

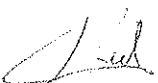
STATEMENT OF : **JOSEPH ROMEN CUBILLO**
SEX : **MALE**
DATE OF BIRTH : **9 FEBRUARY 1970**
AGE : **43 YEARS OLD**
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LANGUAGE SPOKEN : **ENGLISH**

1 I am commonly known as Romen.

2 I have been working as a scientist with the Interconnect and Packaging Programme (the "IPP") at the Institute of Microelectronics (the "IME") since sometime in September 2010. I have been in the IPP since then.

3 The IME is headed by its Executive Director, Dim-Lee Kwong ("Prof Kwong").

4 Shane Truman Todd ("Shane") joined the IME sometime in December 2010 as an entry-level researcher with the Sensors and Actuators Microsystems research group (the "SAM Group"). Shane also worked with the Micro-Electro-Mechanical Systems ("MEMS") research group (the "MEMS Group") at the IME. Tsai Ming-Lin @ Julius Tsai ("Dr Tsai") headed both the SAM Group and the MEMS Group. Dr Tsai has since resigned from the IME. His last day was in early March 2013

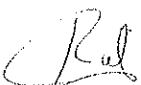


5 Shane and I were very good friends. He was a very polite and respectful person. He was not an alcoholic and never indulged in gambling or cheating. What I meant by cheating is the fact that he never slept with a married woman.

6 Shane and I were involved in a project with Aurion Inc ("Aurion") from December 2010 to June 2011 (the "Aurion Project"). The Chief Executive Officer of Aurion is Alexander Fang ("Fang"). Aurion is an American based start-up company associated with Shane's university, the University of California, Santa Barbara (the "UCSB"). Shane and Fang were friends from their days at the UCSB together. The Aurion Project involved the development of a III-V planar laser on a Through Silicon *via* Interposer ("TSI"). This project is for telecommunications project. It also has dual usage. It could be used either for military or commercial purposes. Aurion was supposed to provide the III-V planar laser (the "Aurion Laser") and the IME was supposed to assemble the laser on the TSI. Shane was the technical leader of the Aurion Project.

7 The Aurion Project was scheduled to be presented at a technical forum at the IME (the "IME Technical Forum") sometime in October 2011 (the "Aurion Presentation"). However, one day before the IME Technical Forum, Prof Kwong decided to cancel the Aurion Presentation. Shane did not know why Prof Kwong wanted to cancel the presentation. Shane was very upset by its cancellation as this meant that Fang had come to Singapore for nothing. I wish to state that I knew Shane was upset regarding this as I was the person who informed him regarding the cancellation. I was informed by my manager who received an email from Prof Kwong. In turn, he informed me regarding the cancellation. I was the person who told Shane. Shane personally informed me that he was extremely upset regarding this.

8 Shane had been in a meeting with Prof Kwong when Prof Kwong mentioned that the IME was looking into a project involving Gallium Nitride ("GaN"). I do not know what Prof Kwong told Shane exactly. Shane did not tell me exactly what Prof Kwong told him. Sometime in January 2011 or February 2011, Shane was transferred from the SAM Group to the Gallium Nitride research group (the "GaN Group") at the IME. Shane did tell me that Prof Kwong asked him whether he was interested to join the GaN group. Shane replied to Prof Kwong that he was indeed interested to join GaN group. The GaN Group was formed soon after this meeting with Prof Kwong, with Dr Lo Guo-Qiang, Patrick ("Dr Lo") heading it. After the GaN Group was formed, Shane was heavily involved in GaN technology. Shane told me that there was a lot of physics



involved in GaN and he had to read many technical books. Shane had never tell me about his job scope and I do not know what his work in the group was.

9 Shane was always concerned about violating American intellectual property law and import/export policy, whether he was working on the Aurrion Project or while he was with the GaN Group. Shane once told me that Dr Lo had, on a few occasions, pressured him to ask very intimate details of the technology employed by Aurrion, with the aim of understanding such technology, copying it for IME. I think it was in early 2011. I wish to state that I cannot confirm the date as I could not remember. It was only once. But during the time that he told me this, I remembered that Shane was almost moved to tears. Shane told me that Patrick had verbally asked him for the GDS files. (the "Aurrion Information Requests"). Dr Lo had also told Shane to ask Aurrion for its GDS files on the Aurrion Laser. Since these GDS files would contain all the technological data in relation to the Aurrion Laser, the surrender of these files would effectively mean the surrender of intellectual property in the Aurrion Laser. GDS files are the complete design of a chip. For example, if you want a company in Taiwan to build a chip which you want, you would send over this GDS file. I told Shane, many times, that if he provided these details, his professional reputation, amongst the small research community, would be ruined. I recall one occasion, sometime in December 2011, when Shane approached me and told me that he wanted to resign from the IME because Dr Lo had asked him to obtain the GDS files on the Aurrion Laser. Although Shane was extremely upset, I managed to persuade him not to resign. I simply told Shane to reject Dr Lo's request. The management should not be asking for such confidential information because it is tantamount to breaking the law. The management in this instance was Dr Patrick Lo. Shane told me this.

10 At the IME, scientists are often involved in several projects at the same time. These projects, which can be defence-related, often involve different countries. Where a scientist is involved in different non-classified defence-related projects with different countries, there is a risk for the scientist to reveal the information gathered in one project concerning one country when dealing with a different project concerning another country. This is called organizational conflict of interest. Why I would say that Shane was upset is due to the fact that he was involved in a project which had conflict of interest. Conflict of interest meaning that he was working in a project with Huawei and Veeco at the same time. Veeco provided the US machinery which had dual use while Huawei was a Chinese company.



11 While Shane was in the GaN Group, he was involved in a project with Veeco Instruments Inc. ("Veeco"), a company with its corporate headquarters at Terminal Drive, Plainview, New York 11803, United States of America. I knew that Shane went for training in United States for a gallium nitrite machine. Shane told me this. Shane was in charge of selecting a Metal Organic Chemical Vapour Deposition ("MOCVD") system (the "MOCVD System") to purchase from Veeco and where to set up the MOCVD System in the IME. Sometime in January 2012, Shane went to America to learn how to use the MOCVD System (the "Veeco Training"). Shane had combined the Veeco Training with a visit to his family in America. Shane's hard work, of almost six months, in relation to the MOCVD System was, however, wasted when Prof Kwong decided, sometime in February 2012 and against Shane's better assessment, to place the MOCVD System at a different location within the IME (the "MOCVD System Relocation"). Shane told me that he had spent 6 months of work to get this procurement but then in one minute, Prof Kwong had decided against his assessment. I do not know what Prof Kwong assessment was but it was a matter of Shane having worked on this for 6 months but Prof Kwong decided otherwise. Shane had wanted to resign from the IME after the MOCVD System Relocation, but I managed to persuade him to stay.

12 Following the cancellation of the Aurrion Presentation, the Aurrion Information Requests, and the MOCVD System Relocation, Shane decided to resign from the IME. However, Dr Lo told Shane to officially tender his resignation only in May 2011, just after the payment of the performance bonus. In these circumstances, Shane decided to delay tendering his resignation. Shane agreed with the fact that he should obtain his bonus first before resigning. It was only a matter of one month's time.

13 Apart from a project with Rolls Royce, Shane also worked on a very small project with Huawei Technologies Co., Ltd. (China) ("Huawei") while he was in the GaN Group (the "Huawei Project"). I do not know what the project with Rolls Royce was as Shane did not tell me. The small project I was referring with Huawei was prior to Gallium Nitrite program, Huawei together with IME was in a project to test and measure a small chip. It was a very small project. Shane only told me that it was Huawei but he did not explicitly explain whether it was a subsidiary company or not. I remembered Shane asking me to review a math calculation of some measurement. This was when he told me. The IME had approached Huawei to collaborate on high performance GaN chips capable of military applications. For the Huawei Project, I knew that Shane had several meetings with representatives from Huawei. During these meetings, these representatives spoke Chinese



frequently. Shane was unhappy with the use of Chinese during these meetings as he did not understand the language. I know all of this because I have spoken with Luis Alejandro Andia Montes ("Luis"). Luis, who worked at the IME was supposed to design the GaN amplifier and he knew the precise specifications of the GaN amplifier the IME and Huawei wished to manufacture. Luis also had the business cards of the representatives from Huawei who were involved in technical discussions in relation to the GaN amplifier. Luis has since resigned from the IME and he returned to France, Paris sometime in early April 2013.

14 On 21 June 2012 (a Thursday), Shane had lunch with Vincent Pott ("Pott"). Shane and Pott had swapped places when Shane was transferred to the GaN Group. Although lunch period usually lasted for about an hour, Pott's lunch with Shane lasted for only about 15 minutes. During this lunch, Shane spoke little and went to the toilet three times. Pott believed that Shane had gone to the toilet to answer phone calls. Pott told me that Shane was behaving very unusually that day. After Shane passed away, Pott told me this. This was in August 2012. Pott was a friend of mine and we met during work all the time.

15 Shane's last day at the IME was on 22 June 2012 (a Friday). On that day, there was a farewell lunch for Shane. Apart from Shane's colleagues in the GaN Group, I was also at this lunch. I recall bidding Shane farewell at the end of the day. We had also discussed if I could buy some of the items in his apartment since he was returning to America. Shane appeared normal on this day.

16 Shane told me that GaN technology was difficult and he thought that he was not qualified enough to be involved in it. I remembered Shane telling me in early 2012. I could not remember the exact date. He was reading a lot of physics books. He did not tell me why he was not qualified but he did say it was extremely difficult.

17 Shane also told me, on numerous occasions, that he felt trapped. I think Shane felt trapped because while he wished to resign from the IME, he also wanted to finish his projects. I cannot comment what he meant because I personally do not know what he meant by that. He only told me that he felt trapped.

18 In addition, Shane was very upset with the style employed by the management at the IME. He only said top management without referring to anyone in particular. I advised Shane, many



times, that he should tell me if he ever felt he was doing something illegal that was putting his life at risk. Shane, however, never told me if anything was bothering him. I am very sad I did not spend enough time to understand what Shane was going through. Shane never told me he was depressed. I do not know if Shane was on any medication or suffering from any illness. However, I knew that:

- (a) Shane was happy living in Singapore;
- (b) Shane was happy to return to his parents in America; this was after he had resigned, Shane told me that he wanted to go back in Montana. This was in June 2012. and
- (c) Shane had a girlfriend in Singapore, named Shirley.

19 I knew that Shane was extremely stressed because he was involved in something secretive. He used to talk all the time but he changed and refused to share. He became secretive. I recall asking him about this while we were having lunch at the IME on or about 17 June 2012. Shane had looked tensed during lunch and I had asked him if he had something to say. Shane, however, replied that he could not tell me and that he did not want to talk. In response, I told Shane it was alright and that I understood. I wish to state that it was secretive because he changed from being a person who would always share to a person who would not say anything and just kept quiet and secretive. We did not talk to each other about projects anymore.

20 Shane had been stressed since February 2012. This was when I noted that he became secretive about all his projects. Shane had also approached me many times, telling me that he made the biggest mistake in his life when he joined the IME. When Shane said this, I understood him to be referring to the bad work culture at the IME. Shane was always telling me he was not happy what he did in the GaN Group. However, I do not really know what Shane meant when he made these statements because he does not go into any detail. I do not really know about the scope of Shane's work at the IME, especially his work in relation to GaN. Shane never told me that he was working with Huawei on a project in relation to GaN. I do not know if Shane was working on any defence-related projects at the IME.

21 I have read the article, "Death in Singapore", by Raymond Bonner and Christine Spolar, which was published in the Financial Times on 15 February 2013. I do not think or believe that Huawei is involved in Shane's passing. The MOCVD System can be readily bought and research into GaN is widespread. I am, however, more concerned about the MOCVD System as it was



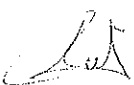
purchased from America in accordance with American laws. I think Shane was concerned that the MOCVD System with dual use (for commercial and military purposes) was being used by China.

22 I have read the article, "Is it suicide or is it murder?" by Feng Zengkun, which was published in the Sunday Times on 17 February 2013 (the "ST Article"). According to paragraph five of the ST Article, Dr Raj Thampuran, the Managing Director of the Agency for Science, Technology and Research (A*STAR), had stated that "the agency does not conduct any military-related research". This is completely untrue because, as stated on the website of the IME, the IME does have contracts with the Defence from US and Israel. The IME is involved in defence-related projects that are not classified.

23 The IME has informed the Financial Times that it is involved in healthcare research. This article was the response to the first FT article which was published. I remembered that it was Prof Kwong who provided the reply. This is untrue because the IME is involved in defence-related contracts. IME is a public institution after all. On this note, I would not be surprised if the work Shane did in the GaN Group had military specifications. GaN can potentially have many military applications and is registered as a dual usage technology (both for commercial or military specifications)

24 We used to talk about many things. However, in the weeks before Shane's passing, he looked tensed, kept to himself, and talked less. This was in the last two to three weeks before his passing. My impression was that Shane was having difficulties with his girlfriend as they would be separated after he left for America. I further wish to state that a week prior to his death which was on 17th June 2012, I asked Shane during lunch why he was stressed. He replied to me "I cannot tell you". This was at IME.

25 I now declare that this statement (signed by me and consisting of 8 pages) is true to the best of my knowledge and belief. I make this statement knowing that if it is tendered in evidence, I may be liable to prosecution if I have wilfully stated, in it, anything that I know to be false or do not believe to be true.



J. Cubillo
JOSEPH ROMEN CUBILLO

NAME AND SIGNATURE

13/04/2013

DATE