

Exhibit E

From: [Bjorn Blomquist](#)
To: [Russell W. Warnick](#); [Neo_JDG_All_Defs@fr.com](#)
Cc: [neowireless@caldwellcc.com](#)
Subject: RE: In Re Neo Wireless, LLC Patent Litig., Case No. 2:22-md-3034-TGB - Notice of Subpoena to AT&T Mobility
Date: Wednesday, March 22, 2023 3:25:23 PM
Attachments: [image001.png](#)
[image002.png](#)

Counsel,

I write on behalf of Plaintiff Neo Wireless, LLC as to the subpoena served on AT&T Mobility LLC (“AT&T”):

Plaintiff objects to the burden and expense on the parties of this subpoena, given that many of the topics are overly broad, unduly burdensome, not proportional to the needs of this case, and seeking information that is not reasonably calculated to lead to the discovery of admissible evidence. In particular, the requests aimed at uncovering additional prior art are untimely in view of the Court’s Scheduling Order, which required Defendants to serve invalidity contentions over four months ago and conduct timely discovery to update them as soon as possible. Given that Defendants did not, in three months of fact discovery prior to that deadline, even serve this subpoena, Defendants waived any claim of diligence in seeking to uncover additional system art after the deadline. Similarly, the requests aimed at pursuing Defendants’ baseless derivation or related unenforceability theories are unduly burdensome, untimely, and improper given that Defendants’ theories lack any foundation and fail as a matter of law. Defendants did not serve this subpoena in the four months of fact discovery prior to the pleading of their baseless derivation and unenforceability theories, and they now seek to conduct a fishing expedition in an attempt to shore up their improperly pleaded claims.

Please let us know immediately if the noticed deposition is going forward, or when it is scheduled as soon as Defendants and AT&T determine an alternate date. Should the deposition go forward, Plaintiff reserves the right to serve a companion subpoena to AT&T for the sake of efficiency. Please also produce or include us in all communications with AT&T about the subpoena.

Sincerely,
-Bjorn

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From: Russell W. Warnick <rwarnick@sternekessler.com>
Sent: Wednesday, March 8, 2023 11:26 AM
To: neowireless@caldwellcc.com

Cc: Neo_JDG_All_Defs@fr.com

Subject: In Re Neo Wireless, LLC Patent Litig., Case No. 2:22-md-3034-TGB - Notice of Subpoena to AT&T Mobility

Counsel, please find attached:

Notice of Subpoena to AT&T Mobility LLC

Regards,



Russell W. Warnick (he/him)

Paralegal

Sterne, Kessler, Goldstein & Fox P.L.L.C.

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