

EXHIBIT A

From: [Peterman, Chad](#)
To: [Beatrice Franklin](#); [Bindu Palapura](#); [David Moore](#); [Marek, Michelle](#); [Richard Horwitz](#); [Unikel, Robert](#); [Stephanie O'Byrne](#); [Lind, Matt](#); [Laurenzi, Robert](#)
Cc: [Seth Ard](#); [John Lahad](#); [Kemper Diehl](#); [Max Straus](#); [eormerod@skjlaw.com](#); [nbelgam@skjlaw.com](#); [Charla Clements](#); [Richard Wojtczak](#)
Subject: RE: Arendi v. Google/Motorola - financial information
Date: Friday, July 31, 2020 10:56:16 AM
Attachments: [mg_info.txt](#)

Counsel –

Following up on our call from earlier this week and having duly considered your positions, Google maintains its objections to sharing its highly confidential unit information with Mr. Hedloy.

Regards,
Chad

From: Beatrice Franklin <BFranklin@susmangodfrey.com>
Sent: Thursday, July 23, 2020 11:42 PM
To: Peterman, Chad <chadpeterman@paulhastings.com>; Bindu Palapura <bpalapura@potteranderson.com>; David Moore <dmoore@potteranderson.com>; Marek, Michelle <michellemarek@paulhastings.com>; Richard Horwitz <rhowitz@potteranderson.com>; Unikel, Robert <robertunikel@paulhastings.com>; Stephanie O'Byrne <sobyrne@potteranderson.com>; Lind, Matt <mattlind@paulhastings.com>; Laurenzi, Robert <robertlaurenzi@paulhastings.com>
Cc: Seth Ard <sard@susmangodfrey.com>; John Lahad <jlahad@SusmanGodfrey.com>; Kemper Diehl <KDiehl@susmangodfrey.com>; Max Straus <MStraus@susmangodfrey.com>; eormerod@skjlaw.com; nbelgam@skjlaw.com; Charla Clements <CClements@susmangodfrey.com>; Richard Wojtczak <rwojtczak@susmangodfrey.com>
Subject: [EXT] RE: Arendi v. Google/Motorola - financial information

Thanks, Chad. I'm afraid we're unavailable at 11am ET tomorrow. We could do between 1-3pm ET. Otherwise, we're available after 11:30am ET on Monday. Let us know what works.

Beatrice Franklin | Susman Godfrey LLP
212.729.2021 (o) | 617.710.7850 (c)

From: Peterman, Chad <chadpeterman@paulhastings.com>
Sent: Thursday, July 23, 2020 6:56 PM
To: Beatrice Franklin <BFranklin@susmangodfrey.com>; Bindu Palapura <bpalapura@potteranderson.com>; David Moore <dmoore@potteranderson.com>; Marek, Michelle <michellemarek@paulhastings.com>; Richard Horwitz <rhowitz@potteranderson.com>; Unikel, Robert <robertunikel@paulhastings.com>; Stephanie O'Byrne <sobyrne@potteranderson.com>; Lind, Matt <mattlind@paulhastings.com>; Laurenzi, Robert <robertlaurenzi@paulhastings.com>
Cc: Seth Ard <sard@susmangodfrey.com>; John Lahad <jlahad@SusmanGodfrey.com>; Kemper

Diehl <KDiehl@susmangodfrey.com>; Max Straus <MStraus@susmangodfrey.com>;
eormerod@skjlaw.com; nbelgam@skjlaw.com; Charla Clements <CClements@susmangodfrey.com>;
Richard Wojtczak <rwojtczak@susmangodfrey.com>
Subject: RE: Arendi v. Google/Motorola - financial information

Beatrice –

Arendi originally made this request exactly five months ago. Google promptly denied it on February 28. Then 143 days passed before we heard from you again on this issue. At a minimum, your inaction amounts to waiver. Any argument that your client needs access to Google's highly sensitive material is directly controverted by your conduct. If you still insist on a meet and confer despite your waiver, we are available tomorrow at 11 AM ET. Please send a call in.

Regards,
Chad

From: Beatrice Franklin <BFranklin@susmangodfrey.com>
Sent: Thursday, July 23, 2020 12:53 PM
To: Peterman, Chad <chadpeterman@paulhastings.com>; Bindu Palapura <bpalapura@potteranderson.com>; David Moore <dmoore@potteranderson.com>; Marek, Michelle <michellemarek@paulhastings.com>; Richard Horwitz <rhorwitz@potteranderson.com>; Unikel, Robert <robertunikel@paulhastings.com>; Stephanie O'Byrne <sobyrne@potteranderson.com>; Lind, Matt <mattlind@paulhastings.com>; Laurenzi, Robert <robertlaurenzi@paulhastings.com>
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Chad,

As you well know, the burden of justifying a confidentiality designation—namely, showing that disclosure of the information “is likely to cause economic harm or significant competitive disadvantage to the Producing Party”—is on the party asserting the designation, including when counsel seeks permission from the producing party to show documents relating to damages to their

client. PO 6(D). Several other defendants have consented to our sharing unit information with our client, so we are at a loss for what Google's basis is for refusing to do the same. The Protective Order also provides that the parties will meet and confer promptly, within five business days of the request, when any issues with respect to designations arise. Please let us know when you are available to meet and confer within that five-day window—e.g., today or tomorrow.

All the best,
Beatrice

Beatrice Franklin | Susman Godfrey LLP

212.729.2021 (o) | 617.710.7850 (c)

From: Peterman, Chad <chadpeterman@paulhastings.com>

Sent: Thursday, July 23, 2020 10:46 AM

To: Beatrice Franklin <BFranklin@susmangodfrey.com>; Bindu Palapura <bpalapura@potteranderson.com>; David Moore <dmoore@potteranderson.com>; Marek, Michelle <michellemarek@paulhastings.com>; Richard Horwitz <rhowitz@potteranderson.com>; Unikel, Robert <robertunikel@paulhastings.com>; Stephanie O'Byrne <sobyrne@potteranderson.com>; Lind, Matt <mattlind@paulhastings.com>; Laurenzi, Robert <robertlaurenzi@paulhastings.com>

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Subject: RE: Arendi v. Google/Motorola - financial information

Beatrice –

Google does not consent to your renewed request to share its sensitive financial information with your client. Please provide us with the authority that you would present to the court in support of your request. We can meet and confer once we have considered your authority.

Regards,
Chad

From: Beatrice Franklin <BFranklin@susmangodfrey.com>

Sent: Thursday, July 23, 2020 10:17 AM

To: Peterman, Chad <chadpeterman@paulhastings.com>; Bindu Palapura <bpalapura@potteranderson.com>; David Moore <dmoore@potteranderson.com>; Marek, Michelle <michellemarek@paulhastings.com>; Richard Horwitz <rhowitz@potteranderson.com>; Unikel, Robert <robertunikel@paulhastings.com>; Stephanie O'Byrne <sobyrne@potteranderson.com>; Lind, Matt <mattlind@paulhastings.com>; Laurenzi, Robert <robertlaurenzi@paulhastings.com>

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Subject: [EXT] RE: Arendi v. Google/Motorola - financial information

Counsel,

Can you please let us know Google's position, and if necessary some times you're available to meet and confer today or tomorrow?

Many thanks,
Beatrice

Beatrice Franklin | Susman Godfrey LLP

212.729.2021 (o) | 617.710.7850 (c)

From: Beatrice Franklin

Sent: Monday, July 20, 2020 9:29 AM

To: Peterman, Chad <chadpeterman@paulhastings.com>; Bindu Palapura <bpalapura@potteranderson.com>; David Moore <dmoore@potteranderson.com>; Marek, Michelle <michellemarek@paulhastings.com>; Richard Horwitz <rhowitz@potteranderson.com>; Unikel, Robert <robertunikel@paulhastings.com>; Stephanie O'Byrne <sobyrne@potteranderson.com>; Lind, Matt <mattlind@paulhastings.com>; Laurenzi, Robert <robertlaurenzi@paulhastings.com>

Cc: Seth Ard <sard@susmangodfrey.com>; John Lahad <jlahad@SusmanGodfrey.com>; Kemper Diehl <KDiehl@susmangodfrey.com>; Max Straus <MStraus@susmangodfrey.com>; eormerod@skjlaw.com; nbelgam@skjlaw.com; Charla Clements <cclements@susmangodfrey.com>; Richard Wojtczak <rwojtczak@susmangodfrey.com>

Subject: RE: Arendi v. Google/Motorola - financial information

Counsel,

Following up on the below, please let us know if Google still objects to sharing unit/user/download information with our client. If so, let us know some times you're available this week to meet and confer so that we can promptly bring this issue to the Court's attention.

Many thanks,
Beatrice

Beatrice Franklin | Susman Godfrey LLP

212.729.2021 (o) | 617.710.7850 (c)

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