

EXHIBIT 2009

Lauren Van Winkle

From: Justin Nemunaitis <jnemunaitis@McKoolSmith.com>
Sent: Monday, December 09, 2013 3:15 PM
To: Morgan, Christine
Cc: Ericsson_D-Link; Mitchell, Jonah
Subject: RE: Ericsson v. D-Link - Broadcom IPR

Chris,

Just so I am clear on your position, Acer has withheld documents from production in the Ericsson v. D-Link case based on its position that a privilege exists that protects communications between Acer and Broadcom, but you are unwilling to provide us with privilege log-type descriptions of those communications or otherwise explain the basis for the privilege claim.

If I have any of that wrong, please let me know.

Thanks,
Justin

From: Morgan, Christine [mailto:CMorgan@ReedSmith.com]
Sent: Thursday, December 05, 2013 1:46 PM
To: Justin Nemunaitis
Cc: Ericsson_D-Link; Mitchell, Jonah
Subject: RE: Ericsson v. D-Link - Broadcom IPR

Dear Justin – Even assuming there were some obligation to provide a privilege log after the case has been closed, which we do not believe there is, the protective order explicitly states at paragraph 21 that parties need not log any protected communications after the filing date of September 14, 2010. These documents are dated over one year after September 2010, and therefore no log is required for them.

In addition, we disagree that Ericsson is given free rein to review documents produced in the litigation at this stage, long after trial ended. You have not offered any purpose in the litigation between the parties for which you would be reviewing documents. Instead, the only thing you have done is stated Ericsson's intent to seek relief to share the documents with counsel (who was not counsel in the litigation between the parties) and the PTO in the Broadcom IPR proceedings.

Regards - 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: Wednesday, December 04, 2013 4:03 PM
To: Morgan, Christine

Cc: Ericsson_D-Link; Mitchell, Jonah
Subject: RE: Ericsson v. D-Link - Broadcom IPR

Chris,

We are in the process of complying with your request. Please provide us with privilege log information for those bates numbers that identifies all of the recipients of the communication and that provides the basis for your privilege claim. If you are claiming a common interest privilege, please clarify the parties to the privilege, when it was formed, and describe the common interest.

As to your other point, there is nothing in the protective order that precludes us from reviewing documents produced in the litigation after trial.

Regards,
Justin

From: Morgan, Christine [<mailto:CMorgan@ReedSmith.com>]
Sent: Wednesday, December 04, 2013 11:44 AM
To: Justin Nemunaitis
Cc: Ericsson_D-Link; Mitchell, Jonah
Subject: RE: Ericsson v. D-Link - Broadcom IPR

Justin –

These documents are privileged and were inadvertently produced during email discovery. Pursuant to the Protective Order's obligations, please destroy all copies immediately, and confirm to us that all copies have been destroyed.

Separately, we are concerned about Ericsson's apparent ongoing search and review of documents in the Ericsson v. D-Link case. Paragraph 12 of the Protective Order mandates that designated information may only be used for purposes of litigation between the parties. As you know, fact discovery and trial in the Ericsson v. D-Link case concluded long ago, and therefore, we see no legitimate purpose under the Protective Order for Ericsson to be engaging in such activities at this stage.

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, December 03, 2013 10:02 AM
To: Morgan, Christine
Cc: Ericsson_D-Link; Mitchell, Jonah
Subject: RE: Ericsson v. D-Link - Broadcom IPR

Chris,

Please let me know by COB tomorrow whether Acer will oppose the motion.

Thanks,

Justin

From: Justin Nemunaitis
Sent: Tuesday, November 26, 2013 5:24 PM
To: 'Morgan, Christine'
Cc: Ericsson_D-Link; Mitchell, Jonah
Subject: RE: Ericsson v. D-Link - Broadcom IPR

Chris,

Ericsson intends to file a motion with the Court seeking relief from the protective order regarding the following documents:

ACER-GATEWAY00110269
ACER-GATEWAY00109581

Specifically, Ericsson intends to seek relief from paragraphs 2, 8, and 12 so that Ericsson may provide copies of those documents to its IPR counsel Peter Ayers of Lee & Hayes and so that it may file these documents under seal with the PTO.

To be clear, we are not seeking to de-designate these documents or share them with any in-house counsel at Ericsson. Nor are we seeking to share any other confidential, AEO, or source code documents with either Lee & Hayes or the PTO. Rather, Ericsson only seeks to share the specific documents identified in this email with its outside IPR counsel and with the PTO in a sealed filing.

Ericsson intends to file this motion as an emergency motion and request expedited briefing. With Thanksgiving coming up I don't expect any response to this email this week, but please let me know by early next week if Defendants will oppose the motion or the request for expedited briefing.

Thanks,
Justin

From: Morgan, Christine [<mailto:CMorgan@ReedSmith.com>]
Sent: Tuesday, November 12, 2013 4:55 PM
To: Justin Nemunaitis
Cc: Ericsson_D-Link; Mitchell, Jonah
Subject: RE: Ericsson v. D-Link - Broadcom IPR

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

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); ToshibaDefendants-Ericsson@foley.com; Dell-Ericsson@alston.com (Alston) (Dell-Ericsson@alston.com)
Cc: Ericsson_D-Link
Subject: RE: Ericsson v. D-Link - Broadcom IPR

Counsel,

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