATFORM, MAKE SURE YOU'RE PAYING
22 ATTENTION BECAUSE THIS APPLIES TO EVERYBODY. MAKE SURE YOU'VE
23 READ MY STANDING ORDER ON HOW EXPERT REPORTS ARE TO BE
24 CONSTRUCTED.

25 THE BIG TWO PIECES OF THAT ARE THAT, ONE, THERE HAVE TO BE

1 IDENTIFICATION OF THE ACTUAL OPINIONS BEING PROVIDED UP FRONT,
2 SO AN EXECUTIVE SUMMARY LISTING EACH OF THE OPINIONS; AND THEN
3 THE REPORT CAN EXPLAIN THE OPINIONS AND ALL OF THE EVIDENCE
4 UPON WHICH THE OPINIONS ARE BASED. BUT I WANT, UP FRONT, I
5 WANT TO BE ABLE TO LOOK UP FRONT AND SEE EXACTLY WHAT THIS
6 PERSON IS OPINING.

7 THEN IF THERE'S ANY WORK ON THOSE ACTUAL OPINIONS, WE CAN
8 FOCUS IN ON THE OPINION AND NOT ALL THE -- NOT NECESSARILY
9 EVERYTHING UPON WHICH THE OPINION IS BASED.

10 TWO, BECAUSE OF THAT, EVERY PARAGRAPH HAS TO BE NUMBERED
11 SO THAT WHEN I STRIKE THINGS, I'M STRIKING ACTUAL PARAGRAPHS.
12 AND I LITERALLY WILL STRIKE THEM FROM THE REPORT SO THAT IF
13 WE'RE EVER IN TRIAL IN THIS MATTER, I CAN GO TO THOSE REPORTS
14 AND I SEE THAT I'VE STRUCK THEM.

15 THIRD, WITH RESPECT TO EXPERTS -- AND I SAY THIS IN
16 PARTICULAR WITH PATENT CASES -- TO THE EXTENT THAT YOU'VE
17 GOT -- I DON'T KNOW WHAT YOUR TECHNOLOGY IS.

18 TO THE EXTENT THAT YOU HAVE NICE, FANCY, INTERESTING
19 DEMONSTRATIVES THAT YOU USE DURING TRIAL TO EXPLAIN YOUR
20 TECHNOLOGY, YOU NEED TO MAKE SURE TO DISCLOSE THOSE IN ADVANCE
21 SO THAT IF THERE'S ANY MOTION WORK THAT HAS TO BE DONE WITH
22 RESPECT TO THAT, LIKE AN ACCIDENT RECONSTRUCTION KIND OF THING,
23 YOU NEED TO DISCLOSE IT.

24 DO NOT -- I'M WARNING YOU NOW, BECAUSE IF YOU HAVE THESE
25 TERRIFIC PRESENTATIONS BUT DON'T DISCLOSE THEM UNTIL THE EVE OF

1 TRIAL, I WILL REGRETTABLY SAY, TOO BAD, YOU CANNOT OFFER THEM.

2 OKAY? SO YOU'RE ON NOTICE.

3 MS. KEEFE: FULLY UNDERSTOOD, YOUR HONOR. THANK YOU.

4 MR. HILL: THANK YOU, YOUR HONOR.

5 THE COURT: IN TERMS OF SUMMARY JUDGMENTS -- ALSO,
6 EVERYONE ON THE PLATFORM PAY ATTENTION -- YOU CANNOT FILE A
7 MOTION WITHOUT COMING AND HAVING A CONVERSATION WITH ME IN
8 ADVANCE. AGAIN, THERE'S A PROCESS LAID OUT IN MY STANDING
9 ORDER: AN EXECUTIVE SUMMARY; THEN A RESPONSE TO THAT; AND THEN
10 WE HAVE A CONFERENCE.

11 AND I HAVE THOSE CONFERENCES, AGAIN, ON MY FREE
12 AFTERNOONS, WHICH ARE WEDNESDAYS AND FRIDAYS. THEY ARE HELPFUL
13 TO DISTILL INFORMATION.

14 YOU ONLY GET ONE SUMMARY JUDGMENT PER SIDE. THAT'S IT. I
15 CAN'T STOP YOU FROM FILING THEM, BUT I CAN LIMIT YOU TO ONE.

16 IN TERMS OF YOUR TRIAL DATES -- WELL, I'M NOT REALLY
17 SETTING IN 2027 YET, SO I'LL GIVE YOU THAT ONE. WELL, EXCEPT
18 IT'S TUESDAY. WHY DID YOU PICK TUESDAY?

19 MR. HILL: I'M NOT SURE EXACTLY WHERE THE TUESDAY
20 CAME FROM, BUT WE KNOW THAT THAT'S HIGHLY SUBJECT TO REVISION.

21 MS. KEEFE: THAT MAY HAVE SIMPLY BEEN A REMNANT OF ME
22 ASKING THAT WE NOT HAVE ALL THE DEADLINES FALL ON MONDAYS
23 BECAUSE THAT'S DIFFICULT FOR THE TEAMS INVOLVED, AND I THINK
24 THAT WAS JUST A HANG OVER THAT I SHOULD HAVE CAUGHT AND PUT
25 BACK ON MONDAY. I APOLOGIZE, YOUR HONOR.

1 THE COURT: SO THAT'S MONDAY, MAY 15TH, WHICH MEANS
2 YOUR PRETRIAL CONFERENCE WOULD BE FEBRUARY 26TH. YOUR PRETRIAL
3 STATEMENTS WOULD BE DUE FEBRUARY 12TH.

4 YOU'LL BE PLACED ON A COMPLIANCE CALENDAR FOR
5 FEBRUARY 5TH. I DON'T EXPECT TO SEE YOU THAT DAY. WHAT I
6 EXPECT IS THAT FIVE BUSINESS DAYS PRIOR, BY NO LATER THAN
7 JANUARY 29TH, YOU'LL FILE A JOINT STATEMENT THAT SAYS, "WE'VE
8 REVIEWED YOUR STANDING ORDER ON THESE ISSUES AND WE ARE
9 COMPLYING."

10 SO YOUR PRETRIAL FILINGS ARE BASED UPON MY -- THE
11 STATEMENT DATES, YOU DO YOUR OWN CALCULATIONS WHEN YOU CAN GO
12 AND LOOK AT THAT DATE VERSUS WHAT'S IN THE STANDING ORDER.

13 OKAY. SO WHAT I WOULD ASK YOU TO DO IS MEET AND CONFER
14 AND DECIDE WHETHER YOU WANT TO CHANGE ANY OF THOSE OTHER
15 JANUARY DATES. THEY DON'T MATTER TO ME. I'VE GIVEN YOU THE
16 DATES THAT MATTER TO ME.

17 SEND ME A PROPOSED FORM OF ORDER THAT'S EDITABLE WITH YOUR
18 CHART AND I'LL ADD MY OWN INFORMATION TO IT, AND WE'LL GET IT
19 OUT FOR YOU.

20 MS. KEEFE: THANK YOU, YOUR HONOR.

21 MR. HILL: THANK YOU, YOUR HONOR.

22 THE COURT: ANY QUESTIONS?

23 MS. KEEFE: NO. WE APPRECIATE YOUR TIME. THANK YOU.

24 MR. HILL: VERY MUCH SO.

25 THE COURT: OKAY. THANKS. HAVE A GOOD DAY.

1 MS. KEEFE: YOU, TOO.

2 MR. HILL: THANK YOU. YOU AS WELL.

3 THE CLERK: THE PROCEEDINGS ARE ADJOURNED IN THIS
4 MATTER.

5 (THE PROCEEDINGS WERE CONCLUDED AT 2:34 P.M.)

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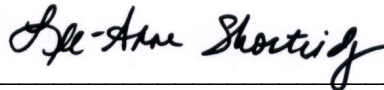
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CERTIFICATE OF REPORTER

I, THE UNDERSIGNED OFFICIAL COURT REPORTER OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, 1301 CLAY STREET, OAKLAND, CALIFORNIA, DO HEREBY CERTIFY:

THAT THE FOREGOING TRANSCRIPT, CERTIFICATE INCLUSIVE, IS A CORRECT TRANSCRIPT FROM THE RECORD OF ZOOM PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.



LEE-ANNE SHORTRIDGE, CSR, CRR
CERTIFICATE NUMBER 9595

DATED: JULY 21, 2025