

# Exhibit 2

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**From:** Taylor, Jeremy  
**Sent:** Sunday, May 1, 2022 6:14 PM  
**To:** Enrique Iturralde; Salpietra, Bethany; Amy Park; AGIS; agis@raklaw.com  
**Cc:** DL Lyft AGIS  
**Subject:** RE: Lyft v AGIS (5:21-cv-04653-BLF)

Enrique,

Lyft disagrees that production of AGIS's previous 3-2 production from the E.D. Tex. case resolves this issue raised in Lyft's motion to compel or obviate the need for the supplemental briefing ordered by the Court. As explained in Lyft's motion to compel and at the hearing, N.D. Cal. Patent Local Rule 3-2 has an additional seven categories beyond those in E.D. Tex.'s Local Patent Rule 3-2, and as such, simply producing AGIS's 3-2 production from the E.D. Tex. case will not fully comply with AGIS's obligations in N.D. Cal.

As always, if it would be helpful to discuss further, please let us know.

Thanks,  
Jeremy

**Jeremy J. Taylor | Baker Botts L.L.P.**  
office 415.291.6202 | mobile 510.688.0999

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**From:** Enrique Iturralde <eiturralde@fabricantllp.com>  
**Sent:** Sunday, May 1, 2022 6:07 PM  
**To:** Salpietra, Bethany <Bethany.Salpietra@BakerBotts.com>; Amy Park <apark@fabricantllp.com>; AGIS <AGIS@fabricantllp.com>; agis@raklaw.com  
**Cc:** DL Lyft AGIS <DLLyftAGIS@BakerBotts.com>  
**Subject:** Re: Lyft v AGIS (5:21-cv-04653-BLF)

[EXTERNAL EMAIL]

Counsel,

As requested in Lyft's briefing and during Friday's hearing, AGIS Software will produce this week the entirety the PR 3-2 production from the EDTX matter in this NDCA case. This resolution obviates the need for the parties' supplemental briefing on the dispute. We will notify the Court of this update.

Regards,  
Enrique

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**From:** Enrique Iturralde <[eiturralde@fabricantllp.com](mailto:eiturralde@fabricantllp.com)>  
**Sent:** Thursday, April 28, 2022 10:29 PM  
**To:** Salpietra, Bethany <[Bethany.Salpietra@BakerBotts.com](mailto:Bethany.Salpietra@BakerBotts.com)>; Amy Park <[apark@fabricantllp.com](mailto:apark@fabricantllp.com)>; AGIS <[AGIS@fabricantllp.com](mailto:AGIS@fabricantllp.com)>; [agis@raklaw.com](mailto:agis@raklaw.com) <[agis@raklaw.com](mailto:agis@raklaw.com)>

**Cc:** DL Lyft AGIS <[DLYftAGIS@BakerBotts.com](mailto:DLLyftAGIS@BakerBotts.com)>

**Subject:** Re: Lyft v AGIS (5:21-cv-04653-BLF)

Bethany,

Thank you for preparing the drafts. We are fine with Exhibits A and B. I made a minor clarification to the attached joint statement. With this minor clarification, you have permission to file with Vincent's signature.

Thanks,  
Enrique

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**From:** Salpietra, Bethany <[Bethany.Salpietra@BakerBotts.com](mailto:Bethany.Salpietra@BakerBotts.com)>

**Sent:** Thursday, April 28, 2022 10:16 PM

**To:** Enrique Iturralde <[eiturralde@fabricantllp.com](mailto:eiturralde@fabricantllp.com)>; Amy Park <[apark@fabricantllp.com](mailto:apark@fabricantllp.com)>; AGIS <[AGIS@fabricantllp.com](mailto:AGIS@fabricantllp.com)>; [agis@raklaw.com](mailto:agis@raklaw.com) <[agis@raklaw.com](mailto:agis@raklaw.com)>

**Cc:** DL Lyft AGIS <[DLYftAGIS@BakerBotts.com](mailto:DLLyftAGIS@BakerBotts.com)>

**Subject:** RE: Lyft v AGIS (5:21-cv-04653-BLF)

Counsel, attached for your review please find a draft cover pleading and the two exhibits thereto. Please let us know if you have any edits or if we have your permission to apply your signature and file.

Thanks,

Bethany

**Bethany R. Salpietra (Ford)**

*Senior Associate*

**Baker Botts L.L.P.**

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**BAKER BOTTS**



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**From:** Enrique Iturralde <[eiturralde@fabricantllp.com](mailto:eiturralde@fabricantllp.com)>

**Sent:** Thursday, April 28, 2022 9:11 PM

**To:** Salpietra, Bethany <[Bethany.Salpietra@BakerBotts.com](mailto:Bethany.Salpietra@BakerBotts.com)>; Amy Park <[apark@fabricantllp.com](mailto:apark@fabricantllp.com)>; AGIS <[AGIS@fabricantllp.com](mailto:AGIS@fabricantllp.com)>; [agis@raklaw.com](mailto:agis@raklaw.com)

**Cc:** DL Lyft AGIS <[DLYftAGIS@BakerBotts.com](mailto:DLLyftAGIS@BakerBotts.com)>

**Subject:** Re: Lyft v AGIS (5:21-cv-04653-BLF)

[EXTERNAL EMAIL]

OK, we will look for your email.

**From:** Salpietra, Bethany <[Bethany.Salpietra@BakerBotts.com](mailto:Bethany.Salpietra@BakerBotts.com)>  
**Sent:** Thursday, April 28, 2022 9:53 PM  
**To:** Enrique Iturralde <[eiturralde@fabricantllp.com](mailto:eiturralde@fabricantllp.com)>; Amy Park <[apark@fabricantllp.com](mailto:apark@fabricantllp.com)>; AGIS <[AGIS@fabricantllp.com](mailto:AGIS@fabricantllp.com)>; [agis@raklaw.com](mailto:agis@raklaw.com) <[agis@raklaw.com](mailto:agis@raklaw.com)>  
**Cc:** DL Lyft AGIS <[DLLyftAGIS@BakerBotts.com](mailto:DLLyftAGIS@BakerBotts.com)>  
**Subject:** RE: Lyft v AGIS (5:21-cv-04653-BLF)

Counsel, since sending my previous email we have confirmed that the Court prefers the parties to file rather than email the proposed submission. I'm putting together formal filing papers and will send over for your review ASAP.

Thanks,

Bethany  
**Bethany R. Salpietra (Ford)**  
*Senior Associate*

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**From:** Salpietra, Bethany  
**Sent:** Thursday, April 28, 2022 5:37 PM  
**To:** Enrique Iturralde <[eiturralde@fabricantllp.com](mailto:eiturralde@fabricantllp.com)>; Amy Park <[apark@fabricantllp.com](mailto:apark@fabricantllp.com)>; AGIS <[AGIS@fabricantllp.com](mailto:AGIS@fabricantllp.com)>; [agis@raklaw.com](mailto:agis@raklaw.com)  
**Cc:** DL Lyft AGIS <[DLLyftAGIS@BakerBotts.com](mailto:DLLyftAGIS@BakerBotts.com)>  
**Subject:** RE: Lyft v AGIS (5:21-cv-04653-BLF)

Counsel,

Thanks again for the further conference today regarding the parties' disputes over the protective order. As I mentioned on the call, Lyft is concerned about the security of the notes if saved electronically. We may be able to become comfortable with saving notes electronically if we can ensure the same level of security will apply to electronic notes as paper notes allow, namely that the notes won't be copied and distributed to unauthorized persons, stored on networked servers, etc. And, while unauthorized disclosure is not intended, storing an editable version of notes containing information about Lyft's source code on a networked computer presents higher risks than printed paper copies that are securely stored. Is there any way to meet in the middle? For example, can we keep an encrypted Word version of the notes on the notetaking computer that the expert could modify at a later date by using his encryption key, and then provide a printout of the notes on a regular basis?

Again, we are amenable to consider any proposal from AGIS that would allow notes to be taken electronically, as long the security of the notes remains commensurate with the security provided using handwritten or printed notes. However, as of now, AGIS has not provided any such proposal to be considered.

Finally, I've attached a current draft of the protective order that updates Sec. 10(h) as we discussed during today's call (to reflect an alternative to returning unused source code printouts) and removing the tracked changes on the now resolved disputes. Unless you have any further proposals that we should consider, we will finalize the draft for submission to the Court tonight.

Thanks,

Bethany

**Bethany R. Salpietra (Ford)**

*Senior Associate*

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**From:** Enrique Iturralde <[eiturralde@fabricantllp.com](mailto:eiturralde@fabricantllp.com)>

**Sent:** Wednesday, April 27, 2022 5:03 PM

**To:** Salpietra, Bethany <[Bethany.Salpietra@BakerBotts.com](mailto:Bethany.Salpietra@BakerBotts.com)>; Amy Park <[apark@fabricantllp.com](mailto:apark@fabricantllp.com)>; AGIS <[AGIS@fabricantllp.com](mailto:AGIS@fabricantllp.com)>; [agis@raklaw.com](mailto:agis@raklaw.com)

**Cc:** DL Lyft AGIS <[DLYftAGIS@BakerBotts.com](mailto:DLLyftAGIS@BakerBotts.com)>

**Subject:** Re: Lyft v AGIS (5:21-cv-04653-BLF)

[EXTERNAL EMAIL]

Counsel,

We are available to confer tomorrow at 2pm Central.

As you know, we need to have an entered PO in this case for us to provide notice with the PO to the third parties, and production will depend on either the expiration of the notice period or an affirmative clearance from the third parties. So the earlier we can submit an agreed motion for entry of an agreed PO, the quicker we will be in a position to produce. We have prepared notice letters to send to the third parties immediately upon entry of the PO. We can agree to produce on a rolling basis.

Regards,  
Enrique

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