

**Gilman, Timothy K.**

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**From:** Timothy Gilman <TGilman@kirkland.com>  
**Sent:** Tuesday, December 08, 2009 6:03 PM  
**To:** james.brasher@pgs.com  
**Cc:** eugene.thigpen@pgs.com  
**Subject:** WesternGeco v. ION, Case No. 4:09-cv-01827-KPE (S.D. Tex.)

James,

As I indicated during our conversation this afternoon, we are representing WesternGeco in connection with the above-captioned patent litigation. For your convenience, attached below are the parties' four pleadings in this case.

Based on our investigation and research to date, it appears that information relevant to the litigation may be in the possession, custody or control of PGS and/or that current PGS employees may have personal knowledge relevant to the litigation. For example, Oyvind Hillesund, a former WesternGeco employee who is believed to currently work for PGS in Oslo, is a co-inventor on some of the patents-in-suit. As another example, we understand that PGS was involved in the design, testing and/or launch of the ION products and systems accused of infringement in this action in 2007, and would likely have information relevant to those products and systems. PGS may have used these systems and products outside the United States, which would be relevant to WesternGeco's claim against ION under 35 U.S.C. s. 271(f). PGS may also have information relevant to ION's antitrust counterclaims in this case, such as information regarding the identity and market shares of companies involved in marine seismic surveys.

I would appreciate the opportunity to discuss this matter with you in greater detail, and to explore the potential for discovery of relevant material that PGS may possess. For example, we would be interested whether PGS would be willing to make Mr. Hillesund available to discuss his work relating to the applicable patents-in-suit, as well as possibly sitting for a deposition in this case. Please let me know when would be convenient for you to continue this discussion.

- tim

D.I. 1 -- Complaint.pdf D.I. 6 -- ION Answer and Counterclaim.pdf D.I. 14 -- WG Answer and Counterclaim to ION Counterclaim.pdf D.I. 19 -- ION Answer to WG Counterclaim.pdf

Timothy K. Gilman  
Kirkland & Ellis LLP  
212-446-4689  
212-446-4900  
601 Lexington Avenue  
New York, NY 10022-4675  
[timothy.gilman@kirkland.com](mailto:timothy.gilman@kirkland.com)

Attachments:

D.I. 1 -- Complaint.pdf (4411824 Bytes)  
D.I. 6 -- ION Answer and Counterclaim.pdf (3120883 Bytes)  
D.I. 14 -- WG Answer and Counterclaim to ION Counterclaim.pdf (3558380 Bytes)  
D.I. 19 -- ION Answer to WG Counterclaim.pdf (231538 Bytes)  
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c5705a51-6794-4638-aa17-0b57615305bc.gif (1846 Bytes)