



**I. Individuals Likely to Have Discoverable Information That Defendant May Use to Support Defenses and Counterclaims**

Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i), Defendant discloses the following individuals likely to have discoverable information that may be used to support Defendant’s defenses and counterclaims. Defendant reserves the right to amend or supplement these disclosure, including as provided by Fed. R. Civ. P. 26(e). The following disclosures do not include persons whose testimony is likely to be used solely for impeachment, rebuttal, or expert witness testimony, who will be disclosed in accordance with the schedule set by the Court.

Marcus Clark Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant’s counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit customer service, and the public transit industry and prior art.
Julie Shibuya Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant’s counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit customer service, and the public transit industry and prior art.
Denene Dean Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant’s counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit customer service, and the public transit industry and prior art.
Robert Nedrow Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant’s counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit customer service, and the public transit industry and prior art.
Martin Young Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant’s counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit customer service, and the public transit industry and prior art.

1	Weylin Doyle Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit customer service, and the public transit industry and prior art.
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5	Brian Freerks Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit customer service, and the public transit industry and prior art.
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9	Ed Fredericks Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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12	Saundra Ready Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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16	Christina Snyder Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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19	Joshua Larsen Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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23	Matt Willison Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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1	Erik Dunn Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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5	Eva Jakubowicz Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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9	Philip Cane Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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12	Janice Kimberling Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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16	Basil Lumba Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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19	Jon Roche Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit security and dispatch, and the public transit industry and prior art.
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23	De Meyers Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit information technology, and the public transit industry and prior art.
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1	Adam Schmitt Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit information technology, and the public transit industry and prior art.
2	Jennifer Dice Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit information technology, and the public transit industry and prior art.
3	Jamie Vogt Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the development, function, and operation of the Sound Transit Rider Alert system, Sound Transit information technology, and the public transit industry and prior art.
4	Brian McCartan Sound Transit 401 South Jackson Street Seattle, WA 98104 (206) 398-5000 (Contact through Defendant's counsel)	Knowledge regarding Sound Transit, the function and operation of the Sound Transit Rider Alert system, Sound Transit information technology and finances, and the public transit industry and prior art.
5	Amtrak 303 South Jackson Street King Street Station Seattle, WA 98104 (206) 296-0100	Knowledge regarding Sound Transit, the Sound Transit Rider Alert system, and the public transit industry and prior art.
6	Burlington Northern Santa Fe Railroad 2650 Lou Menk Drive Fort Worth, TX 76131-2830 (800) 795-2673	Knowledge regarding Sound Transit, the Sound Transit Rider Alert system, and the public transit industry and prior art.
7	GovDelivery 408 St. Peter Street, Suite 600 Saint Paul, MN 55102 (866) 276-5583	Knowledge regarding Sound Transit, the Sound Transit Rider Alert system, and the public transit industry and prior art.
8	Community Transit 7100 Hardeson Road Everett, WA 98203 (425) 353- 7433	Knowledge regarding Sound Transit, the Sound Transit Rider Alert system, and the public transit industry and prior art.

1 2 3	King County Metro 201 South Jackson Street Seattle, WA (206) 553-3000	Knowledge regarding Sound Transit, the Sound Transit Rider Alert system, and the public transit industry and prior art.
4 5	Pierce Transit 3701 96th Street Southwest Lakewood, WA 98499 (253) 581-8080	Knowledge regarding Sound Transit, the Sound Transit Rider Alert system, and the public transit industry and prior art.
6 7	Any individuals or entities named by Plaintiffs in their initial disclosures or discovery responses.	

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9 **II. Description of Documents and Things in Defendant’s Possession, Custody, or Control That May Be Used to Support Defenses and Counterclaims**

10 Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii), Defendant hereby discloses the following  
11 documents and things in its possession, custody or control that it may use to support its defenses  
12 and counterclaims. Defendant reserves the right to amend or supplement these disclosures as  
13 provided under Fed. R. Civ. P. 26(e). The following disclosures do not include documents and  
14 things that are likely to be offered solely for impeachment:

- 15 1. Documents regarding Sound Transit’s creation, structure, and operations.
- 16 2. Documents regarding Sound Transit’s accused Rider Alert system.
- 17 3. Documents regarding how Sound Transit markets and provides of transit services  
18 to the public.
- 19 4. Documents regarding Sound Transit’s financial and accounting records.
- 20 5. Documents regarding the public transit industry and prior art.
- 21 6. Any documents or things produced or provided by Plaintiffs.

22 **III. Computation of any Category of Damages Claimed  
23 By Defendant and Disclosure of Supporting Documents**

24 Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iii), Sound Transit discloses that it is entitled to  
25 recover damages in the form of, *inter alia*, actual damages, treble damages, attorneys’ fees, costs,  
26 and interest based on Defendant’s counterclaims. Defendant anticipates that damages

1 calculations will depend upon expert analyses and testimony to be developed and disclosed  
2 according to the schedule set by the Federal Rules of Civil Procedure and the Court. Subject to  
3 the foregoing, Sound Transit has certain financial and other records that may be relevant to  
4 damages calculations.

5 **IV. Insurance Agreements Liable for Part or**  
6 **All of a Judgment or for Indemnification**

7 Defendant is investigating the existence of any insurance agreement that may be  
8 responsive to Fed. R. Civ. P. 26(a)(1)(A)(iv) and will supplement this response once such  
9 determination has been made.

10 **V. Reservation of Rights**

11 Defendant reserves the right to amend or supplement these disclosure as provided by Fed.  
12 R. Civ. P. 26(e) and to object to the admissibility of any document or statement herein or in  
13 Plaintiffs' initial disclosures on all bases set forth in the Federal Rules of Civil Procedure,  
14 Federal Rules of Evidence, and governing law.

15 DATED this 30th day of July, 2012.

16 Respectfully submitted,

17 STOEL RIVES LLP

18 /s/ Brian C. Park

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21 Seattle, WA 98101  
22 Tel.: (206) 386-7542  
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26 900 S.W. Fifth Avenue, Suite 2600  
Portland, OR 97204  
Tel.: (503) 224-3380  
Fax: (503) 220-2480  
NCBrunette@stoel.com

**CERTIFICATE OF SERVICE**

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I, Brian C. Park, certify under penalty of perjury under the laws of the United States that, on July 30, 2012, I caused the foregoing document to be served by the method indicated below on the parties listed below:

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Geoffrey D. Smith  
DOWELL BAKER P.C.  
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Lafayette, IN 47901  
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- hand delivery
- facsimile transmission
- overnight delivery
- regular U.S. Mail
- e-mail delivery

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- hand delivery
- facsimile transmission
- overnight delivery
- regular U.S. Mail
- e-mail delivery

Executed on July 30, 2012, at Seattle, Washington.

/s/ Brian C. Park  
Brian C. Park