

EXHIBIT 2012

## Lauren Van Winkle

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**From:** Morgan, Christine <CMorgan@ReedSmith.com>  
**Sent:** Tuesday, November 12, 2013 2:55 PM  
**To:** Justin Nemunaitis  
**Cc:** Ericsson\_D-Link; Mitchell, Jonah  
**Subject:** RE: Ericsson v. D-Link - Broadcom IPR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Justin – as far as we understand it, the IPR is a proceeding initiated by Broadcom to which our clients are not parties. We do not believe our clients are under any obligation to respond to your request or engage in any further dialogue about it. On behalf of our clients, we reserve all rights. Best - Chris

**Christine M. Morgan**  
cmorgan@reedsmith.com  
+1 415-659-5970

**Reed Smith** LLP  
101 Second Street  
Suite 1800  
San Francisco, CA 94105-3659  
T: +1 415 543 8700  
F: +1 415 391 8269  
reedsmith.com

**From:** Justin Nemunaitis [mailto:jnemunaitis@McKoolSmith.com]  
**Sent:** Tuesday, November 12, 2013 2:35 PM  
**To:** Morgan, Christine  
**Cc:** Ericsson\_D-Link; Mitchell, Jonah  
**Subject:** RE: Ericsson v. D-Link - Broadcom IPR

Chris,

Does that mean that your clients are unwilling to provide this information due to the lack of a formal discovery request?

Do your clients have any other objections to providing this information if, for example, a suitable protective order is obtained in the IPR?

Regards,  
Justin

**From:** Morgan, Christine [mailto:CMorgan@ReedSmith.com]  
**Sent:** Tuesday, November 12, 2013 3:44 PM  
**To:** Justin Nemunaitis  
**Cc:** Ericsson\_D-Link; Mitchell, Jonah  
**Subject:** RE: Ericsson v. D-Link - Broadcom IPR

Justin: This appears to be a request that should be directed to Broadcom in connection with the IPR proceeding, not to our clients, who are third parties. Best - Chris

**Christine M. Morgan**  
cmorgan@reedsmith.com  
+1 415 659 5970

Reed Smith LLP  
101 Second Street  
Suite 1800  
San Francisco, CA 94105-3659  
T: +1 415 543 8700  
F: +1 415 391 8269  
reedsmith.com

**From:** Justin Nemunaitis [<mailto:jnemunaitis@McKoolSmith.com>]

**Sent:** Tuesday, November 12, 2013 1:31 PM

**To:** Morgan, Christine

**Cc:** Ericsson\_D-Link

**Subject:** RE: Ericsson v. D-Link - Broadcom IPR

Counsel,

Following up on my email below, please let me know if Defendants will be providing the requested information in a form that may be shared with the PTAB and with Ericsson's IPR counsel.

Regards,  
Justin

**From:** Justin Nemunaitis

**Sent:** Friday, November 08, 2013 4:15 PM

**To:** Morgan, Christine ([CMorgan@ReedSmith.com](mailto:CMorgan@ReedSmith.com)); [ToshibaDefendants-Ericsson@foley.com](mailto:ToshibaDefendants-Ericsson@foley.com); [Dell-Ericsson@alston.com](mailto:Dell-Ericsson@alston.com) (Alston) ([Dell-Ericsson@alston.com](mailto:Dell-Ericsson@alston.com))

**Cc:** Ericsson\_D-Link

**Subject:** RE: Ericsson v. D-Link - Broadcom IPR

Counsel,

Following up on my email below, please let me know if Defendants will be providing the requested information in a form that may be shared with the PTAB and with Ericsson's IPR counsel.

Thanks,  
Justin

**From:** Justin Nemunaitis

**Sent:** Wednesday, November 06, 2013 4:38 PM

**To:** Morgan, Christine ([CMorgan@ReedSmith.com](mailto:CMorgan@ReedSmith.com)); [ToshibaDefendants-Ericsson@foley.com](mailto:ToshibaDefendants-Ericsson@foley.com); [Dell-Ericsson@alston.com](mailto:Dell-Ericsson@alston.com) (Alston) ([Dell-Ericsson@alston.com](mailto:Dell-Ericsson@alston.com))

**Cc:** Ericsson\_D-Link

**Subject:** RE: Ericsson v. D-Link - Broadcom IPR

Dear Counsel,

I write in regard to Broadcom's petitions for *inter partes* review of the patents found infringed in *Ericsson v. D-Link*. Ericsson believes that those petitions should be barred under 35 U.S.C. § 315(b) because at least one of the defendants in this case is the privy of Broadcom. To assist the PTAB in evaluating that issue, we request that Defendants allow the PTAB access to relevant documents. Specifically, Ericsson requests that Defendants provide non-confidential versions of the documents below that can be shared with the PTAB and with Ericsson's IPR counsel:

- All indemnity agreements between Defendants and Broadcom related to the products at issue in the lawsuit.
- All joint defense agreements related to *Ericsson v. D-Link* signed by Broadcom and any of the defendants in this case.

If Defendants will not agree to Ericsson's requests, please let me know why.

Thanks,  
Justin

Justin Nemunaitis | McKool Smith  
300 Crescent Court, Suite 1500, Dallas, Texas 75201  
tel: 214.978.4213 fax: 214.978.4044

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