

From: [Coulson, Chris](#)
To: ["Day, Evan S. \(Perkins Coie\)"](#)
Cc: [Bernstein, Matthew C. \(Perkins Coie\)](#); [Ng, Chun \(Perkins Coie\)](#); PerkinsServiceBradiumIPR@perkinscoie.com; [Zachary, Michael](#); [Ulrich, Clifford](#)
Subject: RE: Microsoft Corp. v. Bradium Techs. LLC (IPR2016-00448, IPR2016-00449): Limited Waiver
Date: Monday, March 20, 2017 4:01:29 PM

Dear Evan,

Bradium provided a proposal on March 12 which offers Mr. Lavi the assurances that were suggested by the Board. However, we have not heard back regarding Mr. Lavi other than your e-mail below of March 13, 2017.

Please advise Mr. Lavi's response to Bradium's proposal, and please advise whether Mr. Lavi will appear in the U.S. for deposition by the March 24, 2017 compromise date that Bradium offered via my March 12 e-mail. If Mr. Lavi will not be offered in the U.S. and Microsoft plans to voluntarily withdraw Exhibit 1017 (Lavi declaration), please let us know that.

Best regards.

Chris Coulson
ANDREWS KURTH KENYON LLP
Tel: 212.908.6409

From: Day, Evan S. (Perkins Coie) [mailto:EDay@perkinscoie.com]
Sent: Monday, March 13, 2017 7:19 PM
To: Coulson, Chris
Cc: Bernstein, Matthew C. (Perkins Coie); Ng, Chun (Perkins Coie); PerkinsServiceBradiumIPR@perkinscoie.com; Zachary, Michael; Ulrich, Clifford
Subject: RE: Microsoft Corp. v. Bradium Techs. LLC (IPR2016-00448, IPR2016-00449): Limited Waiver

Chris,

Proposed revisions are attached. This is also subject to further review/approval from Microsoft. I will be sending to Mr. Lavi later tonight (tomorrow morning in Tel Aviv).

We disagree with the assertions in your second paragraph, but we can address timing if and when we get an agreement for Mr. Lavi to appear. We have discussed the length of the deposition on multiple previous occasions and Microsoft's position has not changed.

Regards,
Evan

Evan Day | Perkins Coie LLP
COUNSEL
11988 El Camino Real Suite 350
San Diego, CA 92130-2594
D. +1.858.720.5743
F. +1.858.720.5799
E. EDay@perkinscoie.com

From: Coulson, Chris [<mailto:CCoulson@kenyon.com>]

Sent: Sunday, March 12, 2017 4:41 PM

To: Day, Evan S. (SDO)

Cc: Bernstein, Matthew C. (SDO); Ng, Chun (SEA); *Perkins-Service-MSFT-Bradium-IPR; Zachary, Michael; Ulrich, Clifford

Subject: RE: Microsoft Corp. v. Bradium Techs. LLC (IPR2016-00448, IPR2016-00449): Limited Waiver

Dear Evan,

Bradium and Mr. Levanon are still considering the language of the attached limited waiver agreement, but have authorized us to send this draft to you. The final agreement will be subject to approval by Bradium and Mr. Levanon. Please confirm that you will promptly forward this draft to Mr. Lavi for his consideration.

Regarding schedule, at this point even if agreement is reached, Bradium will be prejudiced by a late deposition. Bradium is willing to compromise to provide time for Mr. Lavi to comply with his obligation to appear in the United States, but will need Mr. Lavi to appear for deposition for up to two days, to be completed no later than March 24, 2017.

Chris Coulson
ANDREWS KURTH KENYON LLP
Tel: 212.908.6409