In the Matter of:

MICROSOFT CORPORATION

v.

SURFCAST, INC.

TOM DECHAENE

March 11, 2014

MERRILL LAD
1325 G Street NW, Suite 200, Washington, DC
Phone: 800.292.4789 Fax:202.861.3425

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

--OoO--

MICROSOFT CORPORATION

Petitioner,

vs.

SURFCAST, INC.

Patent Owner.

Patent No. 6,724,403

Issued: April 20, 2004

Filed: October 30, 2000

Inventors: Ovid Santoro, et al.

Title: SYSTEM AND METHOD FOR SIMULTANEOUS DISPLAY OF INFORMATION SOURCES

Inter Partes Review Nos. IPR2013-00292, IPR2013-00293, IPR2013-00294 and IPR2013-00295

Deposition of Tom Dechaene

Washington, D.C.

Tuesday, March 11, 2014

9:00 a.m.

Job No. 245255 - Reported by: Bonnie Russo

Deposition of Tom Dechaene held at:

DLA Piper
800 5th Street, N.W.
Washington, D.C.

Pursuant to agreement, before Bonnie Russo, Court Reporter and Notary Public in and for the District of Columbia.

APPEARANCES

ON BEHALF OF THE PETITIONER:

SCOTT M. BORDER, ESQUIRE
SIDLEY AUSTIN, LLP
1501 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 736-8818
sborder@sidley.com

ON BEHALF OF THE PATENT OWNER:

JIM HEINTZ, ESQUIRE
DLA PIPER
11911 Freedom Drive
Reston, Virginia 20190
Telephone: (703) 773-4000
jim.heintz@dlapiper.com
-AND-
KATHRYN RILEY-GRASSO, ESQUIRE
DLA PIPER
800 5th Street, N.W.
Washington, D.C. 20004
Telephone: (202) 799-4000

CONTENTS

EXHIBITS

(NONE)

PROCEEDINGS

TOM DECHAENE,
was called for examination by counsel and, after having been duly sworn by the Notary, was examined and testified as follows:

EXAMINATION BY COUNSEL FOR PETITIONER
BY MR. BORDER:

Q. Good morning.

A. Good morning.

Q. Could you please state your full name and residence for the record, please.

A. Tom Dechaene. Spithertlaan, S-P-I-T-H-E-R-T-L-A-A-N, 1 Overijse, O-V-E-R-I-J-S-E 3090, Belgium.

Q. Thank you. Have you ever been deposed before?

A. I have.

Q. When was that?

A. Last year in summer.

Q. Was it related to this proceeding?

A. It was.

Q. Is there any reason you cannot give

Page 6

honest testimony today?
A. There isn't.
Q. And you understand you need to answer my questions to the best of your ability?
A. I do.
Q. You understand that if there is a break in this proceeding you are not allowed to discuss the substance of your testimony with your counsel?
A. I do.
Q. Could you please describe your educational background.
A. I have a master in law, applied economics and business administration.
Q. And tell me again do you have sort of the equivalent of a bachelor's degree in the U.S.?
A. Yes. So we have bachelor first in law, applied economics and then a master.
Q. Thank you.
A. Similar.

Page 7

Q. Is it fair to say that you have no formal training in any technological field?
A. That's correct.
Q. Is it also fair to say you have no formal training in any kind of computer programming?
A. That's correct.
Q. Is it also fair to say that you have no formal training in any kind of engineering?
A. That is correct.
Q. And you have never worked as a software programmer?
A. Definitely not.
Q. Sir, you have never worked as an engineer?
A. That's correct.
Q. Thank you. Could you please describe to me your employment history after your graduate degree?
A. I started working for a bank, which is now called ING in Brussels in '86. I stayed with them for four years. Then I did my M.B.A.

Page 8

in 1991. In '91 I moved to London to work for what was then called Morgan Grenfell, which was owned by Deutsche Bank, so it effectively became Deutsche Bank. I was there until the end of '99. I joined SurfCast on the 1st of January of 2000. I'm not exactly sure where my employment as an employee ceased. I guess second half of 2001. I'm not exactly sure about the date. Since then I have not been employed by any organization. I'm self-employed. Independent.
Q. Now, you say you joined SurfCast in January 2000, but were you involved with them before that?
A. I was.
Q. Could you explain that involvement, please.
A. I was a co-founder of SurfCast, so before starting as an employee on the 1st of January 2000 I helped setting up the company, get it up and running so that on the 1st of January it would have officers and be able to

Page 9

start operating.
Q. And could you please tell me when you started this involvement with SurfCast?
A. There is 14 years ago so it is not easy to put dates on it, but I think I was brought into the know of this whole idea by Ovid Santoro in the first quarter of '99.
By the second quarter we were looking -- I certainly know that it was having meetings and looking at business plans, how the product would look like, et cetera, and by the second half of the year I was having meetings with the lawyers, Pennie & Edmonds who are corporate counsel, and also patent counsel, so also a gradual process which lasted almost one year.
Q. Are you presently an employee of SurfCast?
A. No.
Q. Do you draw a salary from SurfCast?
A. No.
Q. Have you ever drawn a salary from

Page 10

SurfCast?
A. I did.
Q. During what time frame did you draw a salary?
A. 2000 and some part of 2001.
Q. Since 2001 have you received any compensation from SurfCast?
A. I am currently receiving compensation as a director for my services.
Q. How much is that compensation, please?
A. [redacted]
Q. U.S. dollars?
A. Yes.
Q. Are you a shareholder in SurfCast?
A. I am.
Q. How many shares do you have?
A. I couldn't tell you but the [redacted]
Q. Has that percentage changed in the last -- has that percentage -- strike that.

Page 11

Has that percentage changed since 2000?
A. It has. It has gone up and down depending on the capital raising, whether I took part in it or not.
Q. [redacted]
percent of the company?
A. [redacted] the issued share capital.
Q. How much money have you invested in SurfCast?
A. I could not tell you that. The last time I invested is more than ten years ago.
Q. How much did you invest ten years ago?
A. [redacted] I think.
Q. You are aware that the '403 patent that is at issue in this proceeding is involved in district court litigation in Maine; is that correct?
A. I am.

Page 12

Q. Is it fair to say that if the SurfCast company at issue in this proceeding obtains a large judgment for infringement in this patent you stand to gain a lot of money?
A. Everything depends on what is large and if it is large there is still money left to distribute after we pay for all the expenses, [redacted] I don't control the company. There is absolutely no guarantee if there is a large settlement and if there is something left one day, something will be paid out and I will receive it.
Q. But it's fair to say that you certainly have an interest in the outcome of the litigation in Maine; is that correct?
A. I have an interest with the caveat I just mentioned.
Q. And you have a financial interest?
A. I have a financial interest with the caveat I just mentioned.
Q. You understand the nature of this

Page 13

proceeding is adjudicating the validity of the '403 patent; is that right?
A. I do.
Q. So is it also fair to say that you have an interest in maintaining the validity of the '403 patent?
A. Again, with the caveat I mentioned one minute ago, yes.
Q. I will hand you Exhibit 2007, which is your declaration.
A. Thank you.
Q. Let's start off with Paragraph 6. It says here that you acted as CFO and in-house counsel from the time frame of June 29, 1999 to October 29, 1999?
A. Yes.
Q. Is that correct?
A. That is correct.
Q. You testified earlier you couldn't put an exact date when you began working. Is that reflected in this statement here?
MR. HEINTZ: Object to form.

Page 14

THE WITNESS: This statement is a formal statement that I was a founder and CFO. As I said, this was a gradual process. I was brought in the know about this in the first quarter of '99 and this is not something one decides overnight. So this was crystalized at some point whereby I became founder and CFO, but this is in no way contradictory of being brought to the know and started to work on this earlier.

Q. Okay. And what were your responsibilities as the founder and CFO?

A. The easiest way to describe this is to look at and be responsible or supervise anything with a dollar sign or anything with a signature on the bottom of the page with the exception of the patent application.

Q. With the exception of the patent application?

A. Yes.

Q. So you are not an inventor of the '403 patent?

Page 15

A. I am not.

Q. So your duties as CFO from the time frame identified in Paragraph 6 involved everything but the patent application; is that correct?

A. Yes.

Q. And that involvement included working with your corporate counsel Pennie & Edmonds on issues related to your responsibilities as CFO; is that correct?

A. That is correct.

Q. And your responsibilities did not include interfacing with patent lawyers at all; is that correct?

A. Initially not at all, but there is a link because in my mind the submission of a provisional application was important to raise capital, and, therefore, the timing and the progress of this application and the preparation of it was important to me so in that respect I was involved and interested.

Q. You say you were involved and interested, but did that involvement and interest include meeting with patent lawyers?

Page 16

A. It has but not often.

Q. Did it involve meeting with patent lawyers during the time frame you identified in Paragraph 6?

A. I believe there have been meetings between me, but I could not recall the exact dates.

Q. So you don't know?

A. I'm sure there is a record of those in the invoices of Pennie & Edmonds.

Q. And you don't reference any of those invoices in Paragraph 6, do you?

A. No.

Q. So you can't say with any certainty whether you met with a patent attorney in the time frame you identified in Paragraph 6; is that correct?

A. I am almost certain that there is a reference to meetings with the patent attorneys during that time frame, but less than a handful.

Page 17

Q. But you don't have any evidence of these meetings; is that correct?

A. I'm not sure if the invoices of Pennie & Edmonds is evidence, but I don't have them to hand.

Q. In the last sentence you state that you followed the progress of the preparation of the application closely. In this sentence do you mean the provisional patent application?

A. Yes.

Q. Did you draft any portions of the provisional patent application?

A. I did not.

Q. Did you edit any portion of the provisional patent application?

A. I don't think so.

Q. Did you have any input into the provisional patent application?

A. Not that I recall.

Q. During that time frame in which you say you followed the progress of the

Page 18

preparation of the provisional patent application closely, do you have a recollection of which parts of the provisional application were done when?

A. No, I don't.

Q. How exactly did you follow the progression of the application closely?

A. I think I inquired from time to time, I believe it was, with Andrew Gray; it could have been Richard Bone, or both of them, about what, if anything, was missing, when they expected the application to be ready, so I could basically tie that into my financing plan.

Q. But you can't say with a hundred percent certainty that those meetings occurred during the time frame that you identify in Paragraph 6?

A. I am 99 percent sure. Again, the invoices of Pennie should show.

Q. Let's move to Paragraph 7. Sir, you are not a patent lawyer, are you?

Page 19

A. I am not.

Q. You don't hold yourself out as an expert in patent law; is that correct?

A. I wouldn't dare to.

Q. In Paragraph 7, the first sentence you state that the inventions of the '403 patent were diligently reduced practice from at least the period starting June 29, 1999 until October 29, 1999.

Now, before this proceeding have you ever heard of the phrase "diligently reduced practice"?

A. I had heard of it.

Q. And how would you come to hear about that phrase?

MR. HEINTZ: I will object to the question to the extent it calls for any attorney-client privileged communications. You can answer that question if you are able to do so without revealing any such communications.

THE WITNESS: I'm not able to tell. This is one of those terms that I may have

Page 20

known for two years, five years, ten years. I really don't recall.

BY MR. BORDER:

Q. Can you tell me what that phrase means under U.S. patent law?

A. My understanding is that in this case it means in practice of preparing a provisional application.

Q. When you say you understand what it means, did you personally do the research on what this phrase means under U.S. patent law?

MR. HEINTZ: I will caution the witness not to reveal any attorney-client privilege when answering that question. To the extent you can do so without revealing those communications, you may answer.

THE WITNESS: I cannot answer.

BY MR. BORDER:

Q. In the next sentence you state that "I am informed that filing the provisional application constituted a constructive reduction of the practice of the invention."

Page 21

Prior to this proceeding had you ever heard of the term constructive -- prior to this proceeding had you ever heard of the phrase "constructive reduction to practice"?

MR. HEINTZ: Same instruction.

THE WITNESS: I wouldn't be able to tell you.

BY MR. BORDER:

Q. So when you state that "I am informed" does that mean that you did no independent research of what this term might mean?

MR. HEINTZ: I'm going to --

THE WITNESS: I did do no independent search.

BY MR. BORDER:

Q. Who informed you what this term means?

MR. HEINTZ: I'm going to instruct the witness not to answer that question to the extent doing so would reveal any attorney-client privileged communications.

Page 22

THE WITNESS: At whatever was the date that I learned about it I must have been told what it meant by a lawyer, but as I don't know exactly when I was informed of it I couldn't tell which lawyer.

BY MR. BORDER:

Q. Sir, do you remember any -- is it fair to say you don't remember any details of any conversations you had with attorneys that informs this sentence: "I am informed that filing the provisional application constituted a constructive reduction of the practice of the invention"?

A. I do remember one meeting on the 3rd of August with Paul DeStefano and Paul DeStefano was the corporate counsel, but he also owned SurfCast as a client so he was not a patent lawyer. But he obviously as the owner of the relationship oversaw the work by his colleagues of Bone, Gray, et cetera and on that occasion we talked about the progress of the application at length; 3rd of August 1999.

Page 23

Q. During that meeting did you compare the provisional application to the claims of the patent application?

MR. HEINTZ: I'm going to caution the witness not to reveal any attorney-client privileged communications when answering that question. To the extent you are able to answer that question without doing so, you may.

THE WITNESS: I cannot answer that question.

BY MR. BORDER:

Q. Are you refusing to share with me the details of that conversation based on your instruction from your attorneys?

A. That's right.

Q. Let's move to Paragraph 8. You state that you met with Paul DeStefano of Pennie & Edmonds on August 3, 1999.

How do you remember that date?

A. It was a memorable evening because we went to a nice Italian restaurant in the valley and we went there with his Aston Martin

Page 24

similar to James Bond's car in Goldfinger. When it was finished he handed me the keys and I drove the car. That's why I remember the date.

Q. Was anybody else at that meeting?

A. No.

Q. Do you remember any specifies of the conversations you had with Mr. DeStefano?

A. No. I just remember the car.

Q. Do you remember anything in general about the conversation you had with Mr. DeStefano at that meeting?

MR. HEINTZ: Again, I will caution the witness not to reveal any attorney-client privileged communications when answering that question.

THE WITNESS: Obviously it was about SurfCast and, as I said, it was focused primarily on the progress of the provisional application.

BY MR. BORDER:

Q. Do you remember any details of the

Page 25

discussions with Mr. DeStefano regarding the status of the work on the patent application?

MR. HEINTZ: Same instruction.

THE WITNESS: No.

BY MR. BORDER:

Q. And Mr. DeStefano was he an attorney at Pennie & Edmonds at that time?

A. He was.

Q. And was he also general counsel of SurfCast at that time?

A. I'm not sure what general counsel actually means. He was our corporate counsel.

Q. Was he employed by SurfCast?

MR. HEINTZ: I'm sorry. Let the witness finish his answer.

THE WITNESS: So he is the what I would call corporate counsel. English is my third language so I hope I use the right terminology. He also owns the client relationship, which meant that he was the person that would normally ask questions about the progress on the patent application, rather

Page 26

than only talking to the patent lawyers.
BY MR. BORDER:
Q. Was he employed by SurfCast?
A. Absolutely not.
Q. Was he a shareholder in SurfCast?
A. Absolutely not.
Q. Does he have any interest now in SurfCast?
A. No.
Q. You said earlier that Mr. DeStefano is not a registered patent attorney; is that correct?
A. I wouldn't be able to answer, but he never held himself out as a patent lawyer so I doubt he would -- I can't answer this for sure but he never held himself out as a patent lawyer so I doubt if he was qualified or registered as one.
Q. You agree that Mr. DeStefano did not write the patent application for the '403 patent?
A. I wasn't sitting in their offices,

Page 27

but I would be highly, highly surprised if he had.
Q. And Mr. DeStefano's firm was used for other legal matters related to SurfCast; is that right?
A. That's correct.
Q. Can you tell me generally what those other matters were?
A. Apart from the patent we used Pennie for general corporate counsel and also for trademarks, domain names. That is probably the principal.
Q. In your capacity as CFO from June 9, 1999 to October 29, 1999 did you consult with Mr. DeStefano about those matters?
A. I did.
Q. And those matters being general corporate counsel and trademark matters?
MR. HEINTZ: Object to form. You can answer the question.
THE WITNESS: Okay. Tax I don't remember. Maybe. But trademarks and domain

Page 28

names, I introduced the same team that did the patents or I used the same partner, Andrew Gray.
BY MR. BORDER:
Q. Let's move to Paragraph 10 -- excuse me. Paragraph 9.
You begin this paragraph with the statement: "Based on information and belief."
What do you understand that to mean?
A. I presume this means the statement as to the best of my knowledge.
Q. You say you assume that is what it means, but did you write that statement, sir?
A. I had -- needed help with the drafting of this and this is the wording that was suggested to me, but I fully agree with the wording.
Q. So you would agree then that some of the information in your declaration is based on what other people have told you?
A. Can you repeat that question.
Q. So you would agree that your

Page 29

statement based on information and belief indicates that your declaration is at least based in part on what some other people have told you?
A. Well, yes. For instance, when it is about what does it mean to reduction to practice, if at some point a lawyer explained this to me then yes, I depended on what somebody else told me.
Q. In your next statement you say: "In my own knowledge after reviewing all the available evidence."
Have you reviewed every technical document SurfCast has in its possession?
A. I have not.
Q. Have you reviewed any source code?
A. No.
Q. For any technical documents that you did read did you fully understand what it meant?
A. No.
Q. Did you look at all the privileged

Page 30

documents?
A. I would not know what all the privileged documents are so I could not answer that question.
Q. Have you seen any documents that contained redactions?
A. I have.
Q. Did you see those documents before they were redacted?
A. Some of them, probably, yes.
Q. Is it fair to say that you have not reviewed all the available evidence?
A. Again, it depends on what is "all the available evidence." I cannot answer that question. I don't know what all the available evidence is.
Q. Can you explain to me what you mean by all the available evidence in Paragraph 9 of your declaration?
A. It is all the available evidence to me.
Q. So you would agree that all the

Page 31

available evidence is a subset of the actual evidence of this proceeding; is that correct?
A. It may be. I don't know.
Q. I will hand you Exhibit 2011, which you attached to your declaration.
Let's start at the top. I see an address TomDechaena@db.com. I believe that is you; is that correct?
A. That is correct.
Q. Could you please tell me who the addressees are on the To line?
A. Cebra@IBM is Klaus Lagermann and Ovid Santoro is Santoro.
Q. Now, in Exhibit 2011 there are a number of redactions. Do you know if any of them relate to the preparation of SurfCast's provisional patent application?
A. No.
Q. You don't know one way or the other whether these statements that are redacted have anything to do with the preparation of Surfcast's provisional application?

Page 32

A. I do not know.
Q. Have you seen this document -- strike that.
Have you ever seen this document when it was in unredacted form?
A. Yes, when I wrote it.
Q. Have you seen it since you wrote it in unredacted form?
A. Probably.
Q. And when was that?
A. I have no clue.
Q. Was it in the last two years?
A. Probably.
Q. So you have no idea what has been redacted from this e-mail?
A. I don't remember exactly what it says.
Q. At the bottom it says: "I met with Henrik Sanders today."
Do you know who he is?
A. No. I -- from memory he was a dean and he was known to either Klaus Lagermann or

Page 33

Ovid Santoro and he was somebody we considered briefly, if my memory serves me right, to be a director on the board of a possible SurfCast subsidiary in Copenhagen.
Q. The e-mail on the bottom that is not written by you. That is written to you; is that correct?
A. The one signed by Bob?
Q. Yes, sir.
A. That was to me, yes.
Q. And again, you are not aware of the content that are below the redacted label; is that correct?
A. I am absolutely unaware of what the contents are.
MR. BORDER: No more questions.
MR. HEINTZ: If we can go off the record for a brief couple of minutes so I can consult with my colleague.
(A short recess was taken.)
EXAMINATION BY COUNSEL FOR PATENT OWNER
BY MR. HEINTZ:

Page 34

Q. I'm going to hand the witness what has been marked as Exhibit 2049.

Mr. Dechaene, I will ask you to take a look at Exhibit 2049, and in particular the last page which is marked as Page 10 of 2049. I will direct your attention to the first entry dated 7-28-99 which reads: Attached Bone 3.0 meeting with SurfCast with Ovid Santoro, Klaus Lagermann, Tom Dechaene, Andrew Gray and Paul DeStefano."

Do you see that?

A. I do.

Q. Is that one of the meetings you referred to earlier today in your testimony?

MR. BORDER: Objection. Leading.

THE WITNESS: Well, I suggested earlier that we do look at the invoices of Pennie because I knew if there were meetings, which I suspected there would be on here, so this must be one of those meetings.

BY MR. HEINTZ:

Q. Do you have a recollection of an

Page 35

independent recollection as you sit here today of that meeting?

MR. BORDER: Objection. Leading.

THE WITNESS: I don't.

BY MR. HEINTZ:

Q. Okay. Earlier in your testimony you discussed Mr. DeStefano's involvement in the patent application, the provisional patent application.

Do you recall that?

MR. BORDER: Objection. Foundation. Leading.

THE WITNESS: Depends on what involvement means. I think what I was actually trying to make clear is that his involvement was only to the extent that he was responsible or supervising what the patent lawyers did because he had the relationship.

BY MR. HEINTZ:

Q. Do you have any knowledge as to whether Mr. DeStefano reviewed the provisional patent application?

Page 36

MR. BORDER: Objection. Foundation. Leading.

THE WITNESS: I have no idea.

BY MR. HEINTZ:

Q. Do you have any knowledge as to whether Mr. DeStefano added anything to the provisional patent application?

A. That I certainly would not know.

MR. HEINTZ: No further questions.

FURTHER EXAMINATION BY COUNSEL FOR PETITIONER

BY MR. BORDER:

Q. Mr. Dechaene, did you cite to Exhibit 2049 in your declaration?

A. This one?

Q. Yes, sir.

A. No.

MR. BORDER: Thank you. No further questions.

MR. HEINTZ: Off the record.

(Whereupon, the proceeding was concluded at 9:41 a.m.)

Page 37

(The following Acknowledgement of Deponent Page is included in the event at the conclusion of Mr. Dechaene's deposition he elects to read and sign his deposition transcript.)

ACKNOWLEDGEMENT OF DEPONENT

I, TOM DECHAENE, do hereby acknowledge that I have read and examined the foregoing testimony, and the same is a true, correct and complete transcription of the testimony given by me and any corrections appear on the attached Errata sheet signed by me.

_____ _____

(DATE) (SIGNATURE)

CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

I, Bonnie Russo, Court Reporter, the officer before whom the foregoing proceedings were taken, do hereby certify that the foregoing proceedings were taken, do hereby certify that the foregoing transcript is a true and correct record of the proceedings; that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this ____ day of March 2014.

My commission expires: May 31, 2015

_____

NOTARY PUBLIC IN AND FOR THE DISTRICT OF COLUMBIA

E R R A T A S H E E T

IN RE: Microsoft vs. Surfcast

RETURN BY: _____

PAGE	LINE	CORRECTION AND REASON
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

_____

(DATE) (SIGNATURE)

Merrill Deposition Services

21 Church Street, Suite 150, Rockville, MD 20850
(800) 735-6005 FAX (866) 225-4066 E-MAIL: Rebekah.Febus@merrillcorp.com

ERRATA SHEET

March 17, 2014

IN RE: Microsoft Corporation -v- SurfCast, Inc.
DEPOSITION DATE: March 11, 2014
DEPONENT/AFFIANT: Tom Dechaene
REPORTER: Bonnie Russo
RETURN BY: April 21, 2014
JOB NO.: 0101-245255

PAGE NUMBER	LINE	CORRECTION AND REASON
9	4	Change "There" to "This"
9	9	Change "that it was" to "that I was"
9	13	Change "are" to "were"
16	8	After "between me" insert "and Pennie & Edmonds"
19	13	Change "had" to "have"
24	7	Change "specifies" to "specifics"
25	19	Change "owns" to "owned"
28	1	Change "introduced" to "consulted"
29	6	Change "reduction" to "reduce"

April 1st 2014
(DATE)

(SIGNATURE)

DEPOSITION OF TOM DECHAENE
CONDUCTED ON TUESDAY, MARCH 11, 2014

* * *

ACKNOWLEDGMENT OF DEPONENT

I, Tom Dechaene, do hereby acknowledge that I have read and examined the foregoing testimony, and the same is a true, correct, and complete transcription of the testimony given by me, and any corrections appear on the attached errata sheet signed by me.

April 1st 2014 _____
(Date) (Signature)

Job No.: 0101-245255

Merrill Deposition Services
21 Church Street, Suite 150, Rockville, MD 20850
(800) 292-4789

CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

I, Bonnie Russo, Court Reporter, the officer before whom the foregoing proceedings were taken, do hereby certify that the foregoing proceedings were taken, do hereby certify that the foregoing transcript is a true and correct record of the proceedings; that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this ____ day of March 2014.

My commission expires: May 31, 2015

Bonnie Russo

NOTARY PUBLIC IN AND FOR THE DISTRICT OF COLUMBIA