UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE
CIV. No. 1:19-cv-01334-CJB

- -x

MIDWEST ENERGY EMISSIONS CORP.
and MES INC.,

Plaintiffs,

v.

ARTHUR J. GALLAGHER & CO., ET AL.,

Defendants.

- -x

[redacted]

August 26, 2022
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 York.

* * *

[redacted]

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Also Present:

Jeffrey D. Anders, Videographer

James Budkins, Concierge

* * *

THE VIDEOGRAPHER: We are now on the record. This is the video recording of the deposition of Dr. Edwin Olson taken by the defendants' attorneys in the matter of Midwest Energy Emissions Corporation and MES Incorporated versus Arthur J. Gallagher & Company in the United States District Court for the District of Delaware. The Civil File Number is 119-CV-01334.

We are located at the Country Inn & Suites in Grand Forest, North Dakota. Today's date is August 26th, 2022. The time is 8:34 a.m.

The court reporter today is Dawn Matera. My name is Jeffrey D. Anders, I am the videographer here representing Veritext.

Will counsel for the respective parties please identify yourselves, starting with the noticing attorney.

MR. GLANDORF: My name is David Glandorf. I am here for Gibson Dunn, on behalf of the defendants, and with

me is Wendy Cai.

MR. WILSON: Ben Wilson, here for the CERT defendants.

MS. DELLINGER: Adrienne Dellinger, I am here on behalf of Dr. Olson.

EDWIN OLSON, Ph. D.,
the Witness herein, having first been duly sworn by the Notary Public, was examined and testified as follows:

EXAMINATION

BY MR. GLANDORF:

Q. Good morning, Dr. Olson.

A. Good morning.

Q. I am going to start with a few introductory questions, if that's okay with you.

A. Yeah.

Q. Could you once more state and spell your full name for the record, please?

A. Edwin Olson. You want me to spell it?

Q. Yes, please.

A. E-D-W-I-N, O-L-S-O-N.

Q. Thank you. Yes, that's a little bit of a convention that we traditionally do here.

And where is your current address?

A. It's in Grand Forks North Dakota.

Q. Can you give us the address?

A. Yes. 223 Circle Hills Drive, Grand Forks, North Dakota, 58201.

Q. Excellent. Have you ever been deposed previously, Dr. Olson?

A. No.

Q. Okay. Well, I am going to lay out a little bit of the expectations and feel free to ask me any questions about these.

As I mentioned before, I represent the defendants in this lawsuit and so I am here to ask questions of you. You understand that?

A. Yes.

Q. This is our opportunity as defendants to ask you questions. Your

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attorney may object at some points, but unless your attorney instructs you not to answer, you should go ahead and answer the question anyway.

Do you understand that?

A. Yes.

Q. Again, your attorney is very capable. She will instruct you not to answer if it's a question that should not be answered.

Do you understand that?

A. Yes.

Q. The court reporter will record my questions and your answers and the videographer will film you. Since the court reporter only records words, it is important for you to answer in words rather than gestures or nods. Is that okay?

A. Yes.

Q. And I will do my best to let you finish answering a question. And I ask that you let me finish asking a question before you provide your answer; is that okay?

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A. Yes.

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

If at any time you do not understand a question, please ask and I will do my best my clarify. Is that okay?

A. Yes.

Q. You are under oath today. Do you understand that?

A. Yes.

Q. And so you are obligated to provide true and accurate and complete answers to the best of your ability.

Do you understand that?

A. Yes.

Q. Is there any reason why you would not be able to provide truthful and accurate answers today?

A. No.

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

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external factor that would prevent you from answering truthfully today; is that correct?

A. No.

Q. We will be taking periodic breaks. If at any time you feel like you need a break, you can just say so to me; if that's okay.

Again, I know this is a minor question, but you do want to answer either yes or no verbally.

A. Yes.

Q. Do you plan to offer testimony at trial?

A. I don't understand your question.

Q. Sure. You understand we have a litigation that is going on here that may proceed to an in-person trial. Are you planning to offer testimony at that trial?

A. No.

Q. Are you being paid for your deposition today?

A. No.

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Q. Are you set to receive any type of payment based on the outcome of this case?

A. No.

Q. If there is a settlement or an award in this case, do you expect to get any portion of that?

A. No.

Q. To start things off, I would like to hear from you a little bit about your background. We will march through a little bit of your educational employment background. So let me start just by asking you where you went to college and what did you study?

A. Yes. I went to undergraduate college at St. Olaf College, Northfield, Minnesota. I got a bachelor's of arts degree in 1959. Then subsequently I went to graduate school at the California Institute of Technology, Caltech. And I received a Ph.D. in chemistry and physics, and that was about 1963 -- 1963.

Q. And what was your major or your undergraduate degree?

[redacted]

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A. Chemistry and physics.
Q. For your Caltech Ph.D., what was the subject of your thesis?
A. It was in the general field of organic chemistry and more specifically it had to do with natural products and actually three different types of topics were included in my thesis.
Q. Could you just explain at a high level what those three topics were?
A. Okay. Sure. The first topic was to determine the chemical structure of a pigment that was produced by a bacterin.

The second project was to discover a way to take apart a stearyl molecule, a stearyl being like a plant steroid to open up. It typically has a four or five-ring structures. So the problem was to find a way to open up one of the rings of the structure, so that it could be subsequently analyzed or converted into something else.

The third portion of my work was concerned with a biosynthesis of

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strychnine. So what that means I was trying to learn, trying to understand all of the strychnos nux-vomica plant produces the alkaloid molecule strychnine. What were the precursors of it. What did it use to make the molecule. And I would put them together to form a structure.
Q. And where did you begin employment after graduating?
A. Oh, after I graduated with my Ph.D.?
Q. Yes.
A. I went to UCLA to the department of biological chemistry and worked in the institute for radiological chemistry and I studied fatty acid chemistry.
Q. Was that a post-doc?
A. Yes, post-doc. Yes.
Q. And how long were you at that position?
A. One year.
Q. And where did you go after that?

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A. I went to Idaho State University, as assistant professor of chemistry.
Q. How long were you at Idaho State?
A. Four years.
Q. And were you teaching organic chemistry?
A. I taught organic chemistry, yes.
Q. Did you teach general chemistry as well?
A. Yes.
Q. Inorganic chemistry?
A. No.
Q. Physical chemistry?
A. No.
Q. Did you have a research group at Idaho State?
A. Yes.
Q. And what, at a high level, what types of topics was, what were the subjects of that research?
A. Well, there were, over the four years, there were maybe a couple of

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different areas. One of the areas was to find a way to synthesize a substituted amino acid that might be useful as a cancer drug.
Q. Okay. Is there another topic that you researched as well or was that the primary one?
A. I worked on maybe one or two other things. I did do some work with fatty acid chemistry and some nitrogen heterocyclic chemistry.
Q. And you understand that the litigation we are here for today relates to mercury capture from power plants, correct?
A. Yes.
Q. Was any of the work that you did during your post-doc related to that topic?
A. No.
Q. And where did you go after that post-doc position?
A. Well, I just told you after my post-doc position I went to Idaho State University.

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Q. I apologize, I am sorry, you're right. Where did you go after Idaho State?
A. I went to South Dakota State University.
Q. And what was your position there?
A. It was assistant professor, associate professor and a full professor of chemistry.
Q. Did you teach the same types of classes that you taught at Idaho State?
A. Yes --
Q. Okay.
A. -- plus additional graduate classes.
Q. And what were the topics of those graduate classes?
A. They were in inorganic chemistry. One was polymer chemistry. One was heterocyclic chemistry. Biochemistry.
Q. And did you have a research group at that university?
A. Yes.

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Q. And what topics was your research group studying?
A. Generally, synthesis of potential cancer drugs, amino acid type molecules.
Q. Okay.
A. Most of it was in that area. Some of it was maybe a little bit more organic chemical manipulations, to try to make a certain type of molecule. So it was just conducting a series of reactions that were designed to make a certain type of molecule.
Q. So most of the focus was on organic chemistry and biochemistry; is that fair?
A. That's correct.
Q. And what year did you leave San Diego State -- sorry, scratch that. Let me try that again.
What year did you leave South Dakota State?
A. 1980.
Q. And where did you go at that time?

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A. I went to Grand Forks North Dakota and started working at the United States Bureau of Mines laboratory in 1980.
MR. GLANDORF: Let's go ahead, actually and take a moment and introduce our first exhibit. It will be Exhibit 1 here.
(Olson Exhibit 1, a curriculum vitae of Dr. Edwin Olson prepared in 2012 was so marked for identification, as of this date.)
Q. Dr. Olson and Adrienne, are you able to access the Marked Exhibits folder?
MS. DELLINGER: Yes.
Q. Dr. Olson, you should have the ability to scroll up and down and view these documents.
Dr. Olson, I will point out, in the lower right corner of the exhibit, do you see first of all what's a virtual sticker that says Exhibit 0001; do you see that?
A. Yes.

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[redacted]

[redacted]

[redacted]

A. All right.
Q. And do you see this is titled, "Boiler Mercury Control: A Holistic Approach"?
A. I do.
Q. Do you recognize the authors of this paper, these names?
A. Two of them.
Q. Which one do you recognize?
A. Constance Senior and Sharon Sjostrom.
Q. And have you interacted with Ms. Sjostrom?
A. What do you mean by interacted?
Q. Have you met her?
A. Yes, I've met Sharon Sjostrom.
Q. Have you collaborated on any research with her?
A. Yes.
Q. Do you find her to be a trustworthy scientist?
A. Sorry, can you repeat that?
Q. Do you find her to be a trustworthy scientist?
A. Yes, as far as I know.

Q. And then you mentioned that you had -- I am sorry, had you met Constance Senior?
A. Oh, yes, yes.
Q. Do you find Ms. Senior to be a reliable scientist?
A. Dr. Senior is a reliable scientist, yes.
Q. Well, I want to introduce this document -- just to let you know, I want to introduce this document just to make sure we are on the same page, you and I, on some of the terminology here.
A. Okay.
Q. If you disagree with any of the terminology, let's just make sure we are on the same page. So let's go to the page ending in 40336, that's that number stamped in the bottom right. Let me know when you have this page.
A. Yes.
Q. I would direct you to read, you can read to yourself here, the paragraph at the top that starts with "Much fundamental work"?

[redacted]

[redacted]

1; is that fair?
A. Yes.
Q. There is an element of Claim 1 that is referred to as the bromine-containing promoter, correct?
A. Yes.
Q. In the example shown here in Figure 2, what is the bromine-containing promoter?
A. HBr.
Q. And also, is there an activated carbon sorbent shown in Figure 2?
A. It's represented by the part of the figure that says "carbon basic zig-zag site." That would be part of the activated carbon.
Q. I see. And again if we go back to Claim 1 of the '147 patent, it refers to a promoted brominated sorbent; do you see that?
A. Sorry, I am on the wrong thing. I have to go back to Exhibit 2?
Q. Yes. Let me point you to a particular part of Claim 1 here, and then we'll go back to the drawing and try to

find that.
So if you look at claim 1(a) and kind of the first clause in that where it says "Promoting at least a portion of a particulate sorbent material comprising activated carbon, by chemically reacting the sorbent material with a bromine-containing promoter to form a promoted brominated sorbent."
A. Yes.
Q. Okay. So let's go back now to claim, to Figure 2, which is Exhibit 8.
A. All right.
Q. The bromine-containing promoter here is HBr, correct?
A. Yes.
Q. And is what I marked as Figure 2, a representation of the unpromoted sorbent?
A. Yes.
Q. And is what I marked as figure 3, a representation of a promoted brominated sorbent?
A. Yes.
Q. So according to the claim,

there needs to be a chemical reaction between the HBr and the unpromoted sorbent, which I marked as 2, to form the promoted brominated sorbent, which I marked as 3; do I have that right?
A. That's correct. 2 represents the edge structure of the activated carbon.
Q. What do you mean by "the edge structure"?
A. Well, the structure of the activated carbon, in this case, is a, what's referred to as a graphene sheet or ribbon where you have a lot of these structures that are adjacent to each other in a chicken-wire type arrangement. And the edge of that ribbon or sheet, part of the edge of it would look like that.
Q. And this description of activated carbon, was this something that you yourself discovered?
A. No.
Q. It was known from other researchers, correct?

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

[redacted]

[redacted]

[redacted]

Q. Let's go back to the claim language. Let's go back to Claim 1. So if you're in Exhibit 2 of Claim 1.

Yeah, let's go down to the claim at the end. So go ahead and read through Claim 1, and I will ask my question now and I will ask it at the end after reading it, if you prefer, as well.

Is it fair to say that Claim 1 covers a heterogeneous oxidation of mercury by a bromine species, but not a homogenous oxidation of mercury by a bromine species?

MS. DELLINGER: I'll object again. Calls for a legal conclusion.

You may answer.

A. The claim does not say it has to be heterogeneous.

Q. It doesn't use that word. But going by our understanding of those terms, heterogeneous and homogenous, and the pathway described here, I am going to ask the question again: Is it fair to say that Claim 1 covers a heterogeneous oxidation of mercury by a bromine species

but not a homogenous oxidation o f mercury by a bromine species?

MS. DELLINGER: Same objection.

A. I would say that it could, it could involve a homogenous reaction that we haven't thought about yet.

Q. So Claim 1 could cover the homogenous oxidation of mercury by a bromine species; is that your testimony?

A. Sure.

Q. There is an indication in here that you formed a promoted brominated sorbent by chemically reacting the sorbent material with the bromine-containing promoter; is that right?

A. Yes, that would be a chemical reaction, yeah.

Q. Is it possible that -- well, let me pause here. Do you have an understanding of what species may or may not may qualify -- let me ask it again.

Do you have an understanding of what bromine species would qualify as a bromine-containing promoter?

[redacted]

A. Well, I have a partial understanding.
Q. Could HBr be a bromine-containing promoter?
A. Yes.
Q. Could sodium bromide be a bromine-containing promoter?
A. Not unless it is converted into something else.
Q. Could calcium bromide be a bromine-containing promoter?
A. Again, it would have to be converted.
Q. Converted to something else?
A. Yes.
Q. Could Br2 be a bromine-containing promoter?
A. Yes.
Q. Could Br radical be a bromine-containing promoter?
A. I don't know.
Q. Could Br- be a bromine-containing promoter?
A. Br-?
Q. Yes.

A. No. Not unless it's converted into something else.
Q. Could PBR3 be a bromine-containing promoter?
A. Yes.
Q. In fact, let me direct you to claim 12; do you see claim 12?
A. Just a second.
Q. Actually, let me use a different one. Let's look at claim 25, if we could.
A. All right.
Q. Do you see that claim 25 refers to a Group V or Group VI bromides?
A. Mmm-hmm.
Q. And PBr3 is a Group V bromide, I believe; is that right?
A. That's correct.
Q. So are Group V bromides bromine-containing promoters?
A. Yes, or at least the one that we tested was.
Q. And which one did you test?
A. PBr3.
Q. Are Group VI bromides

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Q. Claim 1 of the '114 patent requires the addition of a bromine species to the system, correct?

A. No, not correct.
Q. Claim 1 doesn't require the addition of a bromine species to the system?
A. What it says is comprises a halogen or halide promoter comprising HBr Br- or a combination thereof. But I don't think it's exclusive.
Q. Well, if the claim -- sorry, let me start again here.
The claim requires the introduction of Br2, HBr or Br- at least one of those if not a combination, correct?
A. At least one of those, okay.
Q. The claim also requires injection of activated carbon downstream of a combustion chamber, correct?
A. Yes.
Q. And the purpose of injecting that activated carbon is to act as a sorbent; is that right?
A. To act as an oxidant and sorbent for mercury.
Q. And it requires that that

[redacted]

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injection occur downstream of the combustion chamber; is that right?
A. The sorbent is injected downstream of the combustion chamber, yes.
Q. Practically speaking, would you ever inject an activated carbon sorbent into the combustion chamber?
A. I don't think so unless you were trying to dispose of it.
Q. What would happen if you injected activated carbon into the combustion chamber?
A. It would burn up most of it.
Q. And is that true also if you were using pyrolysis char as the activated carbon?
A. If you were using pyrolysis char as what?
Q. Let me step back and ask the question more generally.
If pyrolysis char was present in the combustion chamber, what would happen to that pyrolysis char?
A. It would be a fuel. So it

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would burn.
[redacted]

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[redacted]

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A. Yes.
Q. Is there any language in this claim that requires the creation of a promoted brominated sorbent?
A. It doesn't appear to use the word "promoted."
Q. In fact, the step that specifies that the mercury contacts the sorbent simply says that there is contact between mercury and the sorbent, it does not refer to a promoted or a brominated sorbent, correct?
A. It uses the term "activated carbon" for the sorbent, it specifies that the bromine is in the gas phase that is coming in contact with the activated carbon. It's there. It doesn't use the word -- it doesn't use the word "promoted activated carbon" being injected, because that's not usually the case. In other words, the promotion occurs during the contact with a gas phase. So you wouldn't call it -- at the point of injection before it's injected, you wouldn't call it promoted activated

[redacted]

carbon.
Q. But the question is by the time the mercury contacts it, is it required to be promoted activated carbon?
A. It would be. It would be promoted because they are both together in the gas phase.
Q. And to be clear, the claim language doesn't require that, correct?
MS. DELLINGER: Objection. Calls for a legal conclusion.
You may answer.
A. Yeah, your question is confusing to me.
Q. Well, I will go back and do it again here. There is no language in the claim that requires that the mercury come in contact with a promoted or a brominated sorbent?
A. The word "promoted" is not used. However, its equivalent is described in the claim.
Q. And that's based on your experience of what will happen if you have one of these bromine species in a

gas stream with activated carbon; is that right?
A. Yes.
Q. Your experience is that there would be a promoted brominated sorbent formed, correct?
A. Yes.
Q. Is that true for any coal-fired power plant where you've added HBr to the combustion chamber, and you inject activated carbon downstream of the combustion chamber?
A. I believe so.
Q. And is it true -- let me start that again.
Is it your testimony that a promoted brominated sorbent would be formed anytime you add Br- to the combustion chamber or upstream of the combustion chamber in combination with the injection of activated carbon downstream?
A. Yes. If some composition of Br- any metal salt, for example, of Br- or a nonmetal compound of Br, if that's

injected in the combustion chamber, it will form the promoted sorbent downstream

[redacted]

[redacted]

[redacted]

[redacted]

Q. At the time the provisional patent was filed, so in August of 2004, was activated carbonate carbon sorbent used for mercury capture?

A. Yes. Well, there were some, there were some groups at least interested in doing that. But I am not certain about how much of it was actually going on at, you know, in the industry in real power plants.

Q. As of 2004, is it fair to say that activated carbon was the most heavily studied sorbent for the capture of mercury?

A. Yes.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Q. Was the Br2 ever introduced in the system by applying it to the coal before combustion in the examples of the '147 patent?

A. Not that I know of.

Q. Was any bromine-containing promoter introduced to the system by applying it to the coal before combustion in the examples of the '147 patent?

A. Well, not in the ones that we looked at, anyway.

[redacted]

Q. Was any bromine-containing promoter introduced in the system by injecting it into the combustion zone in the examples of the '147 patent?

A. Not in the examples that we looked at previously.

Q. And there are no further examples listed after Example 12, correct?

A. There are none after 12.

[redacted]

[redacted]

[redacted]

[redacted]

Q. As of August of 2004, is it true that there were already a number of

references describing the addition of halides to the furnace?

A. I am aware of some other references, but I don't know the dates.

Q. Can you give me an example of one reference that you are thinking of?

A. There is a patent by Vosteen which adds a halogen to the fuel, to the furnace.

[redacted]

[redacted]

[redacted]

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[redacted]

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[redacted]

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[redacted]

Q. Vosteen did disclose the

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addition of a bromine compound to the furnace or the flue gas, correct?

A. Yes.

Q. Do you agree that the addition of the bromine compound to the furnace or the flue gas is an important part of your invention?

A. Yes, but his addition of sulfur is not.

Q. Your group at EERC was not the first group to disclose the addition of a bromine compound to the furnace or flue gas, correct?

A. I am sorry, can you repeat that?

Q. Your group at EERC was not the first group to disclose the addition of a bromine compound to the furnace or to the flue gas, correct?

A. According to the dates on the patent application, our disclosure came after the publication of the Vosteen. But the technologies are not identical. They are quite different.

Q. You agree that EERC was not the

[redacted]

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first group to conceive of adding a bromine compound to the furnace or to the flue gas, correct?

A. We were not the first.

[redacted]

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[redacted]

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[redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Q. In a coal-fired power plant, if calcium bromide is added to coal and put into the furnace and activated carbon is injected downstream of the furnace, would in-flight promotion occur?

MR. GLANDORF: Same objection.

A. Yes.

Q. In that circumstance, how would you define in-flight promotion?

MR. GLANDORF: Object to the form of the question.

A. The in-flight then would refer to a passage down a duct where the solid sorbent had been injected at the beginning of the duct or at some point in the duct, and the gas flow of the duct contained promoted material and -- I am sorry, the gas flow in the duct contained the halogenated or the halide promoter for the carbon, that would be in-flight.

Q. And that would be in-flight promotion?

A. Mmm-hmm.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

(Whereupon, at 4:48 P.M., the deposition was concluded.)

ACKNOWLEDGMENT OF DEPONENT

I have read the foregoing transcript of my deposition and except for any corrections or changes noted on the errata sheet, I hereby subscribe to the transcript as an accurate record of the statements made by me.

_____

EDWIN OLSON, Ph.D.

SUBSCRIBED AND SWORN before and to me this ____ day of _____, 20__.

_____

NOTARY PUBLIC

My Commission Expires:

[redacted]

CERTIFICATION

I, DAWN MATERA, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose testimony as herein set forth, was duly sworn by me; and that the within transcript is a true record of the testimony given by said witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of August, 2022.

Dawn Matera

DAWN MATERA

* * *

ERRATA SHEET
VERITEXT LEGAL SOLUTIONS

MIDWEST ENERGY v ARTHUR J. GALLAGHER & CO
DATE OF DEPOSITION: AUGUST 26, 2022
NAME OF WITNESS: EDWIN OLSON, Ph.D.

PAGE/LINE(S)	CHANGE	REASON

EDWIN OLSON, Ph.D.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

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.

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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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