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Mr. Yue argued Pro Se.
Jedediah Wakefield for Sun Microsystems
Before Elizabeth D. Laporte
From pages 4-6 of the TRANSCRIPT:
MR. YUE: The procedure is for the plaintiff to move for 60(b) motion in the
District Court. If the judge indicated he would grant the motion, then, I
would go to the Ninth Circuit and seek a remand. So at this point —
THE COURT: Right.
MR. YUE: You know -
THE COURT: I mean, all of that would be very unusual, but it's still a
possibility. Now, let me ask, on — the Supreme Court recently ruled on an
issue having to do with nonparty preclusion in the Taylor versus Sturgell
case; did that in any way affect the basis for Judge Jenkins's ruling,
basically, that there was preclusion against the plaintiff? I know he had two
bases, one of which was privity, and I'm not sure that that was affected at
all. Possibly the intertwining basis was affected. < tH7ESUN(fr#!fli >
MR. WAKEFIELD: I'll have to confess that I haven't studied the Sturgell
decision,... {*U+g*^^ii, 2JB-fe3l;fc:ifcB&*)
THE COURT: Um-hmm.
MR. YUE: Your Honor, I think the Taylor versus Sturgell case did
disapprove the legal grounds for precluding me from this litigation. I was a
nonparty to the — Netbula versus Sun. And, the whole ground by Judge
Jenkins was the theory of virtual representation. And, in my papers, I argue
that I could not be virtually represented by Netbula because I was already
precluded -
THE COURT: Okay. < ft BrSffl^SIifc$>
MR. YUE: — from that case.
THE COURT: All right. Again, it's going to be up to — I just raised that
question briefly, but that's really an issue right now that's not before me,
it's before either the Ninth Circuit or unless the 60(b) motion is granted.
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It is obvious the judge was trying to coach Sun's lawyer to
prepare for appeal. Since Sun's lawyers did not know the
supreme court case, all Yue needed was this: not mentioning the case
in his opening brief, but bring up the case in the reply brief.
That way. Sun is easily defeated, the judge acted as Sun's advisor,
suggesting which argument to make...
gmmmw
September 22nd, 2008 at 3:19 pm
Totally unfair. One man against the gang.
17. MgMg$m\§
September 22nd, 2008 at 6:09 pm
Yue is an enemy of the state.
18. M£Mg$\W\k
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20. «r##WvFifc
September 22nd, 2008 at 7:09 pm
Yue has become the guardian of the U.S. constitution.
Without people like Yue, U.S. will fall into a dictatorship.
21. Mgmmm\b
September 22nd, 2008 at 7:13 pm
Reading Yue's papers, it is like "a scholar arguing with thugs", he can't
win no matter how right he is.
22. Mgmg$m\§
September 22nd, 2008 at 7:17 pm
23. M£Mg$\W\k
September 22nd, 2008 at 7:20 pm
US constitution says "all MEN are created equal". It meant all WHITE MEN,
it does not include blacks, other colored folks, or women.
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September 22nd, 2008 at 8:28 pm
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25. Mg8?gft\W%;
September 22nd, 2008 at 11:16 pm
26. «r*ratti*ifc
September 23rd, 2008 at 11:22 am
This was a "brief question"?
judge: "Now, let me ask, on — the Supreme Court recently ruled on an issue having to
do with nonparty preclusion in the Taylor versus Sturgell case; did that in any way
affect the basis for Judge Jenkins's ruling, basically, that there was preclusion against
the plaintiff? I know he had two bases, one of which was privity, and I'm not sure that
that was affected at all. Possibly the intertwining basis was affected."
It was a long question plus an answer (correct or not)
27. «r##WiSFifc
September 23rd, 2008 at 2:19 pm
28. g£#&thWft
September 23rd, 2008 at 2:20 pm
This could be a classic moment in those law movies,
one side does not know the case, the other side knows.
But here, the magistrate judge joined the Sun team,
maybe Sun will give her some options after she retire
from the bench.
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virtual reality.
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law movies, one...
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This was a "brief question"? judge:
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