
From: Yoni Lavi [REDACTED]
Sent: Monday, February 20, 2017 12:22 PM
To: Day, Evan S. (SDO)
Subject: Re: Bradium Technologies, LLC v Microsoft

Hi Evan,

I was going to contact FB legal dept first, but then I considered again what makes me so anxious about it and realized it is not really the process of going through a deposition, but rather that I simply don't want to cause these people to have a personal vendetta against me. To be brief, I've moved on with my life, and would like to keep it that way. I hope it makes it clear now; I will participate in the legal process itself only if compelled to do so.

I'm sorry I can't cooperate any further in this.
I hope your case goes well, anyway.

Regards,
Yoni

On Mon, Feb 20, 2017 at 7:44 PM, Day, Evan S. (Perkins Coie) <EDay@perkinscoie.com> wrote:

Yoni,

I would like to follow up on our conversation last week. If you have had a chance to speak with independent counsel about this matter, we would also be happy to talk to them directly or speak to both of you at your preference. Please let me know when you (and/or your counsel) are available to discuss further. Again, we really appreciate all of your help on this matter.

Best regards,

Evan

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E. EDay@perkinscoie.com

From: Day, Evan S. (SDO)
Sent: Tuesday, February 14, 2017 3:59 PM
To: [REDACTED]
Cc: Bernstein, Matthew C. (SDO)
Subject: RE: Bradium Technologies, LLC v Microsoft

Yoni,

Thank you for speaking to me this evening. I understand your concerns about the possibility of being deposed in this matter. As I stated over the phone, Microsoft stands behind its previous agreement (per Matt's attached letter dated September 13, 2016) to pay for your defense and any damages in the unlikely event that Mr. Levanon attempts to sue you for providing truthful testimony in a declaration or deposition. Additionally, if you require your own independent counsel to advise you regarding a deposition, Microsoft is willing to pay for or reimburse you for the cost of that counsel. Please let us know if there is anything else that we can do to help.

Best regards,

Evan

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From: Day, Evan S. (SDO)
Sent: Thursday, February 09, 2017 8:51 PM
To: [REDACTED]
Cc: Bernstein, Matthew C. (SDO)
Subject: Bradium Technologies, LLC v Microsoft

Yoni,

Here's an update on where things stand with the Bradium litigation. We filed the declaration that you provided us in the case (actually two of them, for different patents) in the Patent and Trademark Office this week. After we filed the declaration, Bradium contacted us to request to take your deposition. As you may recall from when we discussed this case in person, the general procedure for this type of patent office case is that if we submit a declaration (like yours), the

opposing party gets an opportunity to take a deposition if they request one, or the patent office will not consider the declaration. For this very reason, we took Isaac Levanon's deposition a few weeks ago.

Regarding the location of the deposition, if you are willing to come to the United States (to New York or Washington, DC or someplace convenient for you), we would pay to fly you out and put you up in a hotel. That would be most ideal for us, but we can also push to have the deposition take place in Tel Aviv (and potentially on a weekend or after business hours to minimize the disruption to your work schedule).

With that in mind, we'd like to discuss the issue with you by phone or videoconference at your earliest convenience. One or both of us can be available any time over the next few days, whenever it works for you.

Also, I believe we discussed this earlier, but please retain any documents or correspondence relating to this case, including emails.

Best regards,

Evan

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