

Exhibit 5

From: ali.dhanani@bakerbotts.com
Sent: Friday, January 29, 2016 9:05 PM
To: Flynn, Patrick N
Cc: dlhughesvelbit@bakerbotts.com; Elbit-Hughes; patrickclutter@potterminton.com; johnbufe@potterminton.com; mikejones@potterminton.com; wh@wsfirm.com
Subject: Elbit v. Hughes
Attachments: Hughes_Elbit - Proposed Order Focusing Patent Claims and Prior Art [Hughes Edits]_Active_20648489_3.DOCX

Dear Patrick,

Thank you for your letter. While we disagree that Defendants' Invalidity Contentions violate the rules, we will investigate your Complaints and provide a full response by February 8.

As an initial matter, however, we think that your letter raises issues that the Court has provided tools to address and we think now is an opportune time to discuss them. In particular, as Defendants certainly have no intention of asserting "billions" of combinations of references, or requiring Elbit to consider such combinations, we would suggest that the parties discuss the Court's general "ORDER FOCUSING PATENT CLAIMS AND PRIOR ART TO REDUCE COSTS" and come to an agreement on when the parties will narrow the case on both sides. Attached is the latest proposal from Defendants. Please review and let us know if you agree or provide a counter-proposal in red-line so that we can continue our discussion.

Best,

Ali Dhanani
Tel: (713) 229-1108
Cell: (281) 250-2294

From: Flynn, Patrick N [<mailto:PFlynn@cov.com>]
Sent: Tuesday, January 26, 2016 8:04 PM
To: Dhanani, Ali; Hughes v Elbit; patrickclutter@potterminton.com; johnbufe@potterminton.com; EXT Jones, Mike
Cc: wh@wsfirm.com; claire@wsfirm.com; Elbit-Hughes
Subject: Elbit v. Hughes

Counsel,

Please see the attached letter.

Regards,
-Patrick

Patrick Flynn

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