




From: Paul Hart paul.hart@eriseip.com 
Subject: Re: IPR2018-00884: Dr. Easttom Deposition
Date: February 28, 2019 at 8:43 AM
To: Brett Mangrum brett@etheridgelaw.com
Cc: Danny Butts danny@etheridgelaw.com, Ryan Loveless ryan@etheridgelaw.com, Jeff Huang jeff@etheridgelaw.com, Jim Etheridge jim@etheridgelaw.com, Adam Seitz adam.seitz@eriseip.com

Brett,

Given the Court's ruling (attached) that striking Easttom's declaration is premature prior to the expiration of our discovery period, we wanted to follow up with you all on next steps. To the extent that you are maintaining your prior position, please confirm that (1) you will not provide Dr. Easttom for cross examination and (2) you will not oppose a motion to strike his declaration and any references or citations thereto following the close of our discovery period. Otherwise, please provide dates of availability for Dr. Easttom so Petitioner can take his deposition in advance of our Reply.

Best,
Paul

PAUL HART | SHAREHOLDER
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Order denying
motion...ec.pdf

On Feb 21, 2019, at 9:44 AM, Paul Hart <paul.hart@eriseip.com> wrote:

Brett,

Here's what we intend to send the Board by COB this afternoon:

>>>

In IPR2018-00884, Petitioner Apple respectfully requests permission to file an Unopposed Motion to Strike under 37 CFR 42.5(a) and 42.20(a). Specifically, the Petitioner seeks to strike the Easttom Declaration (Exhibit 2001) and all references or citations to the declaration in any filing as an alternative to making the declarant available for cross-examination. Petitioner and Patent Owner have conferred, and Patent Owner indicates that they do not oppose the motion.

If needed, Petitioner and Patent Owner are available for a Board call on Monday or Tuesday next week (2/25 or 2/26) between 11:00am and 3pm EDT.

>>>

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On Feb 21, 2019, at 7:00 AM, Brett Mangrum <brett@etheridgelaw.com> wrote:

Paul,

Please provide us a draft copy of the email you intend to send to the Board. While we do not believe a call with the Board is necessary, we can make ourselves available either Monday or Tuesday of next week from 10am to 2pm (CST).

Regards,
Brett

From: Paul Hart <paul.hart@eriseip.com>
Sent: Wednesday, February 20, 2019 11:52 AM
To: Brett Mangrum <brett@etheridgelaw.com>
Cc: Danny Butts <danny@etheridgelaw.com>; Ryan Loveless <ryan@etheridgelaw.com>; Jeff Huang <jeff@etheridgelaw.com>; Jim Etheridge <jim@etheridgelaw.com>; Adam Seitz <adam.seitz@eriseip.com>
Subject: Re: IPR2018-00884: Dr. Easttom Deposition

Counsel,

We've had a chance to confer with our client, and we agree that an unopposed motion to strike Dr. Easttom's declaration and any references or citations thereto is an acceptable alternative to cross examination. We'll reach out to the Board to request permission for the filing. To the extent they would like to convene a conference call to discuss, what's your availability next week? We can generally make ourselves available at any time next week.

Best,
Paul

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On Feb 7, 2019, at 2:07 PM, Brett Mangrum <brett@etheridgelaw.com> wrote:

Counsel,

Uniloc cites to Dr. Easttom's declaration solely for the proposition that "a POSITA would understand that the entity intercepting a message would not be one of the intended recipients of that message. EX2001 ¶¶ 8-9. In other words, a POSITA would understand that the device that is intercepting a message would be a third party to the intended recipients of that message."

Under these circumstances, Uniloc believes a cross examination of Dr. Easttom is a waste of the parties' time and resources. If you still disagree, Uniloc would not oppose a motion to strike Dr. Easttom's declaration.

Regards,
Brett

From: Paul Hart <paul.hart@eriseip.com>

Sent: Tuesday, February 5, 2019 3:07 PM

To: Danny Butts <danny@etheridgelaw.com>; Ryan Loveless <ryan@etheridgelaw.com>; Brett Mangrum <brett@etheridgelaw.com>; Jeff Huang <jeff@etheridgelaw.com>; Jim Etheridge <jim@etheridgelaw.com>

Cc: Adam Seitz <adam.seitz@eriseip.com>

Subject: IPR2018-00884: Dr. Easttom Deposition

Counsel,

We would like to schedule Dr. Easttom's deposition in IPR2018-00884. The week of March 18 works well on our end. Please let us know if Dr. Easttom is available any day that week.

Thanks very much.

Best,
Paul

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