
From: Sikorski, Ed <ed.sikorski@dlapiper.com>
Sent: Thursday, September 10, 2020 3:21 PM
To: Bokar, Erik M. (Assoc-CHI-IP-Tech); Heintz, James M.; Miller, Tiffany; dlachervon-oneworld@dlapiper.com
Cc: Lukas Jr., James J. (Shld-Chi-IP-Tech); Jarosik, Gary (Shld-Chi-IP-Tech); Jarosik, Gary (Shld-Chi-IP-Tech); Levinstein, Matthew J. (Shld-Chi-IP-Tech); Gilford, Benjamin P. (Assoc-CHI-IP-Tech); Sand, Callie (Assoc-CHI-IP-Tech)
Subject: RE: IPR2020-00883 to 00888, PGR2020-0059 to 00061 - Motion to Seal

EXTERNAL TO GT

Dear Erik,

While I appreciate you asking whether Petitioner will join your motion to seal, your 11th-hour request raises a significant concern as to how your firm may be treating documents produced in the litigation. I should not have to remind you that your law firm agreed, under the Protective Order in the District Court case, to limit its use of documents designated “Highly Confidential – Outside Counsel’s Eyes Only” for the litigation only. You particularly agreed to Paragraph 8 of the Protective Order which states that such documents “may only be used for purposes of preparation, trial, and appeal of this action. Neither ‘Highly Confidential – Outside Counsel’s Eyes Only’ nor ‘Confidential’ information may be used under any circumstances for any other proceeding...”

The documents you identify in your email are apparently designated under the Protective Order according to the above, and I take issue with your request for me to make an accelerated decision to waive your obligations under the Protective Order on the afternoon that your Opposition is due. With due respect, my afternoon today has been booked with ongoing meetings in another matter and I simply cannot agree on such short notice to let you submit those documents without having a chance to confer with members of the litigation team. I will note, however, that filing the identified documents (or other similarly designated documents) with the PTAB – even under seal – in the absence of permission is itself a violation of the same Protective Order.

Respectfully,
Ed Sikorski

From: bokare@gtlaw.com <bokare@gtlaw.com>
Sent: Thursday, September 10, 2020 12:00 PM
To: Sikorski, Ed <Ed.Sikorski@us.dlapiper.com>; Heintz, James M. <Jim.Heintz@us.dlapiper.com>; Miller, Tiffany <tiffany.miller@us.dlapiper.com>; dlachervon-oneworld@dlapiper.com
Cc: lukasj@gtlaw.com; Jarosikg@gtlaw.com; Jarosikg@gtlaw.com; levinsteinm@gtlaw.com; gilfordb@gtlaw.com; sandc@gtlaw.com
Subject: IPR2020-00883 to 00888, PGR2020-0059 to 00061 - Motion to Seal

[EXTERNAL]

Dear Ed,

In connection with Chervon’s Opposition to Petitioner’s Motion to Update Mandatory Notices due today, Chervon intends to file under seal the following documents produced by TTI in the parallel district court litigation having beginning Bates number:

- TTI1293_736;
- TTI1293_764; and
- TTI1293_1293.

Please let us know if you would like to join the motion to seal these exhibits, see attached.

Thanks,

Erik M. Bokar
Associate

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