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**From:** Michelle Callaghan <michelle.callaghan@eriseip.com>  
**Sent:** Thursday, March 15, 2018 8:46 AM  
**To:** Becker, Robert  
**Cc:** Stephenson, Faye; eric.buresh@eriseip.com; paul.hart@eriseip.com; sgh@hkw-law.com; md@hkw-law.com; Wanger, Christopher; Guardado, Ana; Miller-Phillips, Bridgette; Runchey, Dawn; Calendar Dept; Docketing Mailbox  
**Subject:** Re: Ironburg Inventions v. Collective Minds Gaming Co. - USDC Case No. 1:16-cv-04110-TWT (48490-063)

Robert,

The common interest/joint defense privilege protects communications between parties who are “part of an ongoing and joint effort to set up a common defense strategy in connection with actual or prospective litigation.” *See In re Androgel Antitrust Litigation (No. II)*, No. 1:09-cv-955-TWT, 2015 WL 9581828 at \*2 (N.D. Ga. Dec. 30, 2015) (internal quotations omitted). Here, the joint defense privilege would protect communications between Valve and CMG because they share an identical legal interest – they have both been accused of infringement of the same patents. Communications related to the Ironburg suits against these parties, if any, would be designed to further that interest.

To be clear, CMG is not currently withholding any documents responsive to Ironburg’s 2nd RFPs on the basis of a common interest/joint defense privilege (or any other privilege). However, if documents including substantive communications come into existence, they would be covered under this privilege. We have therefore noted the objection to preserve the privilege for potential future communications.

Best,

Michelle A. Callaghan | Associate

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On Tue, Mar 13, 2018 at 5:45 PM, Becker, Robert <[RBecker@manatt.com](mailto:RBecker@manatt.com)> wrote:

Thank you Michelle. Your responses, in large part, refer to a privilege. We are not aware of any privilege that your client would have with Valve. Please let me know what privilege you are referring to so that we can understand your responses.

Thank you,

Rob

**Robert Becker**

Partner

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**From:** Michelle Callaghan [mailto:[michelle.callaghan@eriseip.com](mailto:michelle.callaghan@eriseip.com)]

**Sent:** Thursday, March 01, 2018 3:12 PM

**To:** Stephenson, Faye

**Cc:** [eric.buresh@eriseip.com](mailto:eric.buresh@eriseip.com); [paul.hart@eriseip.com](mailto:paul.hart@eriseip.com); [sgh@hkw-law.com](mailto:sgh@hkw-law.com); [md@hkw-law.com](mailto:md@hkw-law.com); Becker, Robert; Wanger, Christopher; Guardado, Ana; Miller-Phillips, Bridgette; Runchey, Dawn; Calendar Dept; Docketing Mailbox

**Subject:** Re: Ironburg Inventions v. Collective Minds Gaming Co. - USDC Case No. 1:16-cv-04110-TWT (48490-063)

Counsel,

Please find attached CMG's responses to Ironburg's section set of requests for production.

Best,

## Michelle A. Callaghan | Associate

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On Tue, Jan 30, 2018 at 6:01 PM, Stephenson, Faye <[FStephenson@manatt.com](mailto:FStephenson@manatt.com)> wrote:

Attached please find Ironburg's Second Set of Requests for Production. Faye

### Faye Stephenson

Senior Paralegal-Case Specialist

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