

Vakili, Kamran

From: Baghdassarian, Mark <MBaghdassarian@KRAMERLEVIN.com>
Sent: Thursday, March 19, 2020 1:42 PM
To: Vakili, Kamran; Caplan, Jonathan S.; ~Hedvat, Shannon; ~Rovner, Phil; ~Choa, Jonathan
Cc: Yorks, Ben; McPhie, David; Federico, Alexis; Michael J. Farnan (mfarnan@farnanlaw.com); Brian E. Farnan (bfarnan@farnanlaw.com)
Subject: RE: Fraunhofer v. Sirius XM - Source Code Review

Counsel,

It seems you have misunderstood the concerns we raised earlier this week regarding the situation at our firm with respect to Covid-19. Earlier in March, our firm adopted a policy based on then-available information regarding permitting visitors to the firm. In accordance with that policy, Mr. Price promptly sent you the e-mail on March 11. However, as the concerns surrounding Covid-19 have increased, our firm's policy and approach, similar to what we have seen from federal, state and local authorities, has evolved and changed. As we discussed during our call on Tuesday, our firm, similar to a number of other firms and organizations, adopted a work from home policy and we will not be able to host Fraunhofer's expert for the source code review at our offices based on our current no visitor policy. In fact, Mr. Price's e-mail specifically stated in his March 11 e-mail that we would provide you with "any updated policy" which I did in my e-mail from Monday. We also believe we clearly communicated this during our call on Tuesday.

Thank you.
-Mark

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From: Vakili, Kamran [KVakili@irell.com]
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Cc: Yorks, Ben; McPhie, David; Federico, Alexis; Michael J. Farnan (mfarnan@farnanlaw.com); Brian E. Farnan (bfarnan@farnanlaw.com)
Subject: [EXTERNAL] Fraunhofer v. Sirius XM - Source Code Review

Counsel,

In response to the concerns you recently raised about Fraunhofer's review of SXM's source code scheduled for March 25-27, we note that the March 11, 2020 correspondence from Jeffrey Price in connection with related IPR2018-00690 (concerning asserted patent 6,314,289) explained that Kramer Levin's official policy for office visitors requires responses to the following screening questions:

- If you, or anyone in your household has been diagnosed with the COVID-19 virus.
- If you, or anyone in your household has come into known contact with anyone who has the COVID-19 virus, or who is suspected of having the COVID-19;
- If you, or anyone in your household has traveled to a Level 2 or higher country as determined by the CDC including, China, North Korea, South Korea, Iran, Italy, Pakistan, Mongolia, or Japan in the past 21 days; and/or
- If you, or anyone in your household are experiencing any flu-like symptoms, including fever, cough, or shortness of breath.

Having discussed these questions with our expert, Dr. Dhananjay (who is local in NYC), we can confirm that none of the above apply to him. Accordingly, we trust that he should be able to visit your office for the code review on March 25-27 as planned. Please confirm as soon as possible so we can let Dr. Dhananjay know for planning purposes.

Regards,
Kamran

Kamran Vakili, Ph.D

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