

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**Time in Court: 5 hours 11 minutes**

**CRIMINAL JURY TRIAL MINUTES**

**JUDGE: JEFFREY S. WHITE**

**Court Reporter: JoAnn Bryce / Katherine Sullivan**

**DATE: January 14, 2014**

**Courtroom Deputy: Betty Lee**

**CASE NO. CR-11-573 (01) (03) (04) JSW**

**TITLE: UNITED STATES OF AMERICA v. WALTER LIEW (IC) (01)  
ROBERT MAERGERLE (03)  
USA PERFORMANCE TECHNOLOGY, INC. (04)**

**COUNSEL FOR GOVERNMENT:**

John Hemann  
Pete Axelrod  
Richard Scott

**COUNSEL FOR DEFENDANTS:**

Stuart Gasner / Simona Agnolucci (01) (04)  
Jerome Froelich (03)

**PROCEEDINGS: JURY TRIAL (Day 6)**

(SEE ATTACHED TRIAL LOG)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case No.: **CR-11-573 (1)(3)(4) JSW**Case Name: **UNITED STATES OF AMERICA v. WALTER LIEW, ET AL.,**

**TRIAL SHEET, EXHIBIT and WITNESS LIST**

<b>DISTRICT JUDGE:</b> JEFFREY S. WHITE	<b>GOVERNMENT ATTORNEYS:</b> John Hemann Pete Axelrod Richard Scott	<b>DEFENSE ATTORNEYS:</b> Stuart Gasner / Simona Agnolucci (01) (04) Jerome Froelich (03)
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**TRIAL DATE:**  
January 14, 2014

**REPORTER(S):**  
JoAnn Bryce / Katherine Sullivan

**Courtroom Deputy:**  
Betty Lee

GOVT. NO.:	DEFT NO.:	TIME	ID	ADM	DESCRIPTION
		7:40 a.m.			Court convened. All counsel are present. Defendant Maegerle is present. Defendant Liew is present in custody. Court and counsel discuss matters outside the presence of the jury.
		8:03 a.m.			The jury is now present. Defendant continued cross examination of witness <b>CYNTHIA HO</b> by Ms. Agnolucci.
	1001		x	x	Hard drive (WD HDD), admitted for limited purpose
	2829		x	x	Index of various folders of hard drive
	701		x	x	Document entitled "Explanation to Roger on Legal Issues"
	1009		x		Metadata for Explanation to Roger on Legal Issues (did not moved to admit)
	1008		x	x	Letter from Walter Liew to Roger on legal issues. Judge admonished jury that this exhibit is admitted for limited purpose only.
	694		x	x	Document entitled "On legal issue with DuPont" Judge admonished jury that this exhibit is admitted for limited purpose only.
	1006		x	x	Metadata for On legal issue with DuPont
	393T		x		P. 0057 of Notebook; moved to admit; objected; not admitted
	393		x	x	P. 0044 of Chinese Notebook

Case No.: **CR-11-573 (1)(3)(4) JSW**Case Name: **UNITED STATES OF AMERICA v. WALTER LIEW, ET AL.,****EXHIBIT and WITNESS LIST**

Continued

GOVT. NO.:	DEFT. NO.:	TIME	ID	ADM	DESCRIPTION
	393		x	x	P. 0045 of Chinese Notebook
	393		x	x	P. 0046 of Chinese Notebook
	393T		x	x	P. 0043 of translation of Chinese Notebook
	393		x	x	P. 0050 of Chinese Notebook
	393T		x	x	P. 0047 of translation of Chinese Notebook
	1020		x	x	Metadata for TiO2 Letter Final Oct. 11, 2004
	1056		x	x	Oct. 10, 2004 Email from Changheliu2000 to W. Liew
	1057		x	x	Translation of Oct. 10, 2004 Email from Changheliu2000 to W. Liew
	1058		x	x	Attachment to Oct. 10, 2004 Email from Changhe Liu to W. Liew
	1059		x	x	Translation of Attachment to Oct. 10, 2004 Email from Changhe Liu to W. Liew
		9:13 a.m.			Side bar conference held
		9:15 a.m.			Defendant continued cross examination of witness <b>CYNTHIA HO</b> by Ms. Agnolucci
	1693		x	x	Photo log cover sheet
	1694		x	x	Photo of Liew residence
	1695		x	x	Photo of Liew residence
	1696		x	x	Photo of Liew residence
	1697		x	x	Photo of Liew residence
	1698		x	x	Photo of Liew residence
	1700		x	x	Photo of Liew residence
		9:35 a.m.			Break. The jury is admonished and Court is in recess.
		9:52 a.m.			Court reconvened. All counsel are present. Defendant Maegerle is present. Defendant Liew is present in custody. Defendant continued cross examination of witness <b>CYNTHIA HO</b> by Ms. Agnolucci.
7			x		Edge Moor Plant Oxidation W/RPS System Drawing. Already admitted on 1/9/14

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Continued

GOVT. NO.:	DEFT. NO.:	TIME	ID	ADM	DESCRIPTION
1			x		Flow Sheet; already admitted on 1/9/14
289 289T			x	x	Document in Chinese, translated document entitled "Departments and Attendees for Meeting with DuPont in Chengdu on May 6th".
369 369T			x	x	Document in Chinese, translated document entitled "Risks and Their Control as Regards Intellectual Property Rights in Pangang's 100,000-ton Titanium White by Ebullient Chlorination Project
367			x		Email from W. Liew to R. Maegerle re: info on China Project (02/05/2004)
		11:30 a.m.			Break. The jury is admonished and Court is in recess.
		11:47 a.m.			Court reconvened. All counsel are present. Defendant Maegerle is present. Defendant Liew is present in custody. Defendant continued cross examination of witness <b>CYNTHIA HO</b> by Ms. Agnolucci.
367			x	x	Email from W. Liew to R. Maegerle re: info on China Project (02/05/2004); Judge admonished jury that this exhibit is admitted for limited purpose only.
		11:54 a.m.			Cross examination of witness <b>CYNTHIA HO</b> by Mr. Froelich
		12:15 p.m.			Government re-direct <b>CYNTHIA HO</b> by Mr. Hemann
388 388T			x	x	Notes in Chinese, translated document entitled "China's TiO2 pigment market", etc.
		12:46 p.m.			<b>CYNTHIA HO</b> is thanked and excused.
		12:47 p.m.			The Government called witness <b>SHAO-CONG HU</b> ; sworn and testified under direct examination by Mr. Axelrod.
		1:18 p.m.			<b>SHAO-CONG HU</b> is thanked and excused for today and directed to return at 8:00 a.m. on January 15, 2014.
		1:19 p.m.			The Court admonished the jury, jury is excused
		1:22 p.m.			Court and counsel discuss matters outside the presence of the jury.
		1:25 p.m.			Court is adjourned until tomorrow, January 15, 2014.