

---

**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

Erise IP, P.A.

5600 Greenwood Plaza Blvd., Suite 200

Greenwood Village, CO 80111

(main) 913.777.5600

(direct) 720.307.6260

(cell) 484.883.5051

(fax) 913.777.5601

[michelle.callaghan@eriseip.com](mailto:michelle.callaghan@eriseip.com)

[www.eriseip.com](http://www.eriseip.com)

#### Confidentiality Statement

This email message and any attached files are confidential and are intended solely for the use of the addressee(s) named above.

This communication may contain material protected by attorney-client, work product, or other privileges. If you are not the intended recipient or person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error, and any review, use, dissemination, forwarding, printing, copying, or other distribution of this email message and any attached files is strictly prohibited. Erise IP, P.A. reserves the right to monitor any communication that is created, received, or sent on its network. If you have received this confidential communication in error, please notify the sender immediately by reply email message and permanently delete the original message.

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

---

**Manatt, Phelps & Phillips, LLP**

[1841 Page Mill Road](#)  
Suite 200

[Palo Alto, CA 94304](#)

**D** (415) 291-7616 **F** (650) 213-0260

RBecker@manatt.com

[manatt.com](#)

CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it, may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this message is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply email and destroy the original transmission and its attachments without reading them or saving them to disk. Thank you.

**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

Erise IP, P.A.

[5600 Greenwood Plaza Blvd., Suite 200](#)

[Greenwood Village, CO 80111](#)

(main) [913.777.5600](#)

(direct) [720.307.6260](#)

(cell) [484.883.5051](#)

(fax) [913.777.5601](#)

[michelle.callaghan@eriseip.com](mailto:michelle.callaghan@eriseip.com)

[www.eriseip.com](http://www.eriseip.com)

### Confidentiality Statement

This email message and any attached files are confidential and are intended solely for the use of the addressee(s) named above. This communication may contain material protected by attorney-client, work product, or other privileges. If you are not the intended recipient or person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error, and any review, use, dissemination, forwarding, printing, copying, or other distribution of this email message and any attached files is strictly prohibited. Erise IP, P.A. reserves the right to monitor any communication that is created, received, or sent on its network. If you have received this confidential communication in error, please notify the sender immediately by reply email message and permanently delete the original message.

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

---

Manatt, Phelps & Phillips, LLP

One Embarcadero Center  
30th Floor

San Francisco, CA 94111

D (415) 291-7558 F [\(415\) 291-7660](tel:4152917660)

FStephenson@manatt.com

[manatt.com](http://manatt.com)

CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it, may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this message is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply email and destroy the original transmission and its attachments without reading them or saving them to disk. Thank you.

Confidentiality Statement

This email message and any attached files are confidential and are intended solely for the use of the addressee(s) named above. This communication may contain material protected by attorney-client, work product, or other privileges. If you are not the intended recipient or person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error, and any review, use, dissemination, forwarding, printing, copying, or other distribution of this email message and any attached files is strictly prohibited. Erise IP, P.A. reserves the right to monitor any communication that is created, received, or sent on its network. If you have received this confidential communication in error, please notify the sender immediately by reply email message and permanently delete the original message.

Confidentiality Statement

This email message and any attached files are confidential and are intended solely for the use of the addressee(s) named above. This communication may contain material protected by attorney-client, work product, or other privileges. If you are not the intended recipient or person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error, and any review, use, dissemination, forwarding, printing, copying, or other distribution of this email message and any attached files is strictly prohibited. Erise IP, P.A. reserves the right to monitor any communication that is created, received, or sent on its network. If you have received this confidential communication in error, please notify the sender immediately by reply email message and permanently delete the original message.