

EXHIBIT F

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

THOMAS H. KRAKAUER,	*	Case No. 1:14CV333
	*	
Plaintiff,	*	
	*	
vs.	*	Greensboro, North Carolina
	*	January 17, 2017
DISH NETWORK, L.L.C.,	*	9:30 a.m.
	*	
Defendant.	*	

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

APPEARANCES:

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P R O C E E D I N G S

1
2 **THE COURT:** Good morning. I hope everybody got a few
3 hours off over the weekend. I would hope you got more time,
4 but I suspect you didn't. I know we were all busy working
5 away.

6 Let's see. Just in terms of housekeeping matters before we
7 bring the jury in -- I printed myself a list and then I forgot
8 to bring it in. I think I ruled on everything except
9 Plaintiff's 2008, which my notes reflected I had deferred. And
10 I think I entered text orders on everything else. Anybody have
11 any questions about those? No? All right.

12 And I saw the Defendant's notice about what they're
13 expecting in terms of time. That should work well, assuming we
14 get to about lunchtime or early afternoon and the luncheon --
15 the lunch, obviously, I'm hungry already -- the evidence is all
16 in, then we can send the jury home and work on the instructions
17 this afternoon, have closing arguments in the morning. If the
18 evidence only takes an hour, I'll revisit that schedule. We
19 ought to be able to have closing arguments this afternoon, but
20 that's my rough plan about the timing.

21 I know there's probably other things to discuss, but they
22 might can wait till the jury's not here. But if there is
23 anything anyone wants to address now before the jury comes in.
24 Does the Plaintiff have anything?

25 **MR. BARRETT:** Yes, Your Honor. To the extent that the

1 Defendant intends to go beyond Debra Aron's original expert
2 report, I believe that we should take that up now.

3 **THE COURT:** Uh-huh.

4 **MR. BARRETT:** Depending on your ruling, the testimony
5 could be very brief, I would think, so --

6 **THE COURT:** Okay. What's -- what -- do you anticipate
7 her going beyond that?

8 **MR. EWALD:** Your Honor, we anticipate that the
9 majority of her testimony will relate to the opinions she
10 offered and her --

11 **THE COURT:** To what?

12 **MR. EWALD:** The opinions she offered in her original
13 report.

14 **THE COURT:** Uh-huh.

15 **MR. EWALD:** We also intend, as Plaintiffs did, to ask
16 Dr. Aron questions relating to the stipulation of call
17 categories that has been admitted into evidence. And, as
18 Plaintiffs did, we intend for that to be very brief. But,
19 other than that, I can't think of anything that is arguably
20 even beyond her original opinions.

21 **THE COURT:** Okay.

22 **MR. BARRETT:** Two issues respecting that, Your Honor.
23 The original opinions are irrelevant to the issues here. The
24 original opinions were four.

25 **THE COURT:** And I don't have her report in front of