

ATTACHMENT A

TO

**COMPLAINT COUNSEL'S RESPONSE
TO RESPONDENT'S THIRD MOTION
TO REOPEN THE HEARING RECORD
(Filed July 12, 2010)**

POLYPORE INTERNATIONAL, INC.

DOCKET NO. 9327

UNITED STATES OF AMERICA

BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of Polypore
corporation.

****HIGHLY CONFIDENTIAL****
Deposition of THOMAS PFANNER

January 28, 2009

1:45 p.m.

at

Foley & Lardner
777 East Wisconsin Avenue
Milwaukee, Wisconsin

Reported by Lynn Peppey Bayer, RPR, CM

1 Deposition of THOMAS PFANNER, a witness in the
2 above-entitled action, taken at the instance of
3 Polypore International, Inc., pursuant to subpoena,
4 before Lynn Peppey Bayer, RPR, CM, Notary Public in
5 and for the State of Wisconsin, at 777 East
6 Wisconsin Avenue, Milwaukee, Wisconsin, on
7 January 28, 2009, commencing at 1:45 p.m. and
8 concluding at 4:40 p.m.
9

10 A P P E A R A N C E S

11 FOR POLYPORE INTERNATIONAL, INC.:

12 PARKER POE ADAMS & BERNSTEIN, LLP

13 By: Mr. Eric D. Welsh

14 Three First Union Center

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Charlotte, North Carolina 28202

(704) 372-9000

15 FOR FEDERAL TRADE COMMISSION:

16 FEDERAL TRADE COMMISSION BUREAU OF COMPETITION

17 By: Mr. Benjamin Gris

18 601 New Jersey Avenue, NW

Washington, DC 20001

(202) 326-3468

19 FOR THE WITNESS:

20 FOLEY & LARDNER

21 By: Mr. James T. McKeown

22 777 East Wisconsin Avenue

Milwaukee, Wisconsin 53202-5306

(414) 297-5530; and,

23 JOHNSON CONTROLS

24 By: Mr. David E. Kirtley

5757 North Green Bay Avenue

Milwaukee, Wisconsin 53209

(414) 524-2241
25

1 I N D E X

2	WITNESS EXAMINATION	PAGE
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12 E X H I B I T S

13	NUMBER DESCRIPTION	PAGE ID'D
14	R 76 chart re specific sufficient to show items	41
15	R 77 3/6/07 E-mail Pfanner to Brankov	75
16	(Original exhibits attached to original transcript.)	
17	(Copies of exhibits attached to transcript copies.)	

18 *****

19 R E Q U E S T S

20	REQUEST	PAGE	LINE
21	(None.)		

22

23

24

25

1 THOMAS PFANNER, called as a witness
2 herein, having been first duly sworn, was examined
3 and testified as follows:

4 MR. McKEOWN: For the record, we're going
5 to be designating Mr. Pfanner, he is here as the
6 corporate designate on topic 9 in response to the
7 subpoena. And again, the material he's going to
8 testify about we anticipate to be highly
9 confidential and the deposition will be designated
10 as such.

11 MR. WELSH: I understand. Thank you.

12 EXAMINATION

13 BY MR. WELSH:

14 Q Would you please state your name for the record.

15 A Thomas Pfanner.

16 Q And what is your address, Mr. Pfanner?

17 A Home address?

18 Q Yes, sir, that's fine.

19 A **REDACTED FROM THE PUBLIC RECORD**

20 Q Good afternoon, Mr. Pfanner. My name is Eric Welsh,
21 and I'm an attorney with the firm Parker Poe Adams &
22 Bernstein located in Charlotte, North Carolina. We
23 are here today as part of a continuing deposition of
24 Johnson Controls in connection with a legal matter
25 that is pending up in Washington with the Federal

1 Trade Commission. Do you understand that you're
2 giving a deposition today --

3 A Yes.

4 Q -- in connection with that matter? And you, as I
5 understand it just from what your counsel said, you
6 will be -- you have been designated to talk about
7 topic 9 of a schedule that we've previously marked.
8 It's part of the subpoena and it's Exhibit 31, if you
9 could take a look at that. It's the third page into
10 the exhibit. And topic 9, for the record, is testing
11 or qualification by JCI or anyone on behalf of JCI of
12 lead acid battery separators.

13 Do you understand that you're here today
14 to testify for the corporation on that subject?

15 A Yes.

16 Q Okay. Have you ever given a deposition before?

17 A No.

18 Q Okay. I know it's a new venture for you, and
19 hopefully we'll make it very painless.

20 A Okay.

21 Q I'll do my best on that front. I'm going to be
22 asking you questions. I'm going to try to make the
23 questions clear for you. If you don't understand
24 them, please let me know and I will do my best to
25 address the situation for you so that we can get an

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