

# Exhibit D

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**From:** Comeau, Jeffrey D.  
**Sent:** Tuesday, September 5, 2017 10:50 AM  
**To:** 'Christopher Evans'; Michael Shore; O'Brien, Karen R.; Ari Rafilson  
**Cc:** Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'melissa@gillamsmithlaw.com'  
**Subject:** RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Hello Chris,

Thank you for speaking with me last week regarding Samsung's concerns about CyWee's infringement contentions. Below is a summary, including a response on the first item:

1. You offered to provide additional claim charts for the Note 7, J5 Prime, J7, and J7 active within 3 weeks. Samsung will oppose any attempt by CyWee to amend its contentions to include new charts or name new products, absent a showing of good cause sufficient under the local patent rules.
2. CyWee's position is that the current scope of accused products is limited to those currently charted in CyWee's July 12 contentions and the products for which CyWee now wishes to provide claim charts, discussed above. Samsung disputes that the Note 7, J5 Prime, J7, and J7 active are properly accused products, and Samsung will oppose any attempt by CyWee to amend its contentions to include products not previously named, absent a showing of good cause sufficient under the local patent rules.
3. CyWee confirmed that it is not currently asserting infringement under the doctrine of equivalents and Samsung can deem any reference to DOE in the contentions as withdrawn. To the extent that CyWee later wishes to assert DOE infringement following claim construction, CyWee will seek to amend its contentions pursuant to the local patent rules.

Please let me know if you disagree with any of the above. I will follow up separately regarding our discussion of CyWee's deposition notice to Mr. Lee.

Regards,  
Jeff

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**From:** Comeau, Jeffrey D.  
**Sent:** Tuesday, August 22, 2017 10:04 AM  
**To:** 'Christopher Evans'; Michael Shore; O'Brien, Karen R.; Ari Rafilson  
**Cc:** Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'melissa@gillamsmithlaw.com'  
**Subject:** RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Chris,

3:00 CT on Monday works. I will give you a call then.

Regards,  
Jeff

**From:** Christopher Evans [<mailto:cevens@ShoreChan.com>]  
**Sent:** Tuesday, August 22, 2017 6:48 AM  
**To:** Comeau, Jeffrey D.; Michael Shore; O'Brien, Karen R.; Ari Rafilson  
**Cc:** Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'melissa@gillamsmithlaw.com'  
**Subject:** [EXT] RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Jeff,

Unfortunately neither of those times work for me and I'm tied up for the remainder of this week. I have time on Monday August 28<sup>th</sup> from 3 p.m. CT until 5 p.m. CT. Does that work for you?

Best,

Chris Evans



Christopher L. Evans  
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**From:** Comeau, Jeffrey D. [<mailto:jeffreycomeau@paulhastings.com>]  
**Sent:** Monday, August 21, 2017 2:49 PM  
**To:** Christopher Evans <[cevens@ShoreChan.com](mailto:cevens@ShoreChan.com)>; Michael Shore <[mshore@ShoreChan.com](mailto:mshore@ShoreChan.com)>; O'Brien, Karen R. <[karenobrien@paulhastings.com](mailto:karenobrien@paulhastings.com)>; Ari Rafilson <[arafilson@ShoreChan.com](mailto:arafilson@ShoreChan.com)>  
**Cc:** Alfonso G Chan <[achan@ShoreChan.com](mailto:achan@ShoreChan.com)>; Paul Beeler <[pbeeler@ShoreChan.com](mailto:pbeeler@ShoreChan.com)>; Team Samsung CyWee <[TeamSamsungCyWee@paulhastings.com](mailto:TeamSamsungCyWee@paulhastings.com)>; Rhonda Polvado <[rpolvado@ShoreChan.com](mailto:rpolvado@ShoreChan.com)>; Andrew Huffstetler <[ahuffstetler@ShoreChan.com](mailto:ahuffstetler@ShoreChan.com)>; 'melissa@gillamsmithlaw.com' <[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)>  
**Subject:** RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Chris,

Thank you for the quick response. I am not available at that time, but I could do 5:00 CT tomorrow or any time after 1:00 CT on Wednesday. Let me know what works.

Thanks,  
Jeff

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**From:** Christopher Evans [<mailto:cevens@ShoreChan.com>]  
**Sent:** Monday, August 21, 2017 12:26 PM

**To:** Comeau, Jeffrey D.; Michael Shore; O'Brien, Karen R.; Ari Rafilson  
**Cc:** Alfonso G Chan; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'melissa@gillamsmithlaw.com'  
**Subject:** [EXT] Re: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

Jeff,

I'm available at 4 pm CT tomorrow afternoon to discuss.

Best,

Chris Evans

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From: Comeau, Jeffrey D. <[jeffreycomeau@paulhastings.com](mailto:jeffreycomeau@paulhastings.com)>  
Sent: Monday, August 21, 2017 2:22 PM  
Subject: RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP  
To: Michael Shore <[mshore@shorechan.com](mailto:mshore@shorechan.com)>, O'Brien, Karen R. <[karenobrien@paulhastings.com](mailto:karenobrien@paulhastings.com)>, Ari Rafilson <[arafilson@shorechan.com](mailto:arafilson@shorechan.com)>  
Cc: Alfonso G Chan <[achan@shorechan.com](mailto:achan@shorechan.com)>, Christopher Evans <[cevans@shorechan.com](mailto:cevans@shorechan.com)>, Paul Beeler <[pbeeler@shorechan.com](mailto:pbeeler@shorechan.com)>, Team Samsung CyWee <[teamsamsungcywee@paulhastings.com](mailto:teamsamsungcywee@paulhastings.com)>, Rhonda Polvado <[rpolvado@shorechan.com](mailto:rpolvado@shorechan.com)>, Andrew Huffstetler <[ahuffstetler@shorechan.com](mailto:ahuffstetler@shorechan.com)>, 'melissa@gillamsmithlaw.com' <[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)>

Hello Michael,

Your response does not address our concerns. Please let us know when CyWee is available to meet and confer about the issues in my letter.

Regards,  
Jeff

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**From:** Michael Shore [ Michael Shore [<mailto:mshore@ShoreChan.com>]]  
**Sent:** Friday, August 18, 2017 5:32 PM  
**To:** O'Brien, Karen R.; Ari Rafilson  
**Cc:** Alfonso G Chan; Christopher Evans; Paul Beeler; Team Samsung CyWee; Rhonda Polvado; Andrew Huffstetler; 'melissa@gillamsmithlaw.com'  
**Subject:** [EXT] RE: CyWee v. Samsung, Case No. 2:17-cv-0140-RWS-RSP

If every Android device infringes the same claims the same way, as here, there is no need to repeat the same chart over and over. This letter is a waste of time. Samsung admitted every product infringed in pre-suit meetings. This case is only about damages unless Samsung offers false, bad faith defenses.

We will supplement according to the rules, not your demands.

Sent from my Windows Phone

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**From:** [O'Brien, Karen R.](mailto:O'Brien, Karen R.)  
**Sent:** 8/18/2017 19:24  
**To:** [Ari Rafilson](mailto:Ari Rafilson)  
**Cc:** [Michael Shore](mailto:Michael Shore); [Alfonso G Chan](mailto:Alfonso G Chan); [Christopher Evans](mailto:Christopher Evans); [Paul Beeler](mailto:Paul Beeler); [Team Samsung CyWee](mailto:Team Samsung CyWee); [Rhonda Polvado](mailto:Rhonda Polvado); [Andrew Huffstetler](mailto:Andrew Huffstetler); 'melissa@gillamsmithlaw.com'

Counsel,

Attached please find correspondence from Jeffrey Comeau regarding the above matter.

Best regards,  
Karen



**Karen O'Brien | Client Service Specialist**

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