		Page 1
1	UNITED STATES DISTRICT COURT	
2	FOR THE DISTRICT OF DELAWARE	
3	CIV. No. 1:19-cv-01334-CJB	
4	x	
5	MIDWEST ENERGY EMISSIONS CORP.	
6	and MES INC.,	
7	Plaintiffs,	
8	v.	
9	ARTHUR J. GALLAGHER & CO., ET AL.,	
10	Defendants.	
11	x	
12		
13	August 26, 2022	
13 14	August 26, 2022 9:34 a.m.	
	<u>-</u>	
L <b>4</b>	<u>-</u>	
14 15	9:34 a.m.	
14 15 16	9:34 a.m.  DEPOSITION of EDWIN OLSON, Ph.D., in	
14 15 16 17	9:34 a.m.  DEPOSITION of EDWIN OLSON, Ph.D., in the above-entitled action, located at	
14 15 16 17	9:34 a.m.  DEPOSITION of EDWIN OLSON, Ph.D., in the above-entitled action, located at Country Inn & Suites in Grand Forest,	
14 15 16 17 18	9:34 a.m.  DEPOSITION of EDWIN OLSON, Ph.D., in the above-entitled action, located at Country Inn & Suites in Grand Forest, North Dakota, was taken before Dawn	
14 15 16 17 18 19	9:34 a.m.  DEPOSITION of EDWIN OLSON, Ph.D., in the above-entitled action, located at Country Inn & Suites in Grand Forest, North Dakota, was taken before Dawn Matera, a Certified Shorthand Reporter	
14 15 16 17 18 19 20	9:34 a.m.  DEPOSITION of EDWIN OLSON, Ph.D., in the above-entitled action, located at Country Inn & Suites in Grand Forest, North Dakota, was taken before Dawn Matera, a Certified Shorthand Reporter and Notary Public of the State of New	
14 15 16 17 18 19 20 21	9:34 a.m.  DEPOSITION of EDWIN OLSON, Ph.D., in the above-entitled action, located at Country Inn & Suites in Grand Forest, North Dakota, was taken before Dawn Matera, a Certified Shorthand Reporter and Notary Public of the State of New	

212-267-6868

Page 2			Dogo 4
1 APPEARANCES:	1	me is Wendy Cai.	Page 4
2 CALDWELL CASSADY & CURRY	2	MR. WILSON: Ben Wilson, here	
3 Attorneys for Plaintiffs 2121 N Pearl Street	3	for the CERT defendants.	
4 Suite 1200	4	MS. DELLINGER: Adrienne	
Dallas, Texas 75 201	5	Dellinger, I am here on behalf of	
BY: ADRIENNE DELLINGER, ESQ. 6 adellinger@caldwellcc.com	6	Dr. Olson.	
7 8 GIBSON DUNN & CRUTCHER LLP	7	EDWIN OLSON, Ph.D.,	
Attorneys for Defendants	8	the Witness herein, having first	
9 1801 California Street Suite 4200	9	been duly sworn by the Notary	
10 Denver, Colorado 80202 11 BY: DAVID GLANDORF, ESQ.	10	Public, was examined and	
dglandorf@gibsondunn.com	11	testified as follows:	
BY: WENDY C. CAI, ESQ.	12	EXAMINATION	
13 wcai@gibsondunn.com 200 Park Avenue 47th Floor	13	BY MR. GLANDORF:	
14 New York New York 10166 15	14	Q. Good morning, Dr. Olson.	
BRADLEY ARANT BOULT CUMMINGS LLP	15	A. Good morning.	
16 Attorneys for CERT Defendants 1819 5th Ave N	16	Q. I am going to start with a few	
17 One Federal Place Suite 200		introductory questions, if that's okay	
18 Birmingham Alabama 35203	18	with you.	
19 BY: BEN C. WILSON, ESQ. bwilson@bradley.com	19	A. Yeah.	
20 21	20	Q. Could you once more state and	
Also Present:		spell your full name for the record,	
Jeffrey D. Anders, Videographer		please?	
23 James Budkins, Concierge	23	A. Edwin Olson. You want me to	
24 * * *		spell it?	
25	25	Q. Yes, please.	
Page 3			Page 5
1 THE VIDEOGRAPHER: We are now on	1	A. E-D-W-I-N, O-L-S-O-N.	
2 the record. This is the video	2	Q. Thank you. Yes, that's a	
3 recording of the deposition of	3	little bit of a convention that we	
4 Dr. Edwin Olson taken by the	4	traditionally do here.	
5 defendants' attorneys in the matter of	5	And where is your current	
6 Midwest Energy Emissions Corporation	6	address?	
7 and MES Incorporated versus Arthur J.	7	A. It's in Grand Forks North	
8 Gallagher & Company in the United		Dakota.	
9 States District Court for the District	9	Q. Can you give us the address?	
of Delaware. The Civil File Number is	10	A. Yes. 223 Circle Hills Drive,	
11 119-CV-01334. 12 We are located at the Country		Grand Forks, North Dakota, 58201.	
We are located at the Country In & Suites in Grand Forest, North	12 13	Q. Excellent. Have you ever been deposed previously. Dr. Olson?	
Dakota. Today's date is August 26th,	13	deposed previously, Dr. Olson?  A. No.	
15 2022. The time is 8:34 a.m.	15	Q. Okay. Well, I am going to lay	
The court reporter today is Dawn		out a little bit of the expectations and	
17 Matera. My name is Jeffrey D. Anders,	17	feel free to ask me any questions about	
18 I am the videographer here		these.	
19 representing Veritext.	19	As I mentioned before, I	
20 Will counsel for the respective		represent the defendants in this lawsuit	
21 parties please identify yourselves,		•	
22 starting with the noticing attorney.		You understand that?	
23 MR. GLANDORF: My name is David	23	A. Yes.	
24 Glandorf. I am here for Gibson Dunn,	24	Q. This is our opportunity as	
on behalf of the defendants, and with		defendants to ask you questions. Your	
on other of the defendants, and with		To use jou quosions. Tour	

2 (Pages 2 - 5)

Page 6 Page 8

- 1 attorney may object at some points, but
- 2 unless your attorney instructs you not to
- 3 answer, you should go ahead and answer
- 4 the question anyway.
- 5 Do you understand that?
- 6 A. Yes.
- 7 Q. Again, your attorney is very
- 8 capable. She will instruct you not to
- 9 answer if it's a question that should not
- 10 be answered.
- 11 Do you understand that?
- 12 A. Yes.
- 13 Q. The court reporter will record
- 14 my questions and your answers and the
- 15 videographer will film you. Since the
- 16 court reporter only records words, it is
- 17 important for you to answer in words
- 18 rather than gestures or nods. Is that
- 19 okay?
- 20 A. Yes.
- 21 Q. And I will do my best to let
- 22 you finish answering a question. And I
- 23 ask that you let me finish asking a
- 24 question before you provide your answer;
- 25 is that okay?

A.

1

- 1 external factor that would prevent you
- 2 from answering truthfully today; is that
- 3 correct?
- 4 A. No.
- 5 Q. We will be taking periodic
- 6 breaks. If at any time you feel like you
- 7 need a break, you can just say so to me;
- 8 if that's okay.
- 9 Again, I know this is a minor
- 10 question, but you do want to answer
- 11 either yes or no verbally.
- 12 A. Yes.
- 13 Q. Do you plan to offer testimony
- 14 at trial?
- 15 A. I don't understand your
- 16 question.
- 17 Q. Sure. You understand we have a
- 18 litigation that is going on here that may
- 19 proceed to an in-person trial. Are you
- 20 planning to offer testimony at that
- 21 trial?
- 22 A. No.
- 23 Q. Are you being paid for your
- 24 deposition today?
- 25 A. No.

- Q. It can be easy in this format
- 3 to speak over one another, but we will
- 4 try to avoid that.

Yes.

- 5 If at any time you do not
- 6 understand a question, please ask and I
- 7 will do my best my clarify. Is that
- 8 okay?
- 9 A. Yes.
- 10 Q. You are under oath today. Do
- 11 you understand that?
- 12 A. Yes.
- 13 Q. And so you are obligated to
- 14 provide true and accurate and complete
- 15 answers to the best of your ability.
- 16 Do you understand that?
- 17 A. Yes.
- 18 Q. Is there any reason why you
- 19 would not be able to provide truthful and
- 20 accurate answers today?
- 21 A. No.

212-267-6868

- 22 Q. And just so, you know, some of
- 23 the things we ask, generally, you're not
- 24 on any medications or suffering from any
- 25 kind of illness or any kind of other

- Page 7 1 Q. Are you set to receive any type
  - 2 of payment based on the outcome of this
  - 3 case?
  - 4 A. No.
  - 5 O. If there is a settlement or an
  - 6 award in this case, do you expect to get
  - 7 any portion of that?
  - 8 A. No.
  - 9 Q. To start things off, I would
  - 10 like to hear from you a little bit about
  - 11 your background. We will march through a
  - 12 little bit of your educational employment
  - 13 background. So let me start just by
  - 14 asking you where you went to college and
  - 15 what did you study?
  - 6 A. Yes. I went to undergraduate
  - 17 college at St. Olaf College, Northfield,
  - 18 Minnesota. I got a bachelor's of arts
  - 19 degree in 1959. Then subsequently I went
  - 20 to graduate school at the California
  - 21 Institute of Technology, Caltech. And I
  - 22 received a Ph.D. in chemistry and
  - 23 physics, and that was about 1963 -- 1963.
  - 24 Q. And what was your major or your
  - 25 undergraduate degree?

3 (Pages 6 - 9)

Page 9

Page 10 Page 12 Chemistry and physics. A. I went to Idaho State 1 2 For your Caltech Ph.D., what 2 University, as assistant professor of 3 was the subject of your thesis? 3 chemistry. It was in the general field of 4 Q. How long were you at Idaho 5 State? 5 organic chemistry and more specifically 6 it had to do with natural products and 6 A. Four years. actually three different types of topics 7 And were you teaching organic O. were included in my thesis. 8 chemistry? 9 Q. Could you just explain at a A. I taught organic chemistry, 10 yes. 10 high level what those three topics were? A. Okay. Sure. The first topic 11 Q. Did you teach general chemistry 12 was to determine the chemical structure 12 as well? A. 13 of a pigment that was produced by a 13 Yes. 14 bacterin. 14 Q. Inorganic chemistry? 15 The second project was to 15 A. 16 discover a way to take apart a stearyl 16 Physical chemistry? Q. 17 molecule, a stearyl being like a plant 17 A. 18 steroid to open up. It typically has a 18 0. Did you have a research group 19 four or five-ring structures. So the 19 at Idaho State? 20 problem was to find a way to open up one 20 Α. Yes. 21 of the rings of the structure, so that it 21 And what, at a high level, what 22 could be subsequently analyzed or 22 types of topics was, what were the 23 converted into something else. 23 subjects of that research? 24 The third portion of my work 24 A. Well, there were, over the four 25 was concerned with a biosynthesis of 25 years, there were maybe a couple of Page 11 Page 13 1 different areas. One of the areas was to 1 strychnine. So what that means I was 2 trying to learn, trying to understand all 2 find a way to synthesize a substituted 3 of the strychnos nux-vomica plant 3 amino acid that might be useful as a 4 produces the alkaloid molecule cancer drug. 5 strychnine. What were the precursors of 5 Q. Okay. Is there another topic 6 it. What did it use to make the 6 that you researched as well or was that 7 molecule. And I would put them together 7 the primary one? 8 to form a structure. A. I worked on maybe one or two 9 Q. And where did you begin 9 other things. I did do some work with 10 employment after graduating? 10 fatty acid chemistry and some nitrogen 11 A. Oh, after I graduated with my 11 heterocyclic chemistry. 12 Ph.D.? Q. And you understand that the Q. Yes. 13 litigation we are here for today relates 13 14 A. I went to UCLA to the 14 to mercury capture from power plants, 15 department of biological chemistry and 15 correct? 16 worked in the institute for radiological 16 A. Yes. 17 chemistry and I studied fatty acid 17 Was any of the work that you Q. 18 chemistry. 18 did during your post-doc related to that 19 Was that a post-doc? O. 19 topic? 20 A. Yes, post-doc. Yes. 20 A. No. 21 21 And how long were you at that Q. And where did you go after that Q. 22 position? 22 post-doc position? A. Well, I just told you after my 23 A. One year. 23

4 (Pages 10 - 13)

25 University.

And where did you go after

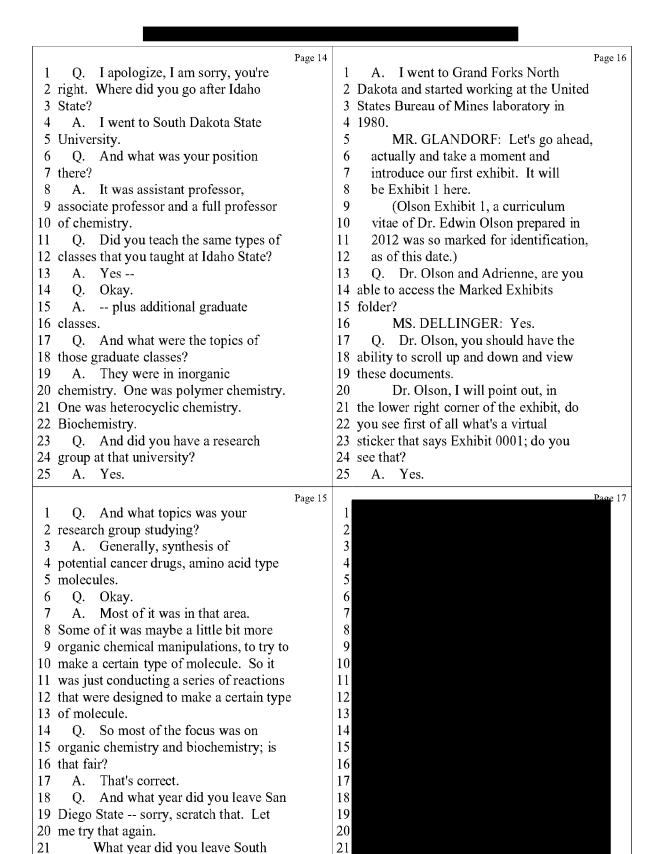
24

25 that?

Q.

212-267-6868

post-doc position I went to Idaho State



5 (Pages 14 - 17)

22

23

24

25

22 Dakota State?

Α.

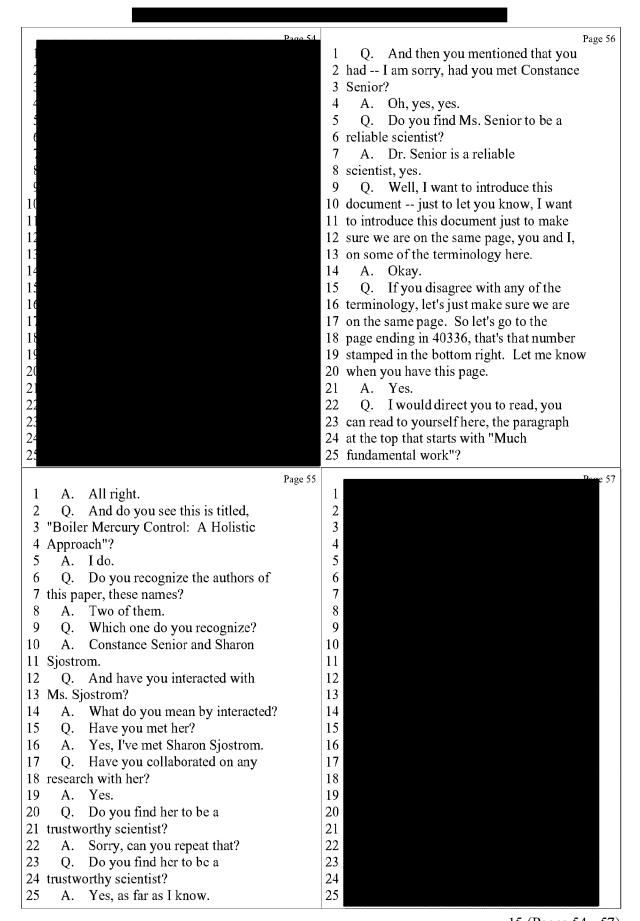
O. 25 time?

23

24

1980.

And where did you go at that



15 (Pages 54 - 57)

Page 66 Page 68

- 1 1; is that fair?
- A. Yes.
- O. There is an element of Claim 1
- 4 that is referred to as the
- 5 bromine-containing promoter, correct?
- 6 A. Yes.
- Q. In the example shown here in
- 8 Figure 2, what is the bromine-containing
- 9 promoter? 10 A. HBr.
- 11 And also, is there an activated
- 12 carbon sorbent shown in Figure 2?
- A. It's represented by the part of
- 14 the figure that says "carbon basic
- 15 zig-zag site." That would be part of the
- 16 activated carbon.
- 17 Q. I see. And again if we go back
- 18 to Claim 1 of the '147 patent, it refers
- 19 to a promoted brominated sorbent; do you
- 20 see that?

1 find that.

A.

Α.

Q.

A.

19 sorbent?

Yes.

15 here is HBr, correct?

A. Yes.

23 brominated sorbent?

Yes.

Yes.

All right.

2

10

11

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24

25

- 21 Sorry, I am on the wrong thing. A.
- 22 I have to go back to Exhibit 2?
- Q. Yes. Let me point you to a

3 and kind of the first clause in that

4 where it says "Promoting at least a

- 24 particular part of Claim 1 here, and then
- 25 we'll go back to the drawing and try to

So if you look at claim 1(a)

5 portion of a particulate sorbent material 6 comprising activated carbon, by

7 chemically reacting the sorbent material

8 with a bromine-containing promoter to

9 form a promoted brominated sorbent."

12 claim, to Figure 2, which is Exhibit 8.

18 2, a representation of the unpromoted

22 3, a representation of a promoted

Q. Okay. So let's go back now to

Q. And is what I marked as Figure

Q. And is what I marked as figure

So according to the claim,

The bromine-containing promoter

- 1 there needs to be a chemical reaction
- 2 between the HBr and the unpromoted
- 3 sorbent, which I marked as 2, to form the
- 4 promoted brominated sorbent, which I
- 5 marked as 3; do I have that right?
- A. That's correct. 2 represents
- 7 the edge structure of the activated
- 8 carbon.
- 9 Q. What do you mean by "the edge
- 10 structure"?
- 11 A. Well, the structure of the
- 12 activated carbon, in this case, is a,
- 13 what's referred to as a graphene sheet or
- 14 ribbon where you have a lot of these
- 15 structures that are adjacent to each
- 16 other in a chicken-wire type arrangement.
- 17 And the edge of that ribbon or sheet,
- 18 part of the edge of it would look like
- 19 that.
- 20 Q. And this description of
- 21 activated carbon, was this something that
- 22 you yourself discovered?
- 23 A. No.

A.

1

- 24 O. It was known from other
- 25 researchers, correct?

Page 67

Yes.

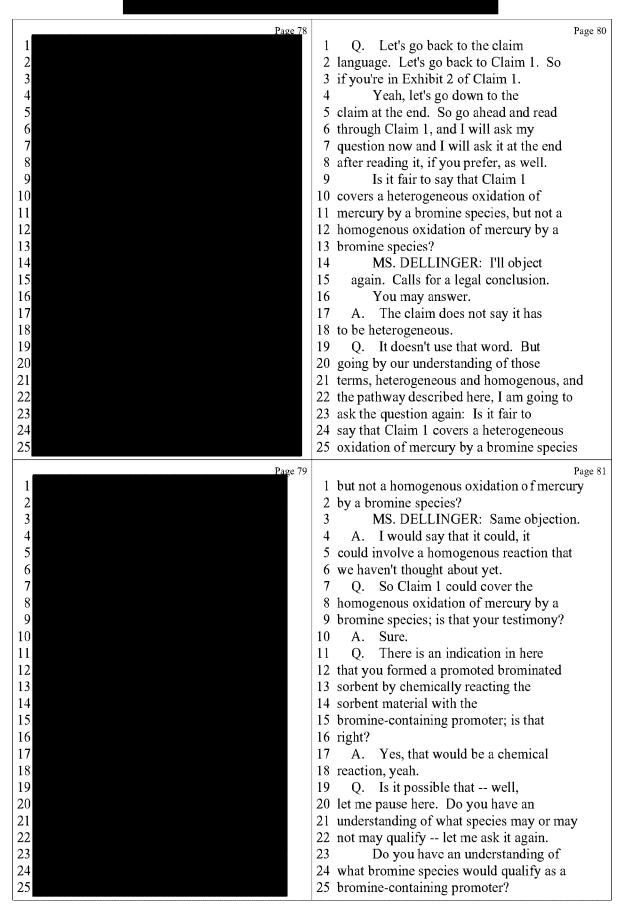
Page 69

- O. It was known from other
- 3 researchers at the time the provisional
- 4 was filed, which if you recall was a
- 5 August 2004?
- A. Yes, and yes it would be known
- 7 because it was published several years
- earlier. In fact, well known.
- Q. And now what's going on, if we,
- 10 as we move from what I marked as number 3
- 11 to number 4 on Exhibit 8?
- 12 A. I am sorry, what is going on?
- 13 Q. Yes, what is the change from
- 14 step 3 to step 4 of Exhibit 8?
- A. Yes. That represents the
- 16 oxidation of the mercury which forms new
- 17 bonds to the mercury, one to the carbon
- 18 and one to the bromine.
- Q. And then what is happening from
- 20 step 4 to step 5, or species 4 to species
- 21 5 in Figure 2?
- 22 A. Well, what we know is that the
- 23 primary oxidant in the reaction of
- 24 mercury on the carbon surface, the
- 25 primary oxidant, the one that is actually

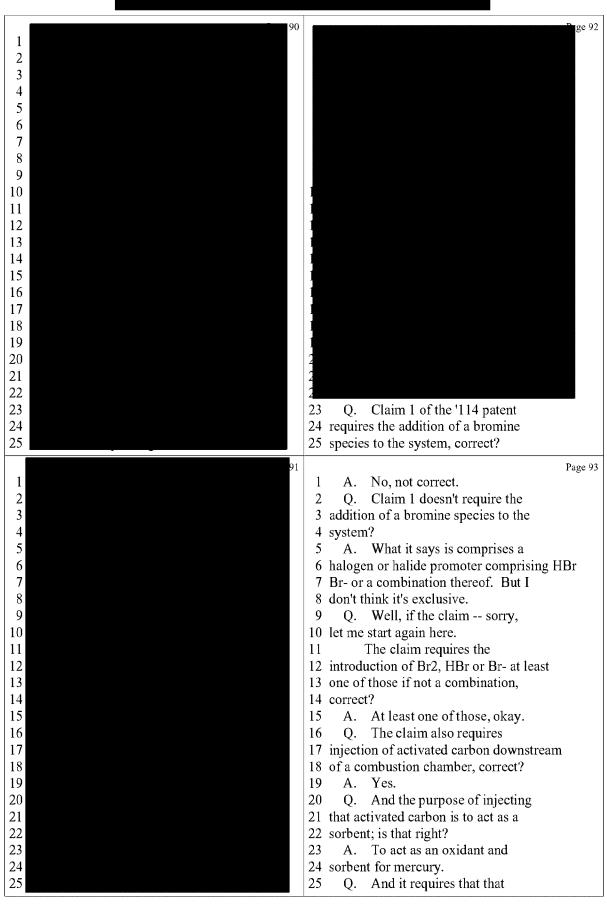
18 (Pages 66 - 69)

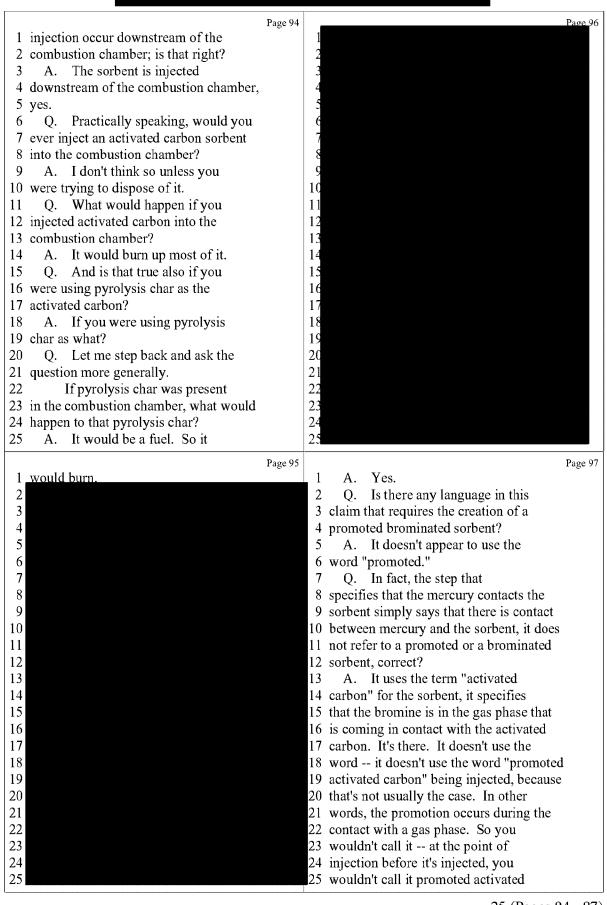
A.

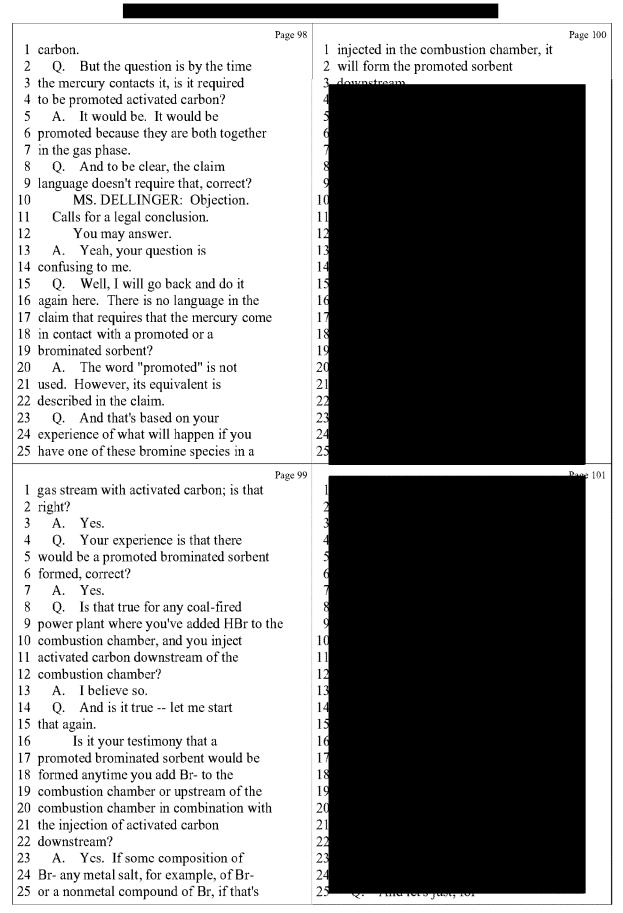
Q.

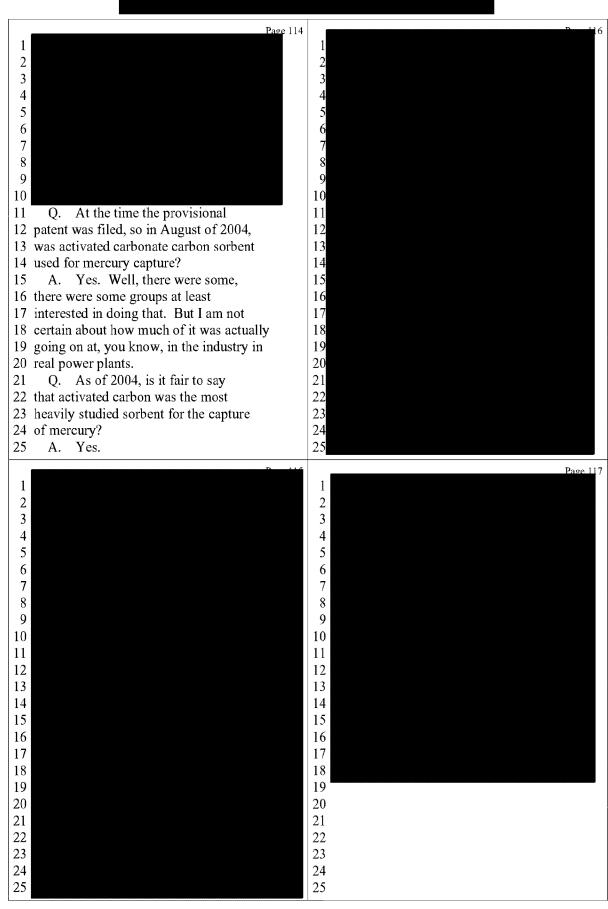


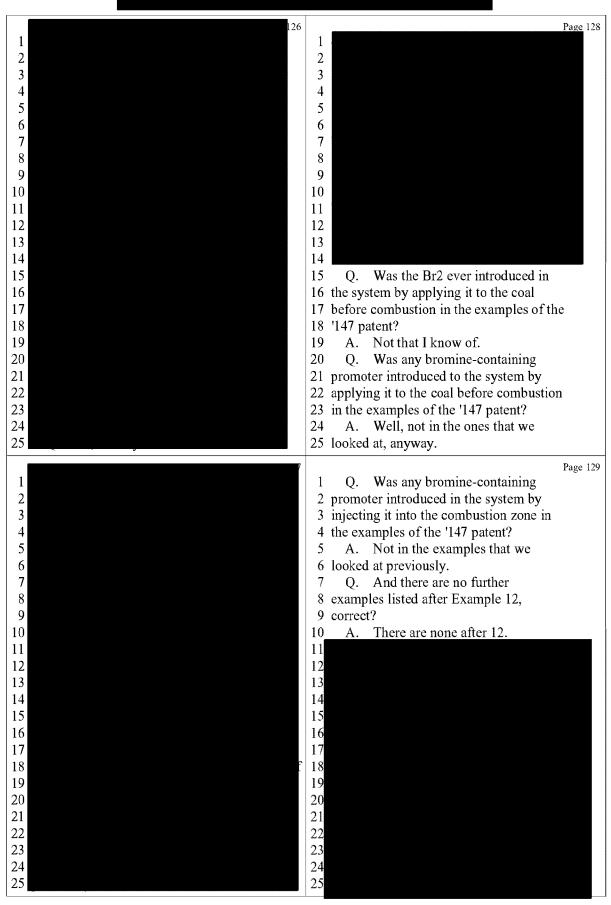
	Page 82		Page 84
1 A. Well, I have a partial		1	
2 understanding.		2	
3 Q. Could HBr be a		3	
4 bromine-containing promoter?		4	
~ ~		5	
5 A. Yes.		3	
6 Q. Could sodium bromide be a		6	
7 bromine-containing promoter?		7	
8 A. Not unless it is converted into		8	
9 something else.		9	
10 Q. Could calcium bromide be a		10	
11 bromine-containing promoter?		11	
12 A. Again, it would have to be		12	
13 converted.		13	
14 Q. Converted to something else?		14	
15 A. Yes.		15	
16 Q. Could Br2 be a		16	
17 bromine-containing promoter?		17	
18 A. Yes.		18	
19 Q. Could Br radical be a		19	
20 bromine-containing promoter?		20	
21 A. I don't know.		21	
22 Q. Could Br- be a		22	
23 bromine-containing promoter?		23	
24 A. Br-?		24	
25 Q. Yes.		25	
25 Q. 105.			
23 Q. 165.	Page 83		Page 85
1 A. No. Not unless it's converted	Page 83	1	Page 85
1 A. No. Not unless it's converted	Page 83	1	Page 85
1 A. No. Not unless it's converted 2 into something else.	Page 83		Page 85
<ol> <li>A. No. Not unless it's converted</li> <li>into something else.</li> <li>Q. Could PBR3 be a</li> </ol>	Page 83	1 2 3	Paga 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter?	Page 83	1 2	Paga 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes.	Page 83	1 2 3 4 5	Paga 85
<ol> <li>A. No. Not unless it's converted</li> <li>into something else.</li> <li>Q. Could PBR3 be a</li> <li>bromine-containing promoter?</li> <li>A. Yes.</li> <li>Q. In fact, let me direct you to</li> </ol>	Page 83	1 2 3 4 5 6	P200.85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12?	Page 83	1 2 3 4 5 6 7	Paga 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second.	Page 83	1 2 3 4 5 6 7 8	Paga 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a	Page 83	1 2 3 4 5 6 7 8 9	Paga 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25,	Page 83	1 2 3 4 5 6 7 8 9	Paga 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could.	Page 83	1 2 3 4 5 6 7 8 9 10	Page 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right.	Page 83	1 2 3 4 5 6 7 8 9 10 11	Page §5.
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers	Page 83	1 2 3 4 5 6 7 8 9 10 11 12 13	Paga §5.
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers 14 to a Group V or Group VI bromides?	Page 83	1 2 3 4 5 6 7 8 9 10 11 12 13 14	Page 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers 14 to a Group V or Group VI bromides? 15 A. Mmm-hmm.		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Paga 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers 14 to a Group V or Group VI bromides? 15 A. Mmm-hmm. 16 Q. And PBr3 is a Group V bromide,		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Page \$5
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers 14 to a Group V or Group VI bromides? 15 A. Mmm-hmm. 16 Q. And PBr3 is a Group V bromide, 17 I believe; is that right?		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Page 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers 14 to a Group V or Group VI bromides? 15 A. Mmm-hmm. 16 Q. And PBr3 is a Group V bromide, 17 I believe; is that right? 18 A. That's correct.		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	P200 85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers 14 to a Group V or Group VI bromides? 15 A. Mmm-hmm. 16 Q. And PBr3 is a Group V bromide, 17 I believe; is that right?		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	P200.85
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers 14 to a Group V or Group VI bromides? 15 A. Mmm-hmm. 16 Q. And PBr3 is a Group V bromide, 17 I believe; is that right? 18 A. That's correct.		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Page §5.
1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers 14 to a Group V or Group VI bromides? 15 A. Mmm-hmm. 16 Q. And PBr3 is a Group V bromide, 17 I believe; is that right? 18 A. That's correct. 19 Q. So are Group V bromides		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Page §5.
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1 A. No. Not unless it's converted 2 into something else. 3 Q. Could PBR3 be a 4 bromine-containing promoter? 5 A. Yes. 6 Q. In fact, let me direct you to 7 claim 12; do you see claim 12? 8 A. Just a second. 9 Q. Actually, let me use a 10 different one. Let's look at claim 25, 11 if we could. 12 A. All right. 13 Q. Do you see that claim 25 refers 14 to a Group V or Group VI bromides? 15 A. Mmm-hmm. 16 Q. And PBr3 is a Group V bromide, 17 I believe; is that right? 18 A. That's correct. 19 Q. So are Group V bromides 20 bromine-containing promoters? 21 A. Yes, or at least the one that 22 we tested was. 23 Q. And which one did you test?		1 2 3 4 4 5 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Page \$5
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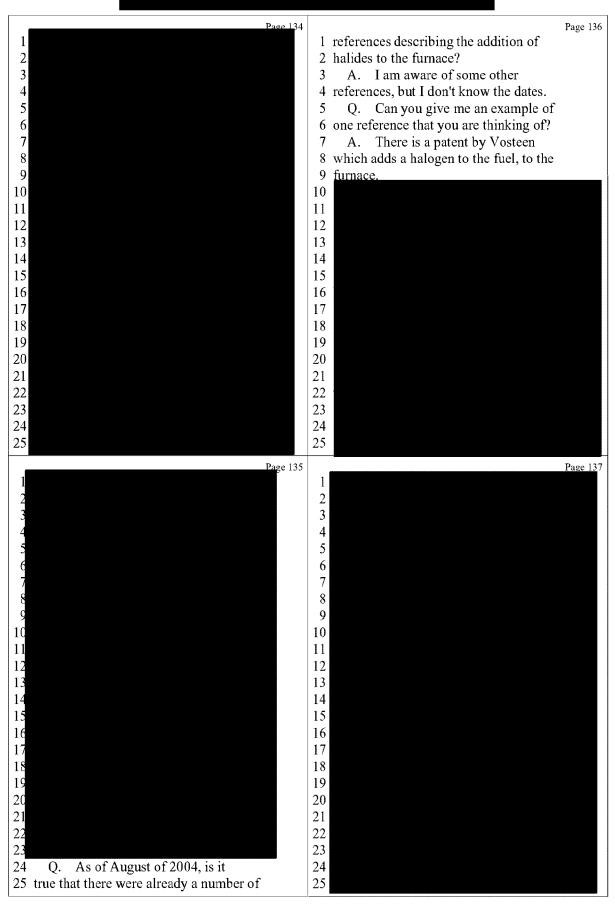




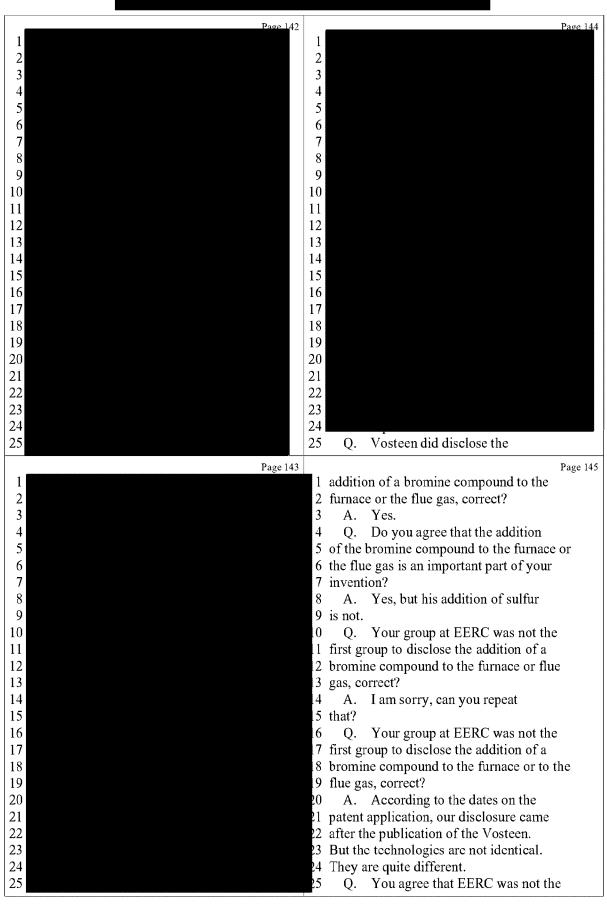


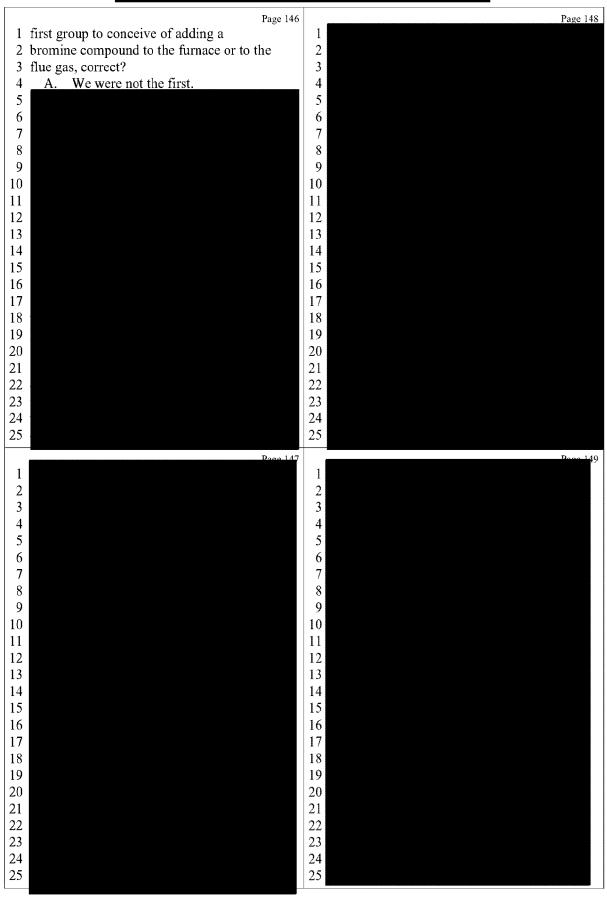


33 (Pages 126 - 129)

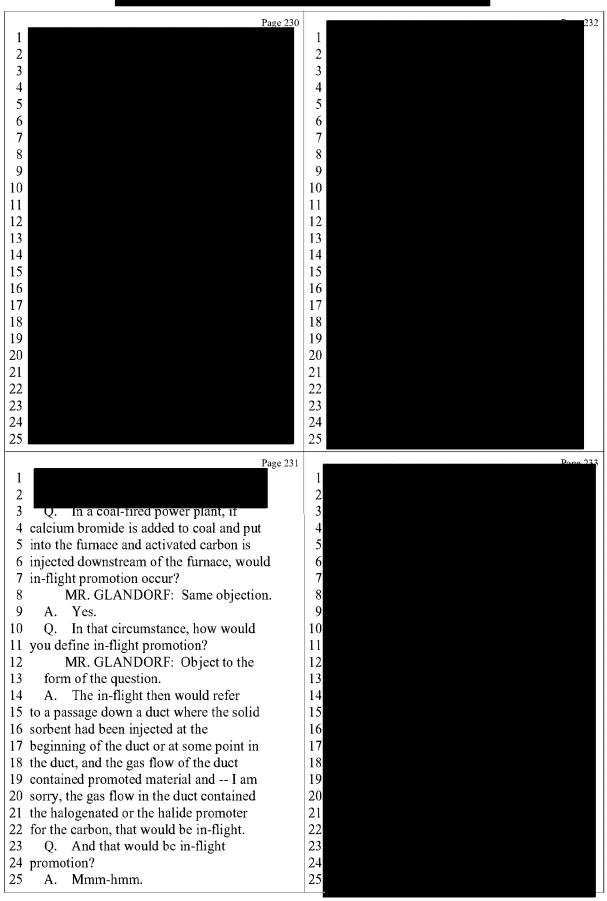


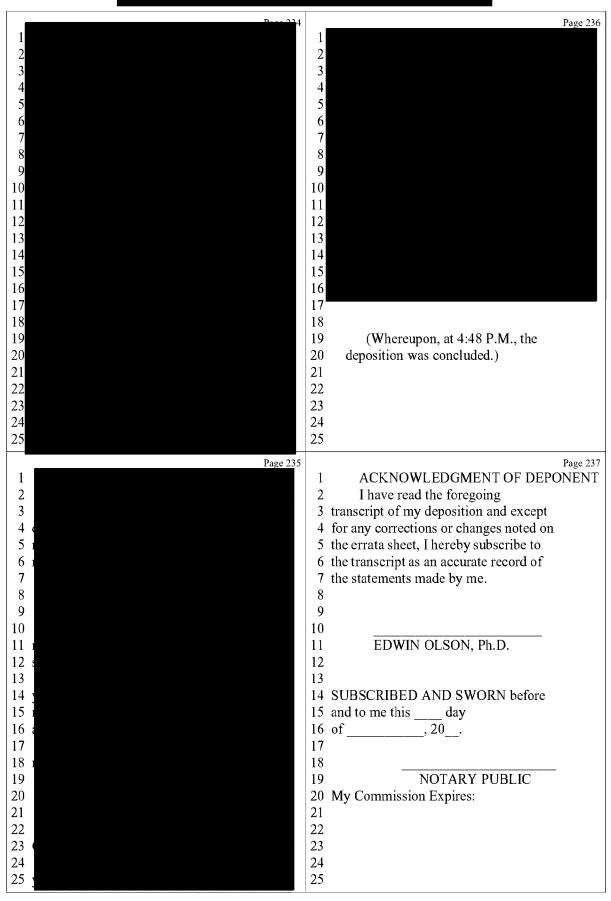
35 (Pages 134 - 137)





Page 17





60 (Pages 234 - 237)

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	age 238	Page 240
1INDEX		
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3 EDWIN OLSON, Mr. Glandorf 4		3
4 Ph.D., Mr. Wilson 190		4 I, DAWN MATERA, a Notary Public for
5 Ms. Dellinger 232	200	5 and within the State of New York, do
6		6 hereby certify:
7 EXHIBITS	900000	7 That the witness whose testimony as
8 OLSON FOR ID.	of any control	8 herein set forth, was duly sworn by me;
9 Exhibit I, a curriculum vitae of Dr. 16		9 and that the within transcript is a true
10 Edwin Olson prepared in 2012	2000	10 record of the testimony given by said
	17	11 witness.
12 Patent		12 I further certify that I am not
13 Exhibit 3, document consisting of '114 3	17	13 related to any of the parties to this
14 patent	al contract	14 action by blood or marriage, and that I
,	8	15 am in no way interested in the outcome of
16 patent	-	16 this matter.
l a f	8	17 IN WITNESS WHEREOF, I have hereunto
18 patent		18 set my hand this 29th day of August,
	38	19 2022.
20 patent	· ·	20 Dawn Moters
21 Exhibit 7, document bearing Bates stamp	54	21 Daws Massace
22 ME2GRG00040334	J. 7	22 DAWN MATERA
23 Exhibit 8, document consisting of an 6	1	
24 annotated Figure 2 from the 147	7	23 24 * * *
25 patent		25
25 patent		<i>42</i>
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	age 239	Page 241
1 INDEX OF (Cont'd)	age 239	1 Errata Sheet Veritext legal solutions
1 INDEX OF (Cont'd) 2EXHIBITS	age 239	1 ERRATA SHEET VERITEXT LEGAL SOLUTIONS 2 MEDWEST ENERGY × ARYDUR 1. GALLAGNER & CO
1 INDEX OF (Cont'd) 2 —— EXHIBITS ——— 3 OLSON FOR ID.	econgol accide graphs and a process of a pro	1 ERRATA SHEFT VERITEXT LEGAL SOLUTIONS 2
1 INDEX OF (Cont'd) 2 —— EXHIBITS ————————————————————————————————————	econgol accide graphs and a process of a pro	1 ERRATA SHEET VERITEXT LEGAL SOLUTIONS 2 MEDWEST ENERGY VARIBUR 1. GALLAGUER & CO 3 DATE OF DEPOSITION: AUGUST 26, 2022
1 INDEX OF (Cont'd) 2 ——EXHIBITS —— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866	131	1 ERRATA SHEET VERTEXT LEGAL SOLUTIONS 2 MEDWEST ENERGY × ARTHUR 1. GALLAGNER & CO 3 DATE OF DEPOSITION: AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PAIX 4
1 INDEX OF (Cont'd) 2 ———— EXHIBITS ———— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp	131	1 ERRATA SHEET VERITEXT LEGAL SOLUTIONS 2 MEDWEST ENERGY & ARTHUR 1, GALLAGHER & CO 3. DATE OF DEPOSITION: AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PAIX 4 PAGE/LINE(S): CHANGE REASON
1 INDEX OF (Cont'd) 2 ————————————————————————————————————	131	1 ERRATA SHEET VERITEXT LEGAL SOLUTIONS 2 MEDWEST ENERGY & ARTHUR 1, GALLAGHER & CO 3. DATE OF DEPOSITION: AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PAIX 4 PAGE/LINE(S): CHANGE REASON
1 INDEX OF (Cont'd) 2 ——EXHIBITS——— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp	131	1 ERRATA SHEET VERITEXT LEGAL SOLUTIONS 2 MEDWEST ENERGY & ARTHUR 1, GALLAGHER & CO 3. DATE OF DEPOSITION: AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PAIX 4 PAGE/LINE(S): CHANGE REASON
1 INDEX OF (Cont'd) 2 ————————————————————————————————————	131 2 139 2 146	1 ERRATA SHEET VERITEXT LEGAL SOLUTIONS 2 MEDWEST ENERGY × ARYDUR 1. GALLAGUER & CO 3 DATE OF DEPOSITION, AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PAIX 4 PAGE/LINE(SY CHANGE REASON 5 6 6
1 INDEX OF (Cont'd) 2 ————————————————————————————————————	131 2 139 2 146	TERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MEDWEST ENERGY VARITHUR I, GALLAGHER & CO  DATE OF DEPOSITION, AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PLIA  PAGE/LINE(SY CHANGE REASON  6  7  8
1 INDEX OF (Cont'd) 2 ——EXHIBITS—— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp 9 ME2C-RC-00070797 10 Exhibit 12, document bearing Bates stamp 11 ME2C-RC-00179930	131 5 139 5 146 5 151	TERRATA SHEET VERTEXT LEGAL SOLUTIONS  MEDWEST ENERGY VARITHUR J. GALLAGHER & CO 3 DATE OF DEPOSITION AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PLD  PAGE/LINE(S) CHANGE REASON  5  6  7  8  9  10
1 INDEX OF (Cont'd) 2 ——EXHIBITS—— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp 9 ME2C-RC-00070797 10 Exhibit 12, document bearing Bates stamp 11 ME2C-RC-00179930 12 Exhibit 13, document bearing Bates stamp	131 5 139 5 146 5 151	TERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MIDWEST ENERGY & ARTHUR J. GALLAGHER & CO  JUATE OF DEPOSITION AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PLIA  PAGE/JUNE(SY CHANGE REASON  5  6  7  8  9  10
1 INDEX OF (Cont'd) 2 — EXHIBITS — FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866	131 2 139 2 146 3 151 3 154	ERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MIDWEST ENERGY VARITHUR I GALLAGINER & CO  JATE OF DEPOSITION AUGUST 26.7022 NAME OF WITNESS: EDWIN OLSON, PAIR  PAGET INE(S) CHANGE REASON  5  10  11  12
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1 INDEX OF (Cont'd) 2 EXHIBITS 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp 9 ME2C-RC-00070797 10 Exhibit 12, document bearing Bates stamp 11 ME2C-RC-00179930 12 Exhibit 13, document bearing Bates stamp 13 ME2C-RC-00119710 14 Exhibit 14, document bearing Bates stamp 15 ME2C-RC-00119712	131 139 146 151 154 154	ERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MIDWEST ENERGY VARITHUR I GALLAGINER & CO  JATE OF DEPOSITION AUGUST 26.7022 NAME OF WITNESS: EDWIN OLSON, PAIR  PAGET INE(S) CHANGE REASON  5  10  11  12
1 INDEX OF (Cont'd) 2 EXHIBITS 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp 9 ME2C-RC-00070797 10 Exhibit 12, document bearing Bates stamp 11 ME2C-RC-00179930 12 Exhibit 13, document bearing Bates stamp 13 ME2C-RC-00119710 14 Exhibit 14, document bearing Bates stamp 15 ME2C-RC-00119712 16 Exhibit 15, document consisting of the	131 2 139 2 146 3 151 3 154	TERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MIDWEST ENERGY VARITHUR J. GALLAGHER & CO 3 DATE OF DEPOSITION AUGUST 26, 2022 NAME OF WINNESS: EDWIN OLSON, PLIX PAGE LINE(S) CHANGE REASON  5  10  11  12  13
1 INDEX OF (Cont'd) 2 ——EXHIBITS—— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp 9 ME2C-RC-00070797 10 Exhibit 12, document bearing Bates stamp 11 ME2C-RC-00179930 12 Exhibit 13, document bearing Bates stamp 13 ME2C-RC-00119710 14 Exhibit 14, document bearing Bates stamp 15 ME2C-RC-00119710 16 Exhibit 15, document consisting of the 1 17 '374 patent 194	131 139 146 151 154 154	ERRATA SHEFT VENTEXT LEGAL SOLUTIONS  MIDWEST ENERGY & ANTHUR J. GALLAGINER & CO  JUATE OF DEPOSITION AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PLIA  PAGE/JUNE(SY CHANGE REASON  S  9  10  11  12  13
1 INDEX OF (Cont'd) 2 ——EXHIBITS—— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp 9 ME2C-RC-00070797 10 Exhibit 12, document bearing Bates stamp 11 ME2C-RC-00179930 12 Exhibit 13, document bearing Bates stamp 13 ME2C-RC-00119710 14 Exhibit 14, document bearing Bates stamp 15 ME2C-RC-00119710 16 Exhibit 15, document consisting of the 1 17 '374 patent 194 18 Exhibit 16, document beginning with	131 139 146 151 154 154	ERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MIDWEST ENERGY VARITHUR I GALLAGINER & CO  JATE OF DEPOSITION AUGUST 26. 2022 NAME OF WITNESS: EDWIN OLSON, PAD  PAGET INE(S) CHANGE REASON  10  11  12  13  14
1 INDEX OF (Cont'd) 2 ————————————————————————————————————	131 139 146 151 154 154	ERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MEDWEST ENERGY VARIBUR I GALLAGINER & CO  3 DATE OP DEPOSITION AUGUST 26, 2022 NAME OF WINNESS: EDWIN OLSON, PALR  PAGE/LINE(SY CHANGE REASON  5  10  11  12  13  14  15  16  17
1 INDEX OF (Cont'd) 2 ——EXHIBITS—— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp 9 ME2C-RC-00070797 10 Exhibit 12, document bearing Bates stamp 11 ME2C-RC-00179930 12 Exhibit 13, document bearing Bates stamp 13 ME2C-RC-00119710 14 Exhibit 14, document bearing Bates stamp 15 ME2C-RC-00119710 16 Exhibit 15, document consisting of the 1 17 '374 patent 194 18 Exhibit 16, document beginning with 19 Bates stamp ME2C-RC-00055476 20 Exhibit 17, document beginning with	131 139 146 151 154 154	ERRATA SHEFT VENTEXT LEGAL SOLUTIONS  MIDWEST ENERGY × ANTHUR J. GALLAGINER & CO  JUATE OF DEPOSITION AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PLIL  PAGE/J.INE(S) CHANGE REASON  S  10  11  12  13  14  15  16  17
1 INDEX OF (Cont'd) 2 ——EXHIBITS—— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp 9 ME2C-RC-00070797 10 Exhibit 12, document bearing Bates stamp 11 ME2C-RC-00179930 12 Exhibit 13, document bearing Bates stamp 13 ME2C-RC-00119710 14 Exhibit 14, document bearing Bates stamp 15 ME2C-RC-00119710 16 Exhibit 15, document consisting of the 1 17 '374 patent 194 18 Exhibit 16, document beginning with 19 Bates stamp ME2C-RC-00055476 20 Exhibit 17, document beginning with 21 Bates stamp ME2C-RC-00072299	131 2 139 2 146 2 151 2 154 2 154 3 66	ERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MEDWEST ENERGY VARTHUR I GALLAGHER & CO  3 DATE OP DEPOSITION AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PALR  PAGET.INE(SY CHANGE REASON  5  10  11  12  13  14  15  16  17  18  18  19  EDWIN OLSON, Pa.D.
1 INDEX OF (Cont'd) 2 ——EXHIBITS—— 3 OLSON FOR ID. 4 Exhibit 9, document bearing Bates stamp 5 ME2C-RC-00055866 6 Exhibit 10, document bearing Bates stamp 7 ME2C-RC-00121392 8 Exhibit 11, document bearing Bates stamp 9 ME2C-RC-00070797 10 Exhibit 12, document bearing Bates stamp 11 ME2C-RC-00179930 12 Exhibit 13, document bearing Bates stamp 13 ME2C-RC-00119710 14 Exhibit 14, document bearing Bates stamp 15 ME2C-RC-00119710 16 Exhibit 15, document consisting of the 1 17 '374 patent 194 18 Exhibit 16, document beginning with 19 Bates stamp ME2C-RC-000755476 20 Exhibit 17, document beginning with 21 Bates stamp ME2C-RC-00072299	131 2 139 2 146 2 151 2 154 2 154 3 66	ERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MEDWEST ENERGY × ARTHUR I GALLAGINER & CO  JUATE OF DEPOSITION AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PLIL  PAGE J.INE(S) CHANGE REASON  SUBSCRIBED AND SWORN TO  DEPORE ME TIRS DAY
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1 INDEX OF (Cont'd) 2 ————————————————————————————————————	131 2 139 2 146 2 151 2 154 3 154 4 66	ERRATA SHEFT VERITEXT LEGAL SOLUTIONS  MEDWEST ENERGY VARITHUR I GALLAGINER & CO  JATE OP DEPOSITION AUGUST 26, 2022 NAME OF WINNESS: EDWIN OLSON, PALL  PAGET.INE(SY CHANGE REASON  FROM THE CONTROL OF
INDEX OF (Cont'd)  EXHIBITS  OLSON FOR ID.  Exhibit 9, document bearing Bates stamp  ME2C-RC-00055866 Exhibit 10, document bearing Bates stamp  ME2C-RC-00121392 Exhibit 11, document bearing Bates stamp  ME2C-RC-00070797 Exhibit 12, document bearing Bates stamp  ME2C-RC-00179930 Exhibit 13, document bearing Bates stamp  ME2C-RC-00119710 Exhibit 14, document bearing Bates stamp  ME2C-RC-00119712 Exhibit 15, document consisting of the  '374 patent Exhibit 16, document beginning with Bates stamp ME2C-RC-00055476 Exhibit 17, document beginning with Bates stamp ME2C-RC-00072299  Exhibit 18, document beginning with Bates stamp ME2C-RC-0007355	131 2 139 2 146 2 151 3 154 4 66 196 209	ERRATA SHEFT VERTEXT LEGAL SOLUTIONS  MEDWEST ENERGY VARIDUR L. GALLAGDER & CO  DATE OF DEPOSITION AUGUST 26, 2022 NAME OF WITNESS: EDWIN OLSON, PAD  PAGEJ.INE(S) CHANGE REASON  PAGEJ.INE(S) CHANGE REASON  10  11  12  13  14  15  16  17  18  19  EDWIN OLSON, PAD,  20  SUBSCRIBED AND SWORN TO  10  11  12  12  13  20  SUBSCRIBED AND SWORN TO  11  12  13  14  15  16  17  18  18  19  EDWIN OLSON, PAD,  20  SUBSCRIBED AND SWORN TO  10  11  12  12  13  14  15  16  17  18  18  19  EDWIN OLSON, PAD,  20  20  21  22  22

61 (Pages 238 - 241)

## Federal Rules of Civil Procedure Rule 30

- (e) Review By the Witness; Changes.
- (1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:
- (A) to review the transcript or recording; and
- (B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.
- (2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES

ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1,

2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES

OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

## VERITEXT LEGAL SOLUTIONS COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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