

**EXHIBIT C TO THE DECLARATION OF
PATRICK M. RYAN IN SUPPORT OF CISCO'S
OPPOSITION TO COUNTERDEFENDANTS'
MOTION TO STAY COUNTERCLAIMS**

ORIGINALLY FILED UNDER SEAL

**PUBLIC VERSION FILED PURSUANT TO COURT
ORDER OF FEBRUARY 23, 2011
(DOCKET ENTRY #281)**

Adekeye Deposition Transcript, Vol. 3, pp. 745-772

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

--oOo--

MULTIVEN, INC., a Delaware
corporation,

Plaintiff,

vs.

CISCO SYSTEMS, INC.,
a California corporation,

Defendant.

CERTIFIED
COPY

Attorneys' Eyes Only

No. 5:08-cv-05391
(JW) (HRL)

CISCO SYSTEMS, INC., a California
corporation, and CISCO TECHNOLOGY,
INC., a California corporation,

Counterclaimants,

vs.

MULTIVEN, INC., a Delaware
corporation, PINGSTA, INC.,
a Delaware corporation, and PETER
ALFRED-ADEKEYE, an individual,

Counterdefendants.

VIDEOTAPED DEPOSITION
OF
ADEYEMI PETER ALFRED-ADEKEYE
(VOLUME 3 - ATTORNEYS' EYES ONLY)

DATE: May 20, 2010
LOCATION: Vancouver, B.C.

REPORTED BY: CHRISTY L. PRATT, RCR, RPR, BCSRA 535

M E R R I L L C O R P O R A T I O N

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

I N D E X

DESCRIPTION	PAGE
-------------	------

EXAMINATION BY:

MS. ENNS:	749
-----------	-----

EXHIBITS MARKED FOR IDENTIFICATION

NUMBER	DESCRIPTION	PAGE
--------	-------------	------

Exhibit 41	Zimbra Collaboration Suite communication between Basil Gray and Peter Adekeye	755
------------	---	-----

Exhibit 42	Zimbra Collaboration Suite document titled "Multiven Finances Budget"	761
------------	---	-----

Exhibit 43	Zimbra Collaboration Suite document titled "Monthly Burn Rate Snapshot"	764
------------	---	-----

Exhibit 44	Zimbra Collaboration Suite communication between Peter Adekeye and Basil Gray with attached executive summary dated April 2006	765
------------	--	-----

746

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

BE IT REMEMBERED that, pursuant to Notice, and on Thursday, May 20, 2010, commencing at 4:49 p.m., thereof, at 845 Hornby Street, Vancouver, British Columbia, Canada, before me, CHRISTY L. PRATT, a Certified Shorthand Reporter, personally appeared

ADEYEMI PETER ALFRED-ADEKEYE

called as a witness by the Defendant and Counterclaimants, who having been previously duly affirmed was examined and testified as follows:

--oOo--

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

1 APPEARANCES

2 FOR THE PLAINTIFF MULTIVEN:

3 CADWALADER, WICKERSHAM & TAFT LLP
4 700 Sixth Street, N.W.

Washington, DC 20001

BY: JOSEPH J. BIAL, Attorney at Law
5 (202) 862-2391
joseph.bial@cwt.com

6

7 FOR THE DEFENDANT AND COUNTERCLAIMANTS CISCO SYSTEMS
AND CISCO TECHNOLOGY:

8

WINSTON & STRAWN LLP

9 101 California Street

San Francisco, CA 94111-5894

10 BY: KRISTA M. ENNS, Attorney at Law
SEAN MEENAN, Attorney at Law

11 (415) 591-1000

pryan@winston.com

12

13 FOR THE COUNTERDEFENDANTS MULTIVEN, PINGSTA AND
PETER ALFRED-ADEKEYE:

14

ROPER'S MAJESKI KOHN & BENTLEY

15 515 South Flower Street, Suite 1100

Los Angeles, CA 90071

16 BY: THOMAS M. O'LEARY, Attorney at Law
(213) 312-2000

17 to'leary@rmkb.com

18

SPECIAL MASTER:

19

GEORGE C. FISHER, Lawyer

20 2600 El Camino Real, Suite 410

Palo Alto, CA 94306

21 (650) 799-5480

georgecfisher@gmail.com

22

23 ALSO PRESENT: MIKE ELDERKIN, Videographer
TOMMY SIT, Videographer

24

25

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

16:50:31 1 only session which will continue through until
16:50:33 2 tomorrow.

16:50:34 3 Additionally it should be noted that the
16:50:37 4 progress of the depositions has been hampered by
16:50:40 5 the fact that Multiven over the last few days
16:50:43 6 has produced in excess of 12,000 pages of
16:50:45 7 documents. Many of these documents have been
16:50:47 8 marked attorneys' eyes only, and it has been
16:50:52 9 impossible for Cisco's counsel to conduct a
16:50:54 10 sufficient review of these documents so that
16:50:55 11 Mr. Adekeye might be thoroughly and properly
16:51:00 12 questioned with respect to them prior to
16:51:00 13 May 21st.

16:51:00 14 In addition plaintiff and counterdefendants'
16:51:02 15 counsel have insisted that any questioning as to
16:51:05 16 AEO documents to be put off until an attorneys'
16:51:08 17 eyes only session.

16:51:10 18 Mr. Adekeye --

16:51:10 19 MR. BIAL: Before you continue, just for the record,
16:51:15 20 on the point you made regarding that he has not
16:51:18 21 yet had his personal deposition or -- or going
16:51:22 22 into his personal capacity, the transcript
16:51:27 23 speaks for itself, so we don't need to get into
16:51:31 24 that, but I just want to note for the record
16:51:32 25 that in fact there has been extensive

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

16:51:34 1 questioning of Mr. Adekeye in his personal
16:51:37 2 capacity.
16:51:38 3 MR. O'LEARY: I'd also like to note for the record
16:51:40 4 that for anyone who is experienced in
16:51:42 5 litigation, it was evident that deposing counsel
16:51:44 6 for Cisco was unprepared for the deposition. As
16:51:48 7 a result, there was much rambling and wasting of
16:51:51 8 time rather than getting to the point.
16:51:53 9 MS. ENNS:
16:51:53 10 Q Mr. Adekeye, is it accurate that you originally
16:51:58 11 requested that your deposition be taken in
16:52:01 12 Switzerland?
16:52:03 13 A I don't recall.
16:52:03 14 Q Is it accurate that you volunteered to travel to
16:52:06 15 Canada to have your deposition taken? Is that
16:52:11 16 correct?
16:52:11 17 A Yes.
16:52:11 18 Q Are any individuals funding Multiven's
16:52:18 19 litigation against Cisco, including but not
16:52:21 20 limited to paying the hourly fees of Cadwalader,
16:52:26 21 Wickersham & Taft?
16:52:26 22 MR. BIAL: Before you answer that question I'm going
16:52:28 23 to instruct you not to answer any questions
16:52:31 24 regarding your relationship with Cadwalader,
16:52:35 25 Wickersham & Taft on the basis that is

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

16:52:36 1 attorney/client privileged information.

16:52:42 2 MS. ENNS: Mr. Bial, is that instruction just with

16:52:45 3 respect to the Cadwalader, Wickersham & Taft

16:52:46 4 part?

16:52:46 5 MR. BIAL: Well, he's already answered questions as

16:52:48 6 to whether third parties are funding his

16:52:52 7 litigation, and I'm instructing him not to

16:52:55 8 answer any questions about the retention

16:53:02 9 agreement between my law firm and Multiven.

16:53:05 10 MS. ENNS: I'll rephrase the question.

16:53:05 11 Q Are you going to -- strike that.

16:53:07 12 Are you going to follow your counsel's

16:53:08 13 instruction?

16:53:08 14 A I have to.

16:53:09 15 Q Are any individuals funding Multiven's

16:53:12 16 litigation against Cisco?

16:53:14 17 A No.

16:53:20 18 Q Are any entities funding Multiven's litigation

16:53:23 19 against Cisco?

16:53:24 20 MR. BIAL: I'm going to object as to vagueness of

16:53:27 21 "entities," but you can answer, if you can.

16:53:30 22 A How do you mean "entities"?

16:53:33 23 MS. ENNS:

16:53:33 24 Q Are any corporations funding Multiven's

16:53:36 25 litigation against Cisco?

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

16:53:37 1 A What do you mean "corporations"?
16:53:40 2 Q Companies.
16:53:42 3 A No.
16:53:43 4 Q Defining "entities" as a group of companies, are
16:53:50 5 any entities funding Multiven's litigation
16:53:53 6 against Cisco?
16:53:53 7 A No.
16:53:57 8 MR. O'LEARY: For the record, when you say
16:54:00 9 "Multiven's litigation against Cisco," you're
16:54:03 10 talking about Multiven in its capacity as a
16:54:06 11 plaintiff?
16:54:06 12 MS. ENNS: That is correct. Thank you for the
16:54:09 13 clarification.
16:54:23 14 [REDACTED]
16:54:25 15 [REDACTED]
16:54:25 16 [REDACTED]
16:54:27 17 [REDACTED] [REDACTED]
16:54:32 18 [REDACTED]
16:54:37 19 [REDACTED]
16:54:38 20 [REDACTED]
16:54:38 21 [REDACTED]
16:54:40 22 [REDACTED] [REDACTED]
16:54:42 23 [REDACTED]
16:54:45 24 [REDACTED]
16:54:45 25 [REDACTED]

753

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

16:54:47 1 Q Has Multiven ever obtained venture capital?

16:54:53 2 A No.

16:54:54 3 [REDACTED]

16:54:59 4 [REDACTED] [REDACTED] [REDACTED]

16:55:11 5 [REDACTED]

16:55:14 6 [REDACTED]

16:55:15 7 [REDACTED] [REDACTED]

16:55:17 8 [REDACTED]

16:55:17 9 [REDACTED]

16:55:18 10 [REDACTED]

16:55:19 11 [REDACTED]

16:55:22 12 [REDACTED]

16:55:24 13 [REDACTED]

16:55:28 14 [REDACTED]

16:55:28 15 [REDACTED]

16:55:29 16 [REDACTED]

16:55:32 17 [REDACTED] [REDACTED]

16:55:35 18 [REDACTED] [REDACTED]

16:55:37 19 [REDACTED]

16:55:38 20 [REDACTED]

16:55:40 21 [REDACTED]

16:55:47 22 [REDACTED]

16:55:54 23 [REDACTED]

16:55:56 24 [REDACTED] [REDACTED]

16:55:58 25 [REDACTED] [REDACTED] --

754

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

16:56:01 1 [REDACTED] [REDACTED]
16:56:01 2 [REDACTED] [REDACTED] [REDACTED]
16:56:04 3 [REDACTED] [REDACTED]
16:56:09 4 [REDACTED] [REDACTED] [REDACTED]
16:56:11 5 [REDACTED]
16:56:11 6 MS. ENNS: I'd like to introduce the next exhibit,
16:56:13 7 exhibit 41.
16:56:14 8 EXHIBIT 41: Zimbra Collaboration Suite
16:57:06 9 communication between Basil Gray and Peter
16:56:58 10 Adekeye
16:56:58 11 A Thank you. Yes, reviewed.
16:56:59 12 MS. ENNS:
16:56:59 13 Q Do you recognize this type of document?
16:57:01 14 A Yes.
16:57:01 15 Q Is it an e-mail?
16:57:03 16 A Yes.
16:57:03 17 Q Is it from you?
16:57:04 18 A It's correspondence between Basil Gray and
16:57:08 19 myself.
16:57:08 20 Q And did you draft the correspondence?
16:57:10 21 A I wrote it.
16:57:16 22 [REDACTED]
16:57:21 23 [REDACTED]
16:57:23 24 [REDACTED]
16:57:27 25 [REDACTED]

755

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

16:57:30	1	[REDACTED]
16:57:31	2	[REDACTED]
16:57:32	3	[REDACTED]
16:57:35	4	[REDACTED] [REDACTED]
16:57:44	5	[REDACTED] [REDACTED] ... [REDACTED]
16:58:02	6	[REDACTED] [REDACTED] [REDACTED]
16:58:06	7	[REDACTED] [REDACTED]
16:58:07	8	[REDACTED] [REDACTED]
16:58:10	9	[REDACTED]
16:58:11	10	[REDACTED] [REDACTED]
16:58:16	11	[REDACTED]
16:58:20	12	[REDACTED]
16:58:20	13	[REDACTED]
16:58:20	14	[REDACTED]
16:58:22	15	[REDACTED]
16:58:22	16	[REDACTED]
16:58:24	17	[REDACTED] [REDACTED]
16:58:37	18	[REDACTED] [REDACTED] [REDACTED]
16:58:40	19	[REDACTED]
16:58:45	20	[REDACTED]
16:58:48	21	[REDACTED]
16:58:49	22	[REDACTED]
16:58:50	23	[REDACTED]
16:58:52	24	[REDACTED]
16:58:56	25	[REDACTED]

756

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

16:58:59	1	[REDACTED]
16:59:03	2	[REDACTED]
16:59:06	3	[REDACTED]
16:59:08	4	[REDACTED]
16:59:25	5	[REDACTED]
16:59:35	6	[REDACTED]
16:59:36	7	[REDACTED]
16:59:37	8	[REDACTED]
16:59:40	9	[REDACTED]
16:59:45	10	[REDACTED]
16:59:48	11	[REDACTED]
16:59:50	12	[REDACTED]
16:59:55	13	[REDACTED]
16:59:58	14	[REDACTED]
17:00:03	15	[REDACTED]
17:00:04	16	[REDACTED]
17:00:07	17	[REDACTED]
17:00:07	18	[REDACTED]
17:00:11	19	[REDACTED]
17:00:16	20	[REDACTED]
17:00:20	21	[REDACTED]
17:00:27	22	[REDACTED]
17:00:28	23	[REDACTED]
17:00:29	24	[REDACTED]
17:00:30	25	[REDACTED]

758

ADEYEMI PETER ALFRED-ADEKEYE
ATTORNEYS' EYES ONLY

May 20, 2010

17:02:22 1 THE MASTER: Okay. Thank you.

17:02:28 2 MR. MEENAN: What is the Bates number?

17:02:30 3 MR. O'LEARY: 17346.

17:02:40 4 A I'm ready.

17:02:41 5 MS. ENNS:

17:02:41 6 Q Do you recognize this type of document?

17:02:43 7 A I do.

17:02:44 8 Q And it's a Zimbra notebook document?

17:02:46 9 A Yes.

17:02:47 10 Q And you have access to this document?

17:02:49 11 A I see my e-mail address there, so I would think

17:02:52 12 so, yes.

17:02:53 13 [REDACTED]

17:02:57 14 [REDACTED]

17:03:03 15 [REDACTED]

17:03:03 16 [REDACTED]

17:03:07 17 [REDACTED]

17:03:07 18 [REDACTED]

17:03:31 19 [REDACTED]

17:03:34 20 [REDACTED]

17:03:35 21 [REDACTED]

17:03:45 22 [REDACTED]

17:03:47 23 [REDACTED]

17:03:51 24 [REDACTED]

17:03:54 25 [REDACTED]

759

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

17:03:57	1	[REDACTED]
17:03:59	2	[REDACTED]
17:04:03	3	[REDACTED] [REDACTED]
17:04:06	4	[REDACTED] [REDACTED]
17:04:11	5	[REDACTED]
17:04:15	6	[REDACTED]
17:04:19	7	[REDACTED] [REDACTED]
17:04:21	8	[REDACTED]
17:04:26	9	[REDACTED]
17:04:32	10	[REDACTED]
17:04:35	11	[REDACTED]
17:04:39	12	[REDACTED] [REDACTED]
17:04:41	13	[REDACTED]
17:04:46	14	[REDACTED] [REDACTED]
17:04:48	15	[REDACTED]
17:04:49	16	[REDACTED]
17:04:55	17	[REDACTED]
17:04:58	18	[REDACTED]
17:05:01	19	[REDACTED]
17:05:05	20	[REDACTED]
17:05:06	21	[REDACTED]
17:05:08	22	[REDACTED]
17:05:10	23	[REDACTED]
17:05:11	24	[REDACTED]
17:05:12	25	[REDACTED]

760

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

17:05:14	1	[REDACTED]
17:05:16	2	[REDACTED]
17:05:17	3	[REDACTED]
17:05:19	4	[REDACTED]
17:05:20	5	[REDACTED]
17:05:23	6	[REDACTED]
17:05:29	7	[REDACTED]
17:05:30	8	[REDACTED]
17:05:32	9	[REDACTED]
17:05:34	10	[REDACTED]
17:05:34	11	[REDACTED]
17:05:42	12	[REDACTED]
17:05:44	13	[REDACTED]
17:05:45	14	[REDACTED]
17:06:02	15	[REDACTED]
17:06:02	16	MS. ENNS: I'd like to introduce the next exhibit,
17:06:04	17	number 42.
17:06:07	18	EXHIBIT 42: Zimbra Collaboration Suite document
17:06:28	19	titled "Multiven Finances Budget"
17:06:28	20	A Ready when you are.
17:06:30	21	MS. ENNS:
17:06:30	22	Q Do you recognize this type of document?
17:06:32	23	A I do.
17:06:32	24	Q Have you seen it before?
17:06:33	25	A I am not sure I've seen this particular --

761

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

17:06:40 1 because there are different versions of them.
17:06:42 2 So at the time of capture of this particular
17:06:44 3 instance I don't know if I saw this version of
17:06:46 4 it, but I'm listening.
17:06:47 5 Q But you're familiar with the format of this
17:06:50 6 document?
17:06:50 7 A Yes.
17:06:51 8 Q Is this document produced monthly?
17:06:53 9 A No, it's not produced. It's not a document. We
17:06:55 10 don't -- we don't print at Multiven. We're very
17:06:58 11 green.
17:06:58 12 Q So it's created on a monthly basis?
17:07:01 13 A This is actually a wiki. A notebook and it's
17:07:08 14 actually a wiki. So it's an online document
17:07:14 15 management tool.
17:07:14 16 Q So if it's a wiki, how would I search for this
17:07:18 17 document?
17:07:18 18 A You can search in the search box within Zimbra
17:07:23 19 itself.
17:07:23 20 Q Could I search by document name?
17:07:26 21 A I would think so, yeah. I think you should be
17:07:28 22 able to.
17:07:28 23 Q Can I search by author?
17:07:29 24 A By author?
17:07:30 25 Q Correct.

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

17:07:31 1 A I don't -- I don't know. I haven't tried
17:07:32 2 searching by author.
17:07:33 3 Q By the person who created the document?
17:07:35 4 A I don't know. I mean, if you created your
17:07:38 5 document, it will be in your notebook. So you
17:07:42 6 can't search someone else's document that's not
17:07:45 7 been shared with you.
17:07:46 8 Q But if it's been -- if I shared a document with
17:07:49 9 you, could you search for all the documents that
17:07:52 10 I've shared with you?
17:07:53 11 A I would think so.
17:07:54 12 Q Do you see the term "monthly burn rate"?
17:07:59 13 A Yes.
17:07:59 14 Q What does "monthly burn rate" mean?
17:08:02 15 A It -- "burn" stands for expenditure. Opics
17:08:10 16 [sic].
17:08:10 17 Q And do you see where it says "ynd"?
17:08:15 18 A Yes.
17:08:15 19 Q What does "ynd" stand for?
17:08:18 20 A I haven't got a clue. You'd probably have to
17:08:23 21 ask the author of the document.
17:08:25 22 Q And do you know what "TPHW sparing" at the
17:08:30 23 bottom of the page means?
17:08:32 24 A Yes.
17:08:32 25 Q What does it mean?

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

17:08:33 1 A TelePacific hardware sparing.

17:08:35 2 Q And based on the amount of money, can you

17:08:37 3 estimate when this document was created?

17:08:39 4 A I think it's probably sometime in 2009.

17:08:45 5 Probably early 2009 somewhere.

17:08:59 6 MS. ENNS: I'd like to introduce exhibit number 43.

17:09:02 7 EXHIBIT 43: Zimbra Collaboration Suite document

17:09:41 8 titled "Monthly Burn Rate Snapshot"

17:09:20 9 A Thank you. Ready.

17:09:21 10 MS. ENNS:

17:09:21 11 Q Do you recognize this type of document?

17:09:25 12 A It's yet another notebook in Zimbra.

17:09:27 13 Q And this is a form -- the chart is in a form you

17:09:32 14 recognize?

17:09:32 15 A It's -- it's just a title.

17:09:38 16 Q And the title of the table is "Monthly Burn Rate

17:09:42 17 Snapshot"?

17:09:43 18 A I would think so, yeah.

17:09:48 19 Q And is -- are burn rate snapshots produced

17:09:53 20 monthly at Multiven?

17:09:54 21 A I would think so.

17:09:55 22 [REDACTED]

17:10:04 23 [REDACTED] [REDACTED] [REDACTED]

17:10:07 24 [REDACTED]

17:10:10 25 [REDACTED] [REDACTED]

764

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

17:10:19	1	MS. ENNS: I'd like to introduce document number 44.
17:10:21	2	EXHIBIT 44: Zimbra Collaboration Suite
17:10:21	3	communication between Peter Adekeye and Basil
17:10:21	4	Gray with attached executive summary dated
17:10:33	5	April 2006
17:10:33	6	A Thank you. Ready.
17:10:54	7	MS. ENNS:
17:10:55	8	Q Do you recognize this document?
17:10:57	9	A Yes.
17:10:58	10	Q And what is -- and on page Multi-0016659 the
17:11:08	11	title is "Executive Summary."
17:11:11	12	A Okay.
17:11:11	13	Q What is an executive summary?
17:11:13	14	A It's a summary of a business proposal or a plan.
17:11:16	15	It's a business plan summary.
17:11:18	16	Q Sorry?
17:11:18	17	A It's a business plan summary.
17:11:20	18	Q And on page Multi-0016662, the last page.
17:11:29	19	A Okay.
17:11:29	20	Q Under "Financing."
17:11:32	21	A Okay.
17:11:32	22	Q And there is a forecast?
17:11:36	23	A Yes.
17:11:37	24	Q Are you responsible for forecasting at Multiven?
17:11:40	25	A Yes.

765

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

17:11:41 1 Q And how is this forecast generated?

17:11:43 2 A Based on projected revenue numbers.

17:11:46 3 Q And how are those projected revenue numbers

17:11:50 4 derived?

17:11:50 5 A Basically estimated from market potential, deal

17:11:54 6 size, deal flow potentials, and so on and so

17:11:59 7 forth.

17:11:59 8 Q What is "market potential"?

17:12:01 9 A The potential for closing business in a

17:12:08 10 particular territory. So for instance, if we

17:12:12 11 feel that in North America the size of a

17:12:16 12 maintenance services business is worth, say --

17:12:18 13 the total addressable market, say, could be

17:12:21 14 about 25-, you know, \$30 billion in North

17:12:24 15 America by itself, that's the TAM.

17:12:27 16 The SAM is the serviceable addressable

17:12:29 17 market, which is, this is how big the big pie

17:12:32 18 is -- sorry, I'm bad.

17:12:33 19 This is the big pie, and this is the

17:12:36 20 portion of the pie that's attainable. So of

17:12:40 21 that portion of the pie that's attainable,

17:12:43 22 that's called the SAM. And of that, how much of

17:12:45 23 that can we expect to close in year X or Y or Z

17:12:51 24 based on the resources we intend to dedicate

17:12:55 25 towards it. So that's how we come up with those

766

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

17:12:58 1 numbers.

17:12:58 2 Q And so forgive my ignorance. The TAM, what's

17:13:03 3 the TAM?

17:13:05 4 A Target -- total, sorry. Total addressable

17:13:09 5 market. And the SAM is a subset of the TAM, and

17:13:11 6 that's called the serviceable addressable

17:13:14 7 market.

17:13:15 8 Q And using those factors you can calculate

17:13:22 9 predicted gross revenue?

17:13:23 10 A Yes.

17:13:24 11 Q Is that correct?

17:13:24 12 And you can predict -- you can project net

17:13:28 13 profit?

17:13:28 14 A Absolutely.

17:13:29 15 Q And how many years out can you predict?

17:13:36 16 A The industry suggests five.

17:13:45 17 Q And by "industry," is that the service -- market

17:13:48 18 for services specific industry, or?

17:13:50 19 A No, it's just -- it's a general term that is

17:13:59 20 common in Silicon Valley for technology

17:14:05 21 start-ups. We put together five-year business

17:14:07 22 plans, five-year projections -- well, five-year

17:14:09 23 targets, you know, financial estimates, and so

17:14:10 24 on and so forth.

17:14:12 25 Q And so is market potential and deal flow

767

ADEYEMI PETER ALFRED-ADEKEYE

May 20, 2010

ATTORNEYS' EYES ONLY

17:14:16	1		potential the same thing?
17:14:18	2	A	Not necessarily.
17:14:20	3	Q	What's the difference?
17:14:21	4	A	It depends on who you're asking.
17:14:23	5	Q	So if you were to use the phrase "deal flow
17:14:28	6		potential," would it differ from market potential?
17:14:30	7	A	Yes.
17:14:30	8	Q	And how would it differ?
17:14:32	9	A	To a venture capitalist the deal flow is how
17:14:38	10		much investments they -- you know, opportunities
17:14:40	11		they get. To a service company like Multiven a
17:14:46	12		deal flow will be how many potential
17:14:49	13		opportunities for sales we get, for instance.
17:14:52	14	Q	So that's deal flow potential. And then market
17:14:56	15		potential. What's market potential, then, in
17:15:02	16		comparison?
17:15:03	17	A	Potential of the market.
17:15:08	18	MS. ENNS:	All right. I'd like to introduce the next
17:15:12	19		exhibit. It's going to be 45.
17:15:17	20	THE MASTER:	Excuse me.
17:15:23	21	RCMP OFFICER 1:	Excuse me. I'm from the RCMP. I'm
17:15:23	22		sorry. I have to interrupt your meeting here.
17:15:23	23	THE MASTER:	Okay.
17:15:23	24	A	Hello.
17:15:23	25	RCMP OFFICER 1:	Hi. I just want to inform you --

768

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

17:15:28 1 I'm looking for -- are you a Mr. Peter
17:15:30 2 Alfred-Adekeye?
17:15:32 3 A Yes.
17:15:34 4 RCMP OFFICER 1: Okay. So how do you say your name?
17:15:34 5 A Adekeye.
17:15:39 6 RCMP OFFICER 1: Adekeye. And is it --
17:15:39 7 MR. O'LEARY: Just a moment. Just a moment.
17:15:39 8 RCMP OFFICER 1: Okay.
17:15:40 9 MR. O'LEARY: Let's go off the record.
17:15:43 10 MS. ENNS: Let's stay on the record.
17:15:44 11 MR. O'LEARY: This is not part of the proceeding.
17:15:44 12 RCMP OFFICER 1. Okay. Sorry.
17:15:54 13 MR. O'LEARY: Off the record.
17:15:54 14 MS. ENNS: On the record.
15 MR. O'LEARY: The proceeding -- can you take the
16 witness outside, then?
17 RCMP OFFICER 1: Sure.
18 RCMP OFFICER 2: Actually, we're going to have to
19 effect the arrest here.
20 RCMP OFFICER 1: Yeah. Well, I was going to say, can
21 I just stand to the side here, if it's okay.
17:16:01 22 And I just wanted to speak to you for a moment
17:16:05 23 here, okay? Mr. Adekeye?
17:16:05 24 A With me?
17:16:05 25 RCMP OFFICER 1: Yes.

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

17:16:05 THE MASTER: Wait. Tom, take your thing off. This
17:16:05 is --
17:16:08 RCMP OFFICER 1: Mr. Adekeye, the reason why I'm
17:16:09 here from the RCMP --
17:16:09 MR. O'LEARY: You don't need to say -- you don't need
17:16:09 to -- you just stand over here.
17:16:09 THE MASTER: Wait a minute. We're in a deposition
17:16:11 here, and this doesn't appear to be part of the
17:16:14 deposition, so I wouldn't --
17:16:15 RCMP OFFICER 1: Okay. No, I thought you had turned
17:16:15 all that off.
17:16:15 THE MASTER: I suggest you just --
17:16:15 MR. O'LEARY: No.
17:16:15 THE MASTER: I'm sorry, I'm a special master
17:16:15 appointed by the court.
17:16:15 RCMP OFFICER 1: Okay.
17:16:16 THE MASTER: We're conducting a deposition.
17:16:19 MR. O'LEARY: He's been appointed by the federal
17:16:22 judge.
17:16:22 RCMP OFFICER 1: Okay.
17:16:24 MR. O'LEARY: Could you instruct that the video be
17:16:26 turned off, please?
17:16:26 THE MASTER: Yes.
17:16:26 VIDEO OPERATOR: Okay. One moment. Going off
17:16:28 record. The time is 5:16.

ADEYEMI PETER ALFRED-ADEKEYE May 20, 2010
ATTORNEYS' EYES ONLY

17:16:31

(PROCEEDINGS RECESSED AT 5:16 P.M.)

17:16:31

(PROCEEDINGS RECONVENED AT 5:40 P.M.)

17:39:54

VIDEO OPERATOR: We're back on the record. The time
is 5:40.

17:40:17

17:40:19

THE MASTER: Yes. We have had an interruption in

17:40:23

this deposition proceeding. The interruption

17:40:27

makes it impossible to continue the deposition

17:40:32

today and, in my opinion, tomorrow, so I think

17:40:36

that this deposition will be suspended until

17:40:40

further notice.

17:40:41

VIDEO OPERATOR: Going off record. The time is 5:40.

(WHEREUPON, THE DEPOSITION WAS

ADJOURNED AT 5:40 P.M.)

(TOTAL TIME: 27 MINUTES)

I declare under penalty of perjury that the
foregoing is true and correct. Subscribed at

_____, _____,

this ____ day of _____, 2010.

Signature of Witness

1 Reporter's Certification:

2 I, Christy L. Pratt, RCR, Official Reporter
3 in the Province of British Columbia, Canada,
4 BCSRA No. 535, do hereby certify:

5 That the proceedings were taken down by me
6 in shorthand at the time and place herein set
7 forth and thereafter transcribed, and the same
8 is a true and correct and complete transcript of
9 said proceedings to the best of my skill and
10 ability.

11 IN WITNESS WHEREOF, I have hereunto
12 subscribed my name and seal this 26th day of
13 May, 2010.

14

15

16

17

18

19

20

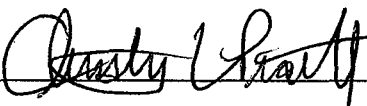
21

22

23

24

25


Christy L. Pratt, RCR, RPR
Official Reporter

