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JOHN LEVY, Ph.D.

SUMMARY OF EXPERIENCE

Technical leader in the computer systems, software and peripheral equipment industry with thirty years experience; Ph.D. in Computer Science from Stanford University.

Areas of expertise include:

- Software development - firmware - embedded systems
- Operating systems - file systems - caching - real-time systems
- Computer hardware design – CPU – cache - multiprocessor
- Simulation - performance measurement - benchmark test
- Hard disk design & performance, storage networks
- Input/Output interfaces - ATA – ATAPI – IDE
- Bus standards - 1394 FireWire I-Link - ATA - SCSI - Futurebus
- Bus design - local area network, system bus, I/O channel

Holder of seven patents and has several relative publications. Has been disclosed as an expert witness in several matters and has testified at trial. He has been a technical advisor to two U.S. Federal District Court judges.

PROFESSIONAL EXPERIENCE

1998 to Present **John Levy Consulting**
& 1982 to 1992 Management Consultant

- Project management of computer, software and peripheral development.
- General business consulting for small firms, both for-profit and nonprofit.
- Expert witness in intellectual property cases.

1993 to 1998 **Quantum Corporation**
Director, Systems Engineering

- Key contributor to company's strategic planning team and the creation of a new business unit for consumer electronics applications of hard disk drives.
- Built and managed an engineering organization of 27 people.
- Made Quantum a leader in hard disk interface technology - ATA/33, /66, SCSI-160M
- Developed software/hardware tools for firmware & system validation.
- Led disk drive performance enhancements in caching, system performance modeling & simulation, Windows 98/NT software drivers.

1979 to 1982 **Apple Computer, Inc.**
Engineering Supervisor

Hardware & firmware engineering of local area network, Lisa development team; design of hardware/firmware interpreter for Pascal p-machine.

1977 to 1979 **Tandem Computer, Inc.**
Senior Engineer

Advanced development of next-generation multi-processor systems; work on rollback-recovery in distributed databases.

1972 to 1977 **Digital Equipment Corp.**
Consulting Engineer

Computer processor hardware & operating system software development; I/O subsystems development; bus design for high-speed I/O channels and for minicomputer system CPUs.

EDUCATION

Ph.D., Computer Science, Stanford University, 1973

M.S., Electrical Engineering, California Institute of Technology, 1966

B. Engineering Physics, Cornell University, 1965

LITIGATION RELATED EXPERIENCE – Please see summary below

PUBLICATIONS

"If Extreme Programming is Good Management, What Were We Doing Before?" *EDN Magazine*, November 13, 2003.

"Twelve Things to Ask Your Software Development Team," *ComputerWorld Online*, September 22, 2003.

"A File Structure for Non-Erasable Media," with Wayne Wang, *Ninth IEEE Symposium on Mass Storage Systems*, pp. 72-76, 1988.

"Small Image Retrieval System," with Wayne Wang, *Ricoh Technical Report No. 16*, pp. 93-95, 1987.

"Buses, the Backbone of Computer Structures," chapter 11 of *Computer Engineering*, ed. by Bell et al., Digital Press, 1978.

"Computing with Multiple Microprocessors," *Stanford Linear Accelerator Center Report No. 161*, 1973

U.S. PATENTS

<u>Patent Number</u>	<u>Year Issued</u>	<u>Title</u>
4,245,303	1981	Memory for Data Processing System with Command and Data Buffering
4,229,791	1980	Distributed Arbitration Circuitry for Data Processing System
4,232,366	1980	Bus for a Data Processing System with Overlapped Sequences
4,045,781	1977	Memory Module with Selectable Byte Addressing for Digital Data Processing System
4,007,448	1977	Drive for Connection to Multiple Controllers in a Digital Data Secondary Storage Facility
3,999,163	1976	Secondary Storage Facility for Data Processing Systems
3,911,400	1975	Drive Condition Detecting Circuit for Secondary Storage Facilities in Data Processing Systems

PROFESSIONAL AFFILIATIONS & AWARDS

Association for Computing Machinery

Institute of Electrical and Electronics Engineers – Computer Society
National Lecturer on bus design

Forensic Expert Witness Association

UNIVERSITY-LEVEL TEACHING EXPERIENCE

	University of San Francisco, Fromm Institute
2005	Computers – the Inside Story
2006	The Digital Revolution in the Home; High Tech Business in the Era of Globalization
	San Francisco State University
1980-81	Input/Output Architecture, upper-division course

Litigation Support Experience – John Levy, Ph.D.

Note: currently active engagements are underlined

2005:

Role: testifying expert for plaintiff

Status: deposition scheduled

Chang v. SBC, San Francisco Superior Unlimited Action No. CGC-04-434039

Personal injury suit related to ASIC design engineering

Meisel & Krentsa, San Francisco

Andrew Meisel 415 788-2035

Role: consultant for plaintiff Hewlett-Packard

Status: in discovery

HP v. Gateway

Patent related to disk drive reserve area

DLA Piper Rudnick Gray Cary, Palo Alto & San Diego

Brent Yamashita 650 833-2348

Role: consultant related to software industry practice for beta test sites

Status: expert declaration submitted as part of response to Wells Notice

SEC matter regarding Quovadx, Inc.

Wilson, Sonsini, Goodrich & Rosati, Palo Alto

Jared Kopel 650 493-9300

Role: consultant for defendant [name withheld]

Status: settled

[individual v. a major PC manufacturer]

Potential class action suit related to alleged PC failures

Morgan Lewis & Bockius, Philadelphia

Barry McCoy 215 963-5896

Role: consultant for plaintiff Softwire

Status: settled

Softwire Technology v. National Instruments

Patent related to industrial control computer systems

Cesari & McKenna, Boston

Martin O'Donnell 617 951-3046

Mike Reinemann 617 951-3060

Role: consultant for defendant Motorola

Status: settled

Micron v. Motorola

Patent related to ATA interface

Merchant & Gould, Atlanta & Minneapolis

George Jordan 404 954-5088

Tom Strouse 612 336-4606

Role: consultant for defendant FIC
Status: expert report completed; European magistrate hearing pending

LG Electronics v. FIC

Patent on memory controller
NautaDutilh N.V., Amsterdam, The Netherlands
Charles Gielen *Charles.Gielen@nautadutilh.com*
Maaïke de Jong *Maaïke.deJong@nautadutilh.com*

Role: consultant for defendant Atmel
Status: settlement completed
Seagate Corporation v. Atmel Corp.
Product liability related to putative EEPROM chip failures in disk drives
Farella Braun + Martel, San Francisco, CA
Nan Joesten 415 954-4415
Bob Holtzapple 415 954-4939

2004:

Role: neutral expert (advisor to Court)
Status: settlement reached after Markman hearing
F5 Networks v. Radware, Inc.
Patent related to web servers, cookies, http protocols, networking
U.S. District Court, Western District of Washington, Seattle
Hon. Marsha Pechman

Role: consultant for plaintiff MKE
Status: settlement reached after factory visit, plaintiff received cash and patent rights
Matsushita Kotobuki Electronics v. Maxtor & Quantum
Patents and trade secrets related to hard disk manufacturing
Weil, Gotshal & Manges, New York – Salvatore Romanello 212 310-8454
Dewey Ballantine, New York – Allan Garcia 212 259-6196

2003-2004:

Role: testifying expert for defendants FIC and Asustek
Status: expert report & deposition completed; favorable ruling on summary judgment motion
LG Electronics v. FIC et al
Patents on memory controller and multiprocessor cache
Squire, Sanders & Dempsey, Palo Alto
Ronald LeMieux, James M. Smith 650 856-6500

Role: testifying expert for defendant Compal
Status: expert report & deposition completed; favorable ruling on summary judgment motion
LG Electronics v. FIC et al
Patents on memory controller and multiprocessor cache
Orrick, Herrington & Sutcliffe, Menlo Park
Kai Tseng 650 614-7688, Rowena Y. Young 650 614-7370

Role: neutral expert (advisor to Court)

Status: pending

Brookhaven Typeset Services v. Adobe

Alleged misappropriation of software trade secrets and/or copyright infringement

U.S. District Court, Northern District of California, San Jose

Hon. Ronald Whyte

Role: neutral expert (advisor to Court)

Status: pending

Oak Technologies v. UMC

Patent on CD ROM controller chip

U.S. District Court, Northern District of California, San Jose

Hon. Ronald Whyte

2001:

Role: consultant, research prior art for defendant Infineon

Status: completed before submission of expert report

Rambus v. Infineon

Patents on memory bus

Kirkland & Ellis, New York 212 446-4800

Maxine Y. Graham

2000:

Role: consultant for respondents FIC and Everex

Status: completed before submission of expert report

ITC Inv. No. 337-TA-428 "Certain Integrated Chipsets and Components Thereof"

Patents on bus arbitration

Finnegan, Henderson, Farabow, Garrett & Dunner, Washington, DC 202 408-4000

Steve Anzalone 202 408-4004

1988:

Role: consultant, extensive pre-trial preparation for plaintiff NEC

Status: completed; NEC won 3 of 4 points regarding copyright

NEC v. Intel Corp C-84-20799-WPG

Alleged copyright infringement of on-chip microcode

Skjerven, Morrill, McPherson, Franklin & Friel, Santa Clara, CA

Alan McPherson

1986:

Role: testifying expert for plaintiff SCP through deposition and trial

Status: completed; plaintiff received settlement of \$925,000

Seattle Computer Products v. Microsoft

Contract dispute involving sale and licensing of DOS operating system

King County Superior Court, State of Washington 86-2-02195-7

Bogle & Gates, Seattle, WA

J. Peter Shapiro *J.P.Shapiro@comcast.net*

1978:

Role: percipient witness as inventor for plaintiff Digital - at deposition and trial

Digital Equipment Corp v. Microcomputer Systems Corp

Patents on peripheral controller bus

U.S. District Court, Northern District of California, San Francisco

Cesari & McKenna, Boston

Martin O'Donnell 617 951-3046

Additional Recent Consulting Engagements – John Levy, Ph.D.

Pure Digital Technologies, Inc.

This is a small firm designing and manufacturing digital one-time use cameras.

Evaluation of patent applications and search for further patentable inventions;

Consultation for VP-Engineering on product development process and engineering organization

John Furlan, VP-Engineering 650-888-9942

Veritas Software Corporation

Independent audit of a Cisco/IBM Storage Area Network software product, to determine compliance with a Cisco/Veritas contractual agreement

Latham & Watkins, Chicago

David Nelson 312 876-7700

Solidus Networks dba Pay By Touch

Patent portfolio evaluation as part of an acquisition

Steve Zelinger (in-house counsel) 415 281-2212