

United States District Court
Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OPTRONIC TECHNOLOGIES, INC., d/b/a
Orion Telescopes & Binoculars®, a
California corporation,

Plaintiff,

v.

NINGBO SUNNY ELECTRONIC CO.,
LTD., SUNNY OPTICS, INC., MEADE
INSTRUMENTS CORP., and DOES 1-25,

Defendant.

Case No. 5:16-cv-06370-EJD

**JURY NOTES/COURT RESPONSES
DURING DELIBERATIONS**

Please find attached Jury Notes Nos. 1 through 3 and Court responses during the jury's
deliberations.

Dated: 11/26/2019

Susan Y. Soong
Clerk, United States District Court



Adriana M. Kratzmann, Deputy Clerk to the
Honorable EDWARD J. DAVILA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PRESIDING: JUDGE EDWARD J. DAVILA Case No. **5:16cv06370EJD**

CASE TITLE: **Optronic v Ningbo Sunny**

RESPONSE TO JURY NOTE NO. 1

To answer your question, there was a typographical error on Claim Two question 1(b) of the verdict form. The Court has provided you the corrected verdict form. Please use this new verdict form. Please destroy the previous verdict form supplied. The verdict form is otherwise unchanged.

DATE: 11/22/2019

TIME: 3:53 PM



UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PRESIDING: JUDGE EDWARD J. DAVILA
Case No. 5:16-cv-06370-EJD
Case Title: Optronic v Ningbo Sunny

NOTE FROM THE JURY DURING DELIBERATIONS

Date: 11/22

Time: 2:55

Note No. 1


1. The Jury has reached a unanimous verdict. [Please mark] ()

or

2. The Jury has the following question:

On verdict form part B, Claim Two on market
allocation part 1(b) it differs significantly from
jury ~~text~~ instruction # 30 (pg 38). Is 1(b)
on verdict form accurate?

DATE: 11/22



Signature of Juror

Alan Perry #3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PRESIDING: JUDGE EDWARD J. DAVILA Case No. **5:16cv06370EJD**

CASE TITLE: Optronic v Ningbo Sunny

RESPONSE TO JURY NOTE NO. 2

You should strive to reach unanimous verdicts as to each question on each claim if you are able to. Please refer to the directions in the verdict form as to each claim.

DATE: 11/26/2019

TIME: 12:12



UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PRESIDING: JUDGE EDWARD J. DAVILA
Case No. 5:16-cv-06370-EJD
Case Title: Optronic v Ningbo Sunny

NOTE FROM THE JURY DURING DELIBERATIONS

Date: 11/26

Time: 10:03

Note No. 2

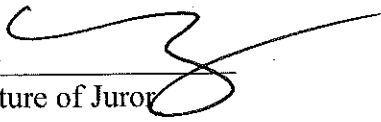
1. The Jury has reached a unanimous verdict. [Please mark] ()

or

2. The Jury has the following question:

Does the jury need to be unanimous for
each part within each claim? E.g. Claim One
do we have to be unanimous on (a) + (b)?
or can we just be unanimous on 1 part of #1?
It is seeming unlikely to reach unanimous
verdicts.

DATE: 11/26


Signature of Juror

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PRESIDING: JUDGE EDWARD J. DAVILA Case No. **5:16cv06370EJD**

CASE TITLE: **Optronic v Ningbo Sunny**

RESPONSE TO JURY NOTE NO. 3

It has come to the court's attention that information outside the evidence and record was imparted to the Jury during the deliberations. The revealing juror is no longer a member of the jury. You are ordered to disregard the information revealed by that juror. That information was not part of this trial and you may not consider any of it in your deliberations. You may now continue your deliberations with that admonition. If any juror is unable to so proceed or feels they will not be able to disregard that information, they should notify the Court immediately.

The Court refers the jury to instructions No. 5 and 58.

DATE: 11/26/2019



UNITED STATES DISTRICT JUDGE

TIME: 11:55 am

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PRESIDING: JUDGE EDWARD J. DAVILA
Case No. 5:16-cv-06370-EJD
Case Title: Optronic v Ningbo Sunny

NOTE FROM THE JURY DURING DELIBERATIONS

Date: 11/26
Time: 10:55
Note No. 3

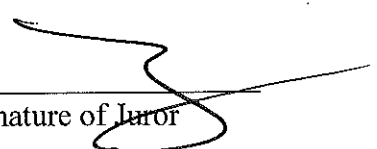
1. The Jury has reached a unanimous verdict. [Please mark] ()

or

2. The Jury has the following question:

One Juror did some research about
the price of telescopes by Plaintiff
~~Per directions~~ Per directions on pg 77 of juror
instructions we are informing the judge.

DATE: 11/26


Signature of Juror