

# Exhibit 7

---

**From:** ali.dhanani@bakerbotts.com  
**Sent:** Wednesday, February 03, 2016 10:40 PM  
**To:** Calia, Kurt; Flynn, Patrick N  
**Cc:** dlhughesvelbit@bakerbotts.com; Elbit-Hughes; patrickclutter@potterminton.com; johnbufe@potterminton.com; mikejones@potterminton.com; wh@wsfirm.com  
**Subject:** RE: Elbit v. Hughes

Kurt,

Thank you for your email. As I said in my correspondence of January 29, we will investigate your complaints and will respond on Monday, February 8, 2016.

Thanks,

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

---

**From:** Calia, Kurt [mailto:kcalia@cov.com]  
**Sent:** Monday, February 01, 2016 6:42 AM  
**To:** Dhanani, Ali; Flynn, Patrick N  
**Cc:** Hughes v Elbit; Elbit-Hughes; patrickclutter@potterminton.com; johnbufe@potterminton.com; EXT Jones, Mike; wh@wsfirm.com  
**Subject:** RE: Elbit v. Hughes

Ali

With all due respect, this response is unacceptable. While you claim to disagree that Defendants' Invalidity Contentions violate the applicable rules, your email makes no attempt to explain the basis for such a position. And there is none. The Patent Local rules are quite explicit about what is required of Invalidity Contentions, and our prior correspondence demonstrated conclusively that Defendants' contentions fall far short of meeting those requirements. Indeed, in corresponding with Defendants about this, we took the time to quote Patent Local Rule 3-3(b) (including its requirement to identify each alleged combination of alleged obviousness references along with the motivation to combine them), identify the deficiencies of Defendants' contentions (including their failure to provide such combinations, resulting in billions of potential ones), and the case law in this District that makes clear that it is a violation of the rules to do precisely what Defendants have done here. There is thus no room for reasonable debate about the deficiencies of Defendants' contentions.

As you know, Defendants were required to serve their contentions by January 15 -- a date for which Defendants obtained an extension, and more than two months after they had filed three IPR petitions. We are therefore perplexed as to why Defendants' contentions are deficient and why we should not conclude that they reflect a conscious disregard of the rules. In addition, we see no reason why Defendants need until February 8 -- three weeks after the deadline -- to "investigate" the obvious deficiencies of Defendants' own contentions and provide a response as to whether they will rectify them.

Likewise, we do not believe that it is an appropriate response to now ask us for comments on the Order Focusing Asserted Claims and Prior Art. Such a response appears to attempt to shift blame to Plaintiffs related to the claims it has currently asserted, rather than address the deficiencies of the contentions themselves. That the parties have not conferred on this Order (which, ironically, Plaintiffs previously attempted to do, only to be put off by Defendants -- see 12/18 email from Michael Sherby, attached), does not excuse Defendants' violation of Patent Local Rule 3-3(b). In fact, in Michael's email, he references the July 27 deadline for claim construction discovery and further states Defendants' position that possible narrowing of prior art and asserted claims might make sense *after* Defendants' contentions came due. Defendants' prior position that prior narrowing of the case should take place after their contentions were served or after claim construction discovery is inconsistent with your current position that Defendants should not bring their contentions into conformity with Patent Local Rule 3-3(b) until after the parties confer about narrowing the case. Finally, we are very concerned about the consistent pattern of delay exhibited by Defendants, which we have documented in prior correspondence and that I will not repeat here.

Accordingly, we insist that Defendants' serve amended contentions that comply with Patent Local Rule 3-3(b) by no later than the close of business, Wednesday, February 3. If you do not, Plaintiffs intend to seek appropriate relief.

Sincerely,  
Kurt

---

**Kurt Calia**

Covington & Burling LLP  
333 Twin Dolphin Drive, Suite 700  
Redwood Shores, CA 94065-1418  
T +1 650 632 4717 | [kcalia@cov.com](mailto:kcalia@cov.com)  
[www.cov.com](http://www.cov.com)

**COVINGTON**

---

This message is from a law firm and may contain information that is confidential or legally privileged. If you are not the intended recipient, please immediately advise the sender by reply e-mail that this message has been inadvertently transmitted to you and delete this e-mail from your system. Thank you for your cooperation.

---

**From:** [ali.dhanani@bakerbotts.com](mailto:ali.dhanani@bakerbotts.com) [<mailto:ali.dhanani@bakerbotts.com>]  
**Sent:** Friday, January 29, 2016 6:05 PM  
**To:** Flynn, Patrick N  
**Cc:** [dlhughesvelbit@bakerbotts.com](mailto:dlhughesvelbit@bakerbotts.com); Elbit-Hughes; [patrickclutter@potterminton.com](mailto:patrickclutter@potterminton.com);  
[johnbufe@potterminton.com](mailto:johnbufe@potterminton.com); [mikejones@potterminton.com](mailto:mikejones@potterminton.com); [wh@wsfirm.com](mailto:wh@wsfirm.com)  
**Subject:** Elbit v. Hughes

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](mailto:patrickclutter@potterminton.com); [johnbufe@potterminton.com](mailto:johnbufe@potterminton.com); EXT Jones, Mike  
**Cc:** [wh@wsfirm.com](mailto:wh@wsfirm.com); [claire@wsfirm.com](mailto:claire@wsfirm.com); Elbit-Hughes  
**Subject:** Elbit v. Hughes

Counsel,

Please see the attached letter.

Regards,  
-Patrick

### **Patrick Flynn**

Covington & Burling LLP  
333 Twin Dolphin Drive, Suite 700  
Redwood Shores, CA 94065-1418  
T +1 650 632 4732 | [pflynn@cov.com](mailto:pflynn@cov.com)  
[www.cov.com](http://www.cov.com)

## **COVINGTON**

---

This message is from a law firm and may contain information that is confidential or legally privileged. If you are not the intended recipient, please immediately advise the sender by reply e-mail that this message has been inadvertently transmitted to you and delete this e-mail from your system. Thank you for your cooperation.

**Confidentiality Notice:** The information contained in this email and any attachments is intended only for the recipient[s] listed above and may be privileged and confidential. Any dissemination, copying, or use of or reliance upon such information by or to anyone other than the recipient[s] listed above is prohibited. If you have received this message in error, please notify the sender immediately at the email address above and destroy any and all copies of this message.