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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91203410
Party	Defendant East West Bank
Correspondence Address	THOMAS T CHAN FOX ROTHSCHILD LLP PO BOX 79159 LOS ANGELES, CA 90079 0159 UNITED STATES tchan@foxrothschild.com, ipdocket@foxrothschild.com, cliu@foxrothschild.com
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Signature	/Cindy Liu/
Date	07/23/2012
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Registration No. 3,448,481  
For the mark EAST-WEST BUSINESS BRIDGE  
Date Registered: June 17, 2008

In the Matter of Trademark Registration No. 3,448,481  
Registered on June 17, 2008  
For the mark EAST-WEST BUSINESS BRIDGE

_____	)	
THE PLUBELL FIRM, LLC	)	
	)	
Petitioner,	)	Opposition No. 91203410
	)	
v.	)	[ <i>Consolidated with</i> ]
	)	
EAST WEST BANK	)	Cancellation No. 92053712
	)	
Respondent.	)	
_____	)	

**PETITIONER EAST WEST BANK’S SUPPLEMENTAL SUBMISSION IN SUPPORT  
OF MOTION FOR PROTECTIVE ORDER REGARDING DEPOSITION OF DOUGLAS  
KRAUSE**

**I. INTRODUCTION**

The Board should enter a protective order prohibiting The Plubell Firm, LLC (“Plubell”) from taking the deposition of Douglas Krause, Executive Vice President, General Counsel, Chief Risk Officer, and Corporate Secretary of East West Bank (“East West”). Plubell has flouted and defied the Board’s Orders during these proceedings over and over again, including, most recently, with its attempt to bring an oral motion to compel Mr. Krause’s deposition on July 17, 2012 with minimal notice and no attempt to meet and confer. In light of Plubell’s expanding

record of misconduct, the Board should sanction Plubell by denying it any more deposition discovery, whether of Mr. Krause or any other witness.

Over and above Plubell's flagrant and willful violations of the Board's Orders and Rules, the Board should enter a protective order because the topics on which Plubell has previously expressed interest in taking Mr. Krause's deposition necessarily involve discovery into Mr. Krause's work product or into privileged attorney-client communications. As East West's General Counsel, most of Mr. Krause's communications come in the capacity of providing legal advice to his business executives, and seeking legal advice from outside counsel, including on trademark prosecution and enforcement of trademark rights.

Setting aside the allegations in the Opposition Proceeding that are no longer at issue, in light of East West's July 20, 2012 filing of its Request for Express Abandonment of its EAST WEST BRIDGE FORUM application, these proceedings involve two sets of issues and claims, neither of which justify the deposition of Mr. Krause. First, East West has petitioned the Board to cancel Plubell's "EAST WEST BUSINESS BRIDGE" mark due to the likelihood of confusion between Plubell's mark and East West's marks, including "EAST WEST BANK" and "BUSINESS BRIDGE." Mr. Krause has no percipient testimony regarding any of the Du Pont factors or any other issue related to East West's allegations or requested relief in the cancellation proceedings. Second, Plubell was granted leave to assert counterclaims, but limitations were imposed on its ability to seek discovery related thereto: "The issues of corporate ownership which underlie the new fraud claims plainly have a documentary basis, and this should be explored before depositions are scheduled." May 7, 2012 Order at 8. Plubell has not explored the documentary basis underlying East West's conversion from a federal bank to one with a California charter, and Mr. Krause's testimony would be cumulative of the documentary

evidence. In sum, because there is no subject at issue in these proceedings as to which Mr. Krause has percipient and non-privileged testimony, the Board should enter the protective order requested by East West.

## **II. ARGUMENT**

### **A. Plubell's Misconduct Warrants Entering The Protective Order**

Undeterred by East West's pending motion for sanctions it filed April 23, 2012, Plubell again violated the Orders of the Board in trying to schedule an oral motion to compel Mr. Krause's deposition for July 17, 2012; Respondent was also unprepared at that hearing to provide a date to resume the deposition of Plubell, thus wasting thirty minutes of the Board's and East West's time. Based on this latest incident and Plubell's prior wrongdoing, the Board is justified in denying Plubell the opportunity to take the deposition of Mr. Krause.

Plubell has consistently ignored or willfully violated the Board's Rules and Orders in these proceedings. On January 30, 2012, Plubell devoted several pages of its deposition of East West to asking wholly improper questions about East West's compliance with privacy laws and how it handles requests from federal government agencies for information. See Motion for Sanctions dated April 23, 2012 at 5; Declaration of Thomas Chan filed concurrently therewith ("Chan Decl."), Exh. F at 202-205. These questions obviously have nothing to do with any issue in these proceedings, and appeared to be a fishing expedition for information Plubell's counsel hoped to obtain so that it could file unrelated civil litigation against East West.

On March 30, 2012, Plubell blatantly violated one of the Board's Orders in this case when its principal, Ms. Plubell, wrote directly to Mr. Krause and threatened him with depositions of himself, East West CEO Dominic Ng and CFO Irene Oh, unless a "mutually agreeable accommodation that recognizes the economic value of the 'East West Business Bridge' mark"

could be reached. Motion for Sanctions at 6, Chan Decl., Exh. C. The Board had previously held that such communications were “improper, and questions involved in this proceeding must be directed to counsel for petitioner,” in its May 9, 2011 Order that issued following an April 2011 incident whereby Ms. Plubell wrote to Mr. Ng to accuse East West’s counsel of “taking an independent, and unproductive course which may well be contrary to the interests of East West Bank.” Chan Decl., Exh. A. Plubell tacitly acknowledged that Ms. Plubell’s March 30, 2012 letter violated the May 9, 2011 Order—in opposition to the Motion for Sanctions, it asked the Board to vacate the language that prohibited such communications.

Then, in April 2012, Plubell noticed the depositions of Mr. Ng (Chairman and CEO), Ms. Oh (CFO) and Ms. Sharon Cheung (Controller), despite the fact that those depositions had been quashed by the Board’s December 22, 2011 Order, without first seeking leave of the Board.

Plubell also noticed the deposition of Mr. Krause on April 11, 2012, purporting to schedule the deposition for April 13, 2012, with no explanation as to why it waited until two days were left for discovery in a proceeding filed thirteen months earlier!

In the Board’s May 7, 2012 Order denying Plubell’s motion for extension of discovery and finding Ms. Wang’s testimony as a Rule 30(b)(6) witness to be sufficient, the Board ordered that the parties meet and confer regarding the subject matter of any other depositions in these proceedings. May 7, 2012 Order at 8. The Board also went to the trouble of setting forth specific steps the parties were required to take with respect to unconsented motions: specifically, if the opposing party did not consent to the filing of a proposed motion, the party seeking to file the motion “must discuss with the other party and agree on three alternative dates and times when a conference with the Board attorney could be held.” *Id.* at 9. In one fell swoop, Plubell trampled all over both these provisions of the May 7, 2012 Order by calling the Board on July

13, 2012 to schedule the motion to compel Mr. Krause's deposition without meeting and conferring with East West's counsel, either as to the substance of the deposition or logistics of bringing the motion to the attention of the Board.

To quote Plubell's opposition to the Motion for Sanctions, "enough is enough." Plubell's flagrant contravention of the Board's Orders and Rules justifies granting East West's motion for protective order.

B. The Questions Expected To Be Asked Of Mr. Krause Call For Information Protected By The Attorney-Client Privilege and Work Product Doctrine

The prospect of the deposition of Mr. Krause implicates both attorney-client privilege and work product doctrine issues. In general, the attorney-client privilege protects attorney-client communications made for the purpose of obtaining or giving legal advice. See Pettingill v. Caldwell, 2006 WL 2439842 at \*1 (D. Del. 2006). "The work product doctrine protects an attorney's statements, memoranda, correspondence, briefs, and mental impressions, obtained or prepared by an attorney in anticipation of identifiable litigation." Novartis Pharms. Corp. v. Abbott Labs, 203 F.R.D. 159, 163 (D.Del. 2001).

Communications between in-house counsel and the client related to decisions to enforce trademark rights are protected by both the attorney-client and work product privileges. Gucci America, Inc. v. Guess?, Inc., 271 F.R.D. 58, 75 (S.D.N.Y. 2010). Where depositions of trademark counsel are allowed, the attorney being deposed shall not be required to testify as to their legal or expert opinions. Quicksilver, Inc. v. Kymsta Corp., 247 F.R.D. 579, 585 (C.D. Cal. 2011).

Mr. Krause is East West's General Counsel. His communications with East West's business executives for the purpose of obtaining or giving legal advice are privileged. His

communications and documents that relate to East West's enforcement of its trademark rights are protected from discovery as privileged and/or attorney work product, as are his legal opinions.

East West is handcuffed in its ability to prepare this motion by Plubell's refusal to meet and confer, because it does not know the scope of Plubell's current plans for examining Mr. Krause. Based on Plubell's former filings, however, East West believes Plubell intends to pose questions that would require Mr. Krause to reveal attorney-client communications, his protected work product, or his legal opinion, as discussed Section II.C infra. To the extent Plubell seeks privileged communications or attorney work product, a protective order is necessary and proper.

C. Mr. Krause Does Not Have Relevant Percipient Non-Privileged Testimony On The Issues In The Cancellation Proceeding

The Board already denied Plubell's request for leave to take the deposition of Mr. Krause once, when it denied Plubell's "Motion to Extend Discovery Period; **Permit Follow-Up Discovery Depositions**; Or In The Alternative, For Evidentiary Sanctions" (emphasis added). Nothing has changed since May 7, 2012; Mr. Krause still does not have any non-privileged information as to the issues in the cancellation proceeding, and the Board should not revisit its prior holding.

1. The Opposition Proceeding Is No Longer At Issue

The scope of these consolidated proceedings has been narrowed by East West's July 20, 2012 filing of a Request for Express Abandonment of Application Pursuant to 37 CFR §§ 2.68 and 2.135 of its "EAST WEST BRIDGE FORUM" mark, Serial No. 85/319,594, that was the subject of Opposition Proceeding No. 91203410. A true and correct copy of this filing is attached as Exhibit 1 to the declaration of Aaron Craig filed concurrently herewith ("Craig Decl.") According to 37 CFR § 2.135, judgment must be entered in the Opposition Proceeding.

East West expects such judgment to precede the Board's determination of this motion. Thus while East West identified Mr. Krause in its initial disclosures in the Opposition Proceeding, Plubell cannot properly seek his deposition now on that basis – a fact it has known since July 13, 2012, when East West notified Plubell of its intent to abandon the “EAST WEST BRIDGE FORUM” application.<sup>1</sup>

2. Mr. Krause Has No Testimony To Offer Regarding Likelihood Of Confusion Issues

To determine likelihood of confusion, the Board will primarily analyze similarities and differences of the parties' marks in their entireties as to appearance, sound, connotation and commercial impression, and the similarity and dissimilarity and nature of the services rendered by East West and by Plubell under their marks. Mr. Krause's responsibilities are far removed from these issues. He provides legal advice to East West's management team, in addition to performing his duties as corporate secretary. He has no particular percipient knowledge of services rendered by East West or its plans of expansion that would add anything to the many hours of 30(b)(6) testimony Plubell has already taken on this subject. Moreover, any information Mr. Krause has about the appearance, sound, connotation or commercial impression of the parties' marks would be his legal opinion, and therefore not a proper subject for discovery.

Quicksilver, 247 F.R.D. at 585.

Plubell argued in its (second) motion to extend discovery filed April 9, 2012, that Mr. Krause had knowledge of the following topics, and that discovery should be extended to permit his deposition: legal searches and trademark processes; how East West decides which

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<sup>1</sup> This knowledge, however, did not stop Plubell's counsel from attempting to argue at the July 17, 2012 hearing that Mr. Krause's deposition was justified based on East West's identification of Mr. Krause in its initial disclosures, requiring East West's counsel to clarify to the Board that it was the Opposition Proceeding initial disclosures where Mr. Krause was identified, and to explain why these disclosures were now irrelevant.

trademarks will be enforced at the PTO; why an earlier registration for “BUSINESS BRIDGE” was allowed to lapse; whether this cancellation proceeding was discussed at any Board Meeting; preparation of 10-K filings; [Dkt. No. 24 at 19-21]. Moreover, in its April 24 reply brief, Plubell identified “Board of Directors proceedings and public disclosures related to actual plans to expand services” as topics as to which it sought to examine Mr. Krause. [Dkt. No. 30 at 7].

Each of these topics is irrelevant, calls for privileged and protected information, or both. Trademark searches or processes conducted by East West or its outside counsel have no bearing on likelihood of confusion issues, and questions on the subject would most likely intrude on privileged communications between East West and its outside counsel that conducts such searches. As for how East West decides which marks it will enforce at the PTO, this is both irrelevant to likelihood of confusion issues and calls for privileged communications and attorney work product. Similarly, questions regarding why East West allegedly allowed an earlier registration for “BUSINESS BRIDGE” to lapse would necessarily intrude on Mr. Krause’s privileged communications and work product.<sup>2</sup>

The other topics Plubell has previously identified are similarly improper. Plubell has doggedly sought to find out whether this cancellation proceeding has been discussed at meetings of East West’s board of directors, but has never explained why that question is relevant to anything related to likelihood of confusion. The preparation of 10-K filings or other public disclosures likewise bears no relationship to the cancellation proceeding or confusion between the marks at issue: East West’s 10-K filings and other disclosures are public documents that speak for themselves, and to the extent Plubell seeks to use information included (or not included) therein about East West’s present and future services, it does not need the testimony of Mr. Krause in order to do so.

Mr. Krause does not have relevant unprivileged testimony to offer as to any likelihood of confusion issues in the cancellation proceeding. The Board should therefore grant East West's motion for protective order.

3. Plubell Should Not Be Allowed To Take Mr. Krause's Deposition On Its Counterclaims

When the Board granted Plubell's eleventh hour motion for leave to amend its counterclaims, the Board made several important rulings that affect this motion. First, the Board held that: "The issues of corporate ownership which underlie the new fraud claims plainly have a documentary basis, and this should be explored BEFORE depositions are scheduled, unless the parties agree that this would not reduce the length of the deposition." May 7, 2012 Order at 8. Second, the Board stated that, "The scope of discovery on the counterclaim is affected by the information EWB set forth in connection with this motion. That is, while TPF's claim may be sufficient for the purposes of amendment, any discovery sought must reflect the information already provided by EWB." Id. at 5, fn. 8.

The Board was correct that Plubell's counterclaims have a documentary basis, and Mr. Krause's testimony will not be helpful. East West Bank is the product of the 1995 conversion of East West Federal Bank. East West has provided Plubell with certain of its materials related to the conversion from East West Federal Bank to East West Bank, and is in the process of redacting private confidential financial and personal information of its employees and shareholders so that it can provide Plubell with the remainder.

Mr. Krause was not even employed by East West in 1995 when the conversion took place. For as East West's 10-K filings show (including one such filing marked as an exhibit by Plubell in its 30(b)(6) deposition of East West) Mr. Krause joined East West in 1996. See Craig

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<sup>2</sup> Moreover, there appears to be no connection between this topic and any likelihood of confusion issues.

Decl., Exh. 2. Thus, he is unlikely to have any percipient testimony regarding the conversion. His opinion about the effect of the conversion would be exactly that—legal opinion. On information and belief, Plubell has not explored the documentary basis for its counterclaims before seeking Mr. Krause’s deposition, and this motion for protective order should be granted on that basis.

Plubell has identified in its counterclaims documents filed with the USPTO after the conversion, including assignments of rights from East West Federal Bank to East West Bank, declarations of use in the name of East West Federal Bank that post-date the conversion, that Plubell contends constitute evidence of fraud on the PTO. These documents speak for themselves. While the parties have wildly different interpretations of these materials, the testimony of Mr. Krause will not affect either what the documents say or their legal effect.

Finally, to the extent Plubell seeks to take the deposition of Mr. Krause on other counterclaims issues, such as “East West Bank’s lack of provision of insurance and security brokerage services,” [Dkt. No. 30 at 7], East West has set forth in detail—including in its opposition to Plubell’s Motion to Amend Answer and Counterclaim—East West’s evidence and argument regarding its provision of insurance and security brokerage services, [Dkt. No. 32 at 4-5, 10-11 and evidence cited therein]. Plubell’s requests for discovery on this topic should take into account this evidence. May 7, 2012 Order at 5 fn. 8. Moreover, Plubell has not and cannot articulate why it thinks Mr. Krause has particularized knowledge on this subject.

### III. CONCLUSION

For the foregoing reasons, EWB respectfully requests that the Board enter a protective order precluding Plubell from taking the deposition of Mr. Krause.

Respectfully submitted,

Dated: July 23, 2012

By: Aaron Craig  
Thomas T. Chan  
Aaron Craig  
Lisa A. Karczewski  
Attorneys for PETITIONER  
EAST WEST BANK

Fox Rothschild LLP  
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[cliu@foxrothschild.com](mailto:cliu@foxrothschild.com)  
[IPDocket@foxrothschild.com](mailto:IPDocket@foxrothschild.com)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing **PETITIONER EAST WEST BANK'S SUPPLEMENTAL SUBMISSION IN SUPPORT OF MOTION FOR PROTECTIVE ORDER REGARDING DEPOSITION OF DOUGLAS KRAUSE** has been served on Registrant's attorneys of record by electronic mail on this Monday, July 23, 2012, addressed as follows:

H. David Starr  
NATH, GOLDBERG &  
MEYER  
112 South West Street  
Alexandria, VA 22314  
E-Mail: [dstarr@nathlaw.com](mailto:dstarr@nathlaw.com)

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[Hamilton@lbbslaw.com](mailto:Hamilton@lbbslaw.com)

/Cindy Liu/  
Cindy Liu  
Dated: July 23, 2012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Serial No. 85/319,594  
For the mark "EAST WEST BRIDGE FORUM"

In the Matter of Trademark Registration No. 3,448,481  
Registered on June 17, 2008  
For the mark "EAST-WEST BUSINESS BRIDGE"

EAST WEST BANK,	)	
	)	Opposition No.: 91203410
Petitioner,	)	
	)	<i>[Consolidated with]</i>
v.	)	
	)	Cancellation No.: 92053712
THE PLUBELL FIRM, LLC	)	
	)	
Respondent.	)	
	)	

**DECLARATION OF AARON CRAIG IN SUPPORT OF PETITIONER EAST WEST  
BANK'S SUPPLEMENTAL SUBMISSION OF MOTION FOR PROTECTIVE ORDER  
REGARDING DEPOSITION OF DOUGLAS KRAUSE**

I, Aaron Craig, declare:

1. I am an attorney licensed to practice law in California. I am a partner in the Los Angeles office of Fox Rothschild LLP, attorneys for Petitioner East West Bank ("EWB"). I have personal knowledge of the facts stated herein, and if called as a witness, I could and would competently testify thereto. I make this declaration in support of Petitioner East West Bank's Supplemental Submission In Support Of Motion for Protective Order Regarding Deposition of Douglas Krause.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Applicant East West Bank's Request for Express Abandonment of Application Pursuant to 37 CFR §§ 2.68 and 2.135 electronically filed with the Trademark Trial and Appeal Board via ESTTA on July 20, 2012.

3. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts from East

West's 2005 SEC 10-K filing, which was marked by Respondent's counsel as Exhibit 28 to the March 7, 2012 deposition of East West Bank. As the attached excerpts show, Douglas Krause joined East West Bank in 1996.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on July 23, 2012, at Los Angeles, California.

A handwritten signature in black ink, appearing to read 'Aaron Craig', written over a horizontal line.

Aaron Craig

**CERTIFICATE OF SERVICE**

I certify that **DECLARATION OF AARON CRAIG IN SUPPORT OF PETITIONER EAST WEST BANK'S SUPPLEMENTAL SUBMISSION TO MOTION FOR PROTECTIVE ORDER** is being served on Respondent by e-mailing a true and correct copy to the attorneys of record, this Monday, July 23, 2012 to the following e-mail address:

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[IPDocket@foxrothschild.com](mailto:IPDocket@foxrothschild.com)

# EXHIBIT 1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Serial No. 85/319,594  
For the mark "EAST WEST BRIDGE FORUM"

In the Matter of Trademark Registration No. 3,448,481  
Registered on June 17, 2008  
For the mark "EAST-WEST BUSINESS BRIDGE"

_____	)	
EAST WEST BANK,	)	
	)	Opposition No.: 91203410
Petitioner,	)	
	)	<i>[Consolidated with]</i>
v.	)	
	)	Cancellation No.: 92053712
THE PLUBELL FIRM, LLC	)	
	)	
Respondent.	)	
_____	)	

**APPLICANT EAST WEST BANK'S REQUEST FOR EXPRESS ABANDONMENT OF  
APPLICATION PURSUANT TO 37 CFR §§ 2.68 AND 2.135**

Pursuant to 37 CFR §§ 2.68 and 2.135 and TBMP 602.01, Applicant East West Bank, through its attorneys identified below, hereby requests that the mark EAST WEST BRIDGE FORUM, Serial No. 85/319,594, be expressly abandoned with respect to all the services in International Class 038.

Respectfully submitted,  
FOX ROTHSCHILD LLP

Dated: July 20, 2012

By:     /Thomas T. Chan/      
Thomas T. Chan  
Aaron Craig  
Lisa A. Karczewski  
Attorneys for APPLICANT  
EAST WEST BANK

Fox Rothschild LLP

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[IPDocket@foxrothschild.com](mailto:IPDocket@foxrothschild.com)

**CERTIFICATE OF SERVICE**

I certify that **APPLICANT EAST WEST BANK'S REQUEST FOR EXPRESS ABANDONMENT OF APPLICATION PURSUANT TO 37 CFR §§ 2.68 AND 2.135** are being served on Respondent by e-mailing a true and correct copy to the attorneys of record, this Friday, July 20, 2012 to the following e-mail address:

H. David Starr  
NATH, GOLDBERG & MEYER  
112 South West Street  
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## EXHIBIT 2

**EWBC 10-K 12/31/2005**

**Section 1: 10-K (EWBC FORM 10K 2005)**

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**  
Washington, D.C. 20549

**FORM 10-K**

Mark One

ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934  
For the fiscal year ended December 31, 2005

TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934  
For the transition period from \_\_\_\_\_ to \_\_\_\_\_

Commission file number 000-24939

**EAST WEST BANCORP, INC.**

(Exact name of registrant as specified in its charter)

**Delaware**

(State or other jurisdiction of incorporation or organization)

**135 North Los Robles Ave., 7<sup>th</sup> Floor, Pasadena, California**

(Address of principal executive offices)

**95-4703316**

(I.R.S. Employer Identification No.)

**91101**

(Zip Code)

Registrant's telephone number, including area code:

**(626) 768-6000**

**Securities registered pursuant to Section 12(b) of the Act:**

Title of each class

NONE

Name of each exchange on which registered

NONE

**Securities registered pursuant to Section 12(g) of the Act:**

Common Stock, \$0.001 Par Value

(Title of class)



Indicate by check mark if the registrant is a well-known seasoned issuer, as defined in Rule 405 of the Securities Act. Yes  No

Indicate by check mark if the registrant is not required to file reports pursuant to Section 13 or Section 15(d) of the Act. Yes  No

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes  No

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 or Regulation S-K is not contained herein, and will not be contained, to the best of registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of the Form 10-K or any amendment to this Form 10-K.

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, or a non-accelerated filer. See definition of "accelerated filer and large accelerated filer" in Rule 12b-2 of the Exchange Act.

Large accelerated filer

Accelerated filer

Non-accelerated filer

The aggregate market value of the registrant's common stock held by non-affiliates is approximately \$1,745,341,271 (based on the June 30, 2005 closing price of Common Stock of \$33.59 per share).

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**Agatha Fung** serves as Executive Vice President and Head of International Banking of East West Bank. In October 2005, Ms. Fung joined East West from CITIC International Financial Holdings in Hong Kong where she held positions as Head of Business Banking of CITIC Ka Wah Bank and Chief Executive Officer and Executive Director of HKCB Finance. Ms. Fung has over 20 years of banking experience and has also held senior management positions at Standard Chartered Bank and Citibank in both Hong Kong and Tokyo.

**Julia S. Gouw** serves as Executive Vice President and Chief Financial Officer of East West Bancorp, Inc. and East West Bank. Ms. Gouw joined the Bank in 1989 as Vice President and Controller and was promoted to her current position in 1994. She was ranked among the top ten bank CFOs in the nation by *U.S. Banker* in January 2006. Prior to joining East West, Ms. Gouw spent over five years as a CPA with KPMG LLP. She serves on the Board of Visitors of the UCLA School of Medicine and chairs the Executive Advisory Board of the Iris Cantor-UCLA Women's Health Center. Ms. Gouw is also on the Board of Directors of Huntington Memorial Hospital.

**Douglas P. Krause** serves as Executive Vice President, General Counsel and Secretary of East West Bancorp, Inc. and East West Bank. Prior to joining the Bank in 1996 as Senior Vice President, Mr. Krause was Corporate Senior Vice President and General Counsel of Metrobank, from 1991 to 1996. Prior to that, Mr. Krause was with the law firms of Dewey Ballantine, and Jones, Day, Reavis and Pogue where he specialized in financial services. Mr. Krause also serves on the governing boards of the Port of Los Angeles and of the Alameda Corridor Transportation Authority; he is the chairman of the Audit Committees of both Commissions. Mr. Krause is also a member and subcommittee chair of the UCC Committee of the California Bar Association.

**Michael W. Lai** serves as Executive Vice President of East West Bank's Northern California operations. Mr. Lai has over 25 years of experience in banking and has held a number of senior management positions. Before joining the Bank in 2000, Mr. Lai managed several private investments and provided consulting services to various financial institutions related to business organization and financing issues. Prior to that, Mr. Lai served as President, Chief Executive Officer and Director of United Savings Bank from 1994 to 1996, and as Senior Vice President, Chief Credit Officer and Director from 1991 to 1994. Mr. Lai has also worked in various management capacities for financial institutions located in New York and Hong Kong.

**William J. Lewis** serves as Executive Vice President and Chief Credit Officer. Mr. Lewis joined the Bank in 2002 with over 30 years of experience in banking, including a number of senior management positions. He was Executive Vice President and Chief Credit Officer of PriVest Bank from 1998 to 2002 and held the same positions with Eldorado Bank from 1994 to 1998. Prior to this, Mr. Lewis was with Sanwa Bank for over 12 years where he administered a 35 branch region. Before that, Mr. Lewis spent 13 years with First Interstate Bank where he held a variety of branch and credit management positions.

**David L. Spigner** serves Executive Vice President and Chief Strategic Officer. Prior to joining the Bank in April 2004, Mr. Spigner served as Managing Principal of Strategic Business Management, a management consulting practice of which the Bank was a client. His career includes eight years in management consulting, five of which he worked for Deloitte & Touche LLP. He served as President and Chief Executive Officer of Lil Tots, LLC for five years and prior to that spent three years as President of Seyen Trading Inc.

**Andy Yen** serves as Executive Vice President and Director of Business Banking Division of East West Bank. Mr. Yen joined the Bank in September 2005 through its merger with United National Bank. Before being promoted to President of UNB in 2001, Mr. Yen was the Executive Vice President from 1998 to 2000; and Senior Vice President from 1992 to 1997, overseeing both the operations and lending functions of UNB. Mr. Yen also served as a member of the Board of Directors of UNB from 1992 to 2005. Mr. Yen has over 20 years experience in commercial and real estate lending and also held positions at Tokai Bank of California and Trans National Bank before he joined UNB.