

Exhibit A

From: Jim Sherry jsherry@mccathernlaw.com
Subject: RE: LoganTree v. Garmin - Preservation Deposition
Date: May 2, 2018 at 10:47 AM
To: Megan Redmond megan.redmond@eriseip.com
Cc: Adam P. Seitz adam.seitz@eriseip.com, Cliff Brazil cliff.brazil@eriseip.com, Arnold Shokouhi arnolds@mccathernlaw.com, Christopher Barkley chris@barkleyip.com, Collin Quigley cquigley@mccathernlaw.com, Teresa Bautista teresa.bautista@eriseip.com



Megan,

Yes. Mr. Brann has been consulting with his doctors about when he might be able to schedule back surgery and we haven't proposed a date for the preservation deposition because he doesn't have that answer yet.

Jim

-----Original Message-----

From: Megan Redmond [mailto:megan.redmond@eriseip.com]
Sent: Wednesday, May 02, 2018 10:45 AM
To: Jim Sherry <jsherry@mccathernlaw.com>
Cc: Adam P. Seitz <adam.seitz@eriseip.com>; Cliff Brazil <cliff.brazil@eriseip.com>; Arnold Shokouhi <arnolds@mccathernlaw.com>; Christopher Barkley <chris@barkleyip.com>; Collin Quigley <cquigley@mccathernlaw.com>; Teresa Bautista <teresa.bautista@eriseip.com>
Subject: Re: LoganTree v. Garmin - Preservation Deposition

Hi, Jim,

I wanted to check in on the preservation deposition. Do you still intend to proceed?

Many thanks,

Megan

On Apr 19, 2018, at 9:59 AM, Jim Sherry <jsherry@mccathernlaw.com> wrote:

Megan,

Let me know if this one doesn't work. I checked this one and it worked for me.

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We're working on your other questions.

Jim

-----Original Message-----

From: Megan Redmond [mailto:megan.redmond@eriseip.com]
Sent: Wednesday, April 18, 2018 8:26 PM
To: Jim Sherry <jsherry@mccathernlaw.com>
Cc: Adam P. Seitz <https://urldefense.proofpoint.com/v2/url?u=http-3A__adam.seitz-40eriseip.com&d=DwlFaQ&c=euGZstcaTDIlvimEN8b7jXrwqOf-v5A_CdpnVfiiMM&r=w8CjWnluawkBWwHLBKotviovGleIOinkSHxdXOXpemk&m=fBuxIRDy3ro9hyq8VHg-XzR8Y-anYHN7pg3uSIMk0_s&s=6K4MLRqIRvLEMWnVupM5qKJsekxqLmkWZ8lzFjTI&e=>; Cliff Brazil <https://urldefense.proofpoint.com/v2/url?u=http-3A__cliff.brazil-40eriseip.com&d=DwlFaQ&c=euGZstcaTDIlvimEN8b7jXrwqOf-v5A_CdpnVfiiMM&r=w8CjWnluawkBWwHLBKotviovGleIOinkSHxdXOXpemk&m=fBuxIRDy3ro9hyq8VHg-XzR8Y-anYHN7pg3uSIMk0_s&s=DLRc_ZxrFEE566ktucXLLtu4QRxYJlQ1S-Bbor102ts&e=>; Arnold Shokouhi <arnolds@mccathernlaw.com>; Christopher Barkley <chris@barkleyip.com>; Collin Quigley <cquigley@mccathernlaw.com>; Teresa Bautista <https://urldefense.proofpoint.com/v2/url?u=http-3A__teresa.bautista-40eriseip.com&d=DwlFaQ&c=euGZstcaTDIlvimEN8b7jXrwqOf-v5A_CdpnVfiiMM&r=w8CjWnluawkBWwHLBKotviovGleIOinkSHxdXOXpemk&m=fBuxIRDy3ro9hyq8VHg-XzR8Y-anYHN7pg3uSIMk0_s&s=alzMsLEE1C-NAQDW8-CSMk0gbWt-nWwTaud9tsXvmt0&e=>
Subject: Re: LoganTree v. Garmin - Preservation Deposition

Hi, Jim,

On our end, when we try to open the Dropbox folder it notes "Empty." Would you let us know when the docs land in the folder?

Thanks much,

Megan

On Apr 18, 2018, at 4:56 PM, Jim Sherry <jsherry@mccathernlaw.com> wrote:

Megan,

Thank you.

Below is a Dropbox link to the documents that LoganTree produced in the Fitbit matter pursuant to E.D.T.X. Local Patent Rule 3-2, which is basically identical to the District of Kansas Local Patent Rule 3.2(a)-(c).

https://urldefense.proofpoint.com/v2/url?u=https-3A__www.dropbox.com_s_h_e6h1sxxr7cpkmo_AAAL-2D-2DLECO4oj684u7bNcjQla-3FdI-3D0&d=DwIFaQ&c=e_u_GZstcaTDIlvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=w8CjWnluawkBWwHLBKotviovGleIoiNkSHxdXOXpemk&m=pHpsVAbXP987Qy5XOnDY8op4GZ1v0lkf1Nk6gHRKA1k&s=Fqn1D2tQLSIVZJxGUV4IGbhhsdZSPmfQHRtrUypNDz8&e=

Please note that the documents labeled LT0000562 - LT0001040 (including the two Excel format files, which correspond to the PDF pages LT0000799 - LT0001040) were designated "Attorneys' Eyes Only" pursuant to E.D.T.X. Patent Local Rule 2-2, which again is basically identical to the District of Kansas Local Patent Rule 2.2. Please ensure that you handle these documents consistently with Local Patent Rule 2.2.

We will follow up again regarding your other requests and dates for the deposition.

Thank you,
Jim

-----Original Message-----

From: Megan Redmond [mailto:megan.redmond@eriseip.com]

Sent: Tuesday, April 17, 2018 4:20 PM

To: Jim Sherry <jsherry@mccathernlaw.com>

Cc: Adam P. Seitz

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Cliff Brazil

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Arnold Shokouhi <arnolds@mccathernlaw.com>; Christopher Barkley

<chris@barkleyip.com>; Collin Quigley <cquigley@mccathernlaw.com>

Subject: Re: LoganTree v. Garmin - Preservation Deposition

Importance: High

Hi, Jim,

Thank you for your message and I appreciate the follow up call. Obviously, given the circumstances, we do not oppose your request.

We would greatly appreciate it if you could provide us the following as soon as reasonably possible given the timeline we discussed:

- Identification of Asserted Claims
- Any documents related to the patent (e.g. inventor notebooks or files), its monetization efforts, and the company.
- Any documents you intend to use at the deposition.

Many thanks,

Megan

On Apr 17, 2018, at 3:53 PM, Jim Sherry <jsherry@mccathernlaw.com> wrote:

Adam, Megan –

Ted Brann's health is precarious and we intend to seek leave of court to take a preservation deposition. Please let us know if Garmin would join or oppose that request.

Thank you,
Jim

James E. Sherry
McCathern, PLLC
3710 Rawlins Street, Suite 1600
Dallas, TX 75219
P 214.273.3280 | F 214.741.4717

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