



### Juror Question (s)

Please remember, you may submit a question only to the witness in this case, not to the Judge or attorneys.

For Witness: Bridie

Question: \_\_\_\_\_

~~Was Lifeline~~  
Was Lifeline part of  
Davita? And therefore  
part of "the agreement"?

What other companies  
fell into this category  
and agreement?

#### Juror Questioning Procedure

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5. If the question can be asked, the Judge will read it to the witness at an appropriate time before the witness is excused.

If additional space is needed, please use the back of this form.

\*\*\*\*\*Juror: Please do not mark below this line\*\*\*\*\*

Question No. 2

ACTION BY THE COURT:

No objections

☒ Permitted

☐ Denied

☐ Rephrased



### Juror Question (s)

Please remember, you may submit a question only to the witness in this case, not to the Judge or attorneys.

For Witness: Bridie

Question: \_\_\_\_\_

~~Did any other~~

~~Did USA~~

Did any other companies with an "off limits" or "no peach" agreement also have a "tell your boss first" part of the agreement. Or was the "tell your boss" part unique to DaVita? Was this

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Question No. 3

ACTION BY THE COURT:

no objections

- ☒ Permitted  
☐ Denied  
☐ Rephrased

common or uncommon in <sup>your</sup> ~~the~~ industry?



### Juror Question (s)

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For Witness: Bridie

Question: \_\_\_\_\_

Did Andrew have a  
non-solicit written  
agreement with Davita?

1650  
Was it time-bound?  
For what period?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### Juror Questioning Procedure

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Question No. 4

ACTION BY THE COURT:

no objection

- ☒ Permitted  
☐ Denied  
☐ Rephrased



### Juror Question (s)

Please remember, you may submit a question only to the witness in this case, not to the Judge or attorneys.

For Witness: Bridie Fanning

Question: 1. In her experience,  
has she seen that if  
a company has a legal  
no-poach business deal  
with other companies,  
do they need to inform  
employees of the deal  
or deals upon hiring  
or at some point so  
that an employee knows?  
2. Also, are legal no-poach  
business deals typically  
documented in a formal

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written, signed  
agreement?

\*\*\*\*\*Juror: Please do not mark below this line\*\*\*\*\*

Question No. 5

ACTION BY THE COURT:

no objections

- ☒ Permitted  
☐ Denied  
☐ Rephrased



### Juror Question (s)

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For Witness: Bridget Fanning

Question: Bridget mentioned that  
no poach agreements are "not  
uncommon!" How did the  
Davita / SCA agreement  
differ from other more  
common or no poach  
agreements?  
Is the only difference the  
requirement to "tell your boss"?

#### Juror Questioning Procedure

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Question No. 6

ACTION BY THE COURT:

no objection

☒ Permitted

☐ Denied

☐ Rephrased



### Juror Question (s)

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For Witness: Dr. Bridget Fanning

① We heard that...  
 Question: You did not like the  
SCA / Davita agreement.  
Did you ever research or  
bring up with legal or Hayek  
questioning if it was  
legal?

② I am confused. Are Davita execs  
 always off limits to hire? or  
 is it ok to hire if Davita boss is  
 aware? Also, if Davita person initiates  
 is he or she still off limits?  
 It seems we heard it multiple ways.

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Question No. 7

ACTION BY THE COURT:

☒ Permitted

☐ Denied

☐ Rephrased

Question 2  
 Question 1

**Juror Question (s)**

Please remember, you may submit a question only to the witness in this case, not to the Judge or attorneys.

For Witness: \_\_\_\_\_

Question: Why did the Govt give  
you A no prosecution  
Agreement? Prosecution

**Juror Questioning Procedure**

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Question No. 8

ACTION BY THE COURT:

no objections

☒ Permitted

☐ Denied

☐ Rephrased





### Juror Question (s)

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For Witness: \_\_\_\_\_

Question: \_\_\_\_\_

Please describe Vanguard's  
connection to SCA and/or  
DaVita.

Is a Senior Director role  
at ~~XXXXX~~ a level under  
scrutiny of the  
gentlemen's agreement?

#### Juror Questioning Procedure

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Question No. 9

ACTION BY THE COURT:

*no objections*

- ☒ Permitted  
☐ Denied  
☐ Rephrased



### Juror Question (s)

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For Witness: Michael Rucker

Question: When you told Javier Rodriguez and Kent Thiry you were leaving for SCA, and they said it was unfortunate that you would be caught up in litigation, did you feel like this was to threaten / intimidate you?

~~What litigation were they talking about if the gentlemen's agreement wasn't yet in place?~~

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Turn over →

\*\*\*\*\*Juror: Please do not mark below this line\*\*\*\*\*

Question No. 10

ACTION BY THE COURT:

no objection

- ☒ Permitted  
☐ Denied  
☐ Rephrased

In your experience, can people be retained by their employer via raises/promotions ~~even~~ if they already have a competitor offer and did not proactively tell their boss? Did this happen at Davita? often?