

EXHIBIT C

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

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3	THOMAS H. KRAKAUER,	*	Case No. 1:14CV333
4		*	
	Plaintiff,	*	
5		*	
	vs.	*	Greensboro, North Carolina
6		*	January 11, 2017
	DISH NETWORK, L.L.C.,	*	9:30 a.m.
7		*	
	Defendant.	*	
8	*****		

DAILY TRANSCRIPT OF TRIAL TESTIMONY
BEFORE THE HONORABLE CATHERINE C. EAGLES,
UNITED STATES DISTRICT JUDGE, and a jury.

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Proceedings recorded by stenotype reporter.
Transcript produced by Computer-Aided Transcription.

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P R O C E E D I N G S

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2 **THE COURT:** Good morning. Is there anything we need
3 to take up before the jury comes in?

4 **MR. BARRETT:** Your Honor, one housekeeping matter. We
5 have a replacement exhibit, PX24, for Your Honor's and the
6 Court's trial exhibit notebooks. We've provided a copy of this
7 to -- to DISH. And if I may, perhaps, hand this to
8 Ms. Sanders?

9 **THE COURT:** All right.

10 **MR. BARRETT:** I would do whatever you would like.

11 **THE COURT:** You can.

12 **MR. BARRETT:** Thank you.

13 **THE COURT:** Anything else?

14 **MR. BARRETT:** The only other housekeeping matter, Your
15 Honor, is when I question the witness, I have this portable --
16 may I stand here behind the table and use the ELMO while I
17 question the witness?

18 **THE COURT:** Yes, you may.

19 **MR. BARRETT:** Thank you.

20 **THE COURT:** Anything for the Defendants before the
21 jury comes in?

22 **MR. BICKS:** Nothing, Your Honor.

23 **THE COURT:** All right. You may bring the jury in.

24 All right. There are some wires, you know, associated with
25 the ELMO. So anybody walking around the well, please don't

1 fall.

2 Is it hot in here?

3 **MR. BARRETT:** I suppose that brings up another matter.
4 I may need to spray my throat with this from time to time. I'm
5 hanging in there.

6 **THE COURT:** Go ahead. I'm at the tail end of a cold.
7 The clerk has called to see if they can make it less hot.

8 (The jury entered the courtroom.)

9 **THE COURT:** All right. Good morning, ladies and
10 gentlemen. I'm glad you all made it here safely and that all
11 of the snow is melting, and we're ready to get started. We
12 have called about the heat. It's quite warm in here.
13 Hopefully, it will cool off a little bit to a better
14 temperature shortly.

15 I think we're ready to get going, and the Plaintiff can
16 call its first witness.

17 **MR. BARRETT:** Thank you, Your Honor. The Plaintiff
18 calls Thomas Krakauer.

19 **THOMAS KRAKAUER, PLAINTIFF'S WITNESS, SWORN**

20 **DIRECT EXAMINATION**

21 **BY MR. BARRETT:**

22 Q. Good morning, sir.

23 A. Good morning.

24 Q. Could you please tell the jury your name.

25 A. My name is Thomas Krakauer.