

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
RONALD REAGAN FEDERAL BUILDING  
Courtroom No. 10D

TUESDAY, MAY 12, 2009 at 9:00 AM

PRESENT: THE HONORABLE ANDREW J. GUILFORD, U.S. DISTRICT JUDGE

Lisa Bredahl  
Courtroom Deputy

Court Reporter

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1. SACV 07-0854-AG(MLGx): VALDEMAR PORTNEY v CIBA VISION CORPORATION

CLAIM CONSTRUCTION HEARING (5 DAY JURY TRIAL 10/13/09)

1. PLAINTIFF'S MOTION IN LIMINE NO. 1 TO PRECLUDE EXPERT TESTIMONY OF DUNCAN MOORE OR IN THE ALTERNATIVE EXCLUDE CERTAIN EXPERT TESTIMONY OF DUNCAN MOORE
2. PLAINTIFF'S MOTION IN LIMINE NO. 2 TO PRECLUDE CERTAIN EXPERT TESTIMONY OF JOHN KIRK
3. PLAINTIFF'S MOTION IN LIMINE NO. 3 TO PRECLUDE CIBA FROM REFERRING TO OR OFFERING TESTIMONY FROM EXPERT VINCENT A. THOMAS.
4. PLAINTIFF'S MOTION IN LIMINE NO. 4 TO PRECLUDE EVIDENCE OR ARGUMENT THAT THE EUROLENS LICENSE PROVIDES A DEFENSE TO INFRINGEMENT
5. PLAINTIFF'S MOTION IN LIMINE NO. 5 TO PRECLUDE CIBA FROM OFFERING TESTIMONY FROM WITNESSES WHO WERE NOT TIMELY DISCLOSED
6. PLAINTIFF'S MOTION IN LIMINE NO. 6 TO PRECLUDE CIBA EXPERTS FROM TESTIFYING TO MATTERS OUTSIDE THEIR REPORT
7. PLAINTIFF'S MOTION IN LIMINE NO. 7 TO PRECLUDE EVIDENCE OR ARGUMENT REGARDING THE VISTAKON LITIGATION
8. PLAINTIFF'S MOTION IN LIMINE NO. 8 TO EXCLUDE EVIDENCE OF DR. PORTNEY'S AND HIS COUNSELS' LITIGATION CONDUCT
9. PLAINTIFF'S MOTION IN LIMINE NO. 9 TO PRECLUDE CLAIM AND EVIDENCE RELATED TO UNPLED CAUSES OF ACTION AND RELIEF UNDER 35 U.S.C. § 285
10. PLAINTIFF'S MOTION IN LIMINE NO. 10 TO (1) BIFURCATE CIBA'S EQUITABLE CLAIMS AND DEFENSES AND (2) PRECLUDE EVIDENCE OF THE EQUITABLE CLAIMS AND DEFENSES
11. PLAINTIFF'S MOTION IN LIMINE NO. 11 TO PRECLUDE CIBA FROM REFERRING TO TONY HOUGH AS DR. PORTNEY'S EXPERT OR CONSULTANT
12. CIBA VISION'S MOTION IN LIMINE NO. 1 TO LIMIT THE TESTIMONY OF EXPERT WITNESS CHARLIE CAMPBELL
13. CIBA VISION'S MOTION IN LIMINE NO. 2 TO LIMIT EXPERT OPINIONS OF PORTNEY'S DAMAGES EXPERT, STEPHEN JONES.
14. CIBA VISION'S MOTION IN LIMINE NO. 3 TO BAR PORNEY FROM OFFERING CERTAIN EVIDENCE AS "TECHNICAL INFORMATION"
15. CIBA VISION'S MOTION IN LIMINE NO. 4 TO EXCLUDE EVIDENCE AND ARGUMENT SUGGESTING THAT EXTENSION OF PATENT TERM APPLIES TO CONTACT LENSES
16. CIBA VISION'S MOTION IN LIMINE NO. 5 TO EXCLUDE EVIDENCE AND ARGUMENT REGARDING ADVICE-OF-COUNSEL
17. CIBA VISION'S MOTION IN LIMINE NO. 6 TO PRECLUDE REFERENCE TO EUROLENS CORRESPONDENCE
18. CIBA VISION'S MOTION IN LIMINE NO. 7 TO PRECLUDE EVIDENCE AND ARGUMENT RE THE GENERAL FINANCIAL STATUS OF CIBA VISION AND NOVARTIS

Howard Wisnia

William Hanssen  
Will Skinner  
Patrick Kelleher