

# EXHIBIT 1

## Jay, Michael

---

**From:** Geoff Culbertson <gpc@texarkanalaw.com>  
**Sent:** Friday, December 11, 2020 9:53 AM  
**To:** gil@gillamsmithlaw.com; DLA-Apple-Maxell-EDTX; Kelly Tidwell; Janet Orr  
**Cc:** melissa@gillamsmithlaw.com; Nicole Winningham; Lineberry, Alice; Diana Arias; Beaber, Jamie B.; Grimaldi, Alan M.; Gelsleichter, Alison T.; Bonner, Amanda Streff; Paul, Baldine B.; Nese, Bryan; Bakewell, Clark S.; Buccigross, Gray M.; Fussell, Tripp; Kelly Tidwell; Levy, Kfir B.; Miranda, Luiz; Lindinger, Michael L.; Pluta, Robert G.; Miller, Tiffany A.; Barrow, William J.; Wendy Asbel  
**Subject:** RE: Case 5:19-cv-00036-RWS Maxell Ltd. v. Apple Inc

[EXTERNAL]

---

Maxell will be happy to discuss a joint filing with Apple once the parties have agreed on narrowing the case.

Best,

Geoff

Geoff Culbertson  
Patton Tidwell & Culbertson, LLP  
2800 Texas Blvd.  
Texarkana, TX 75503  
Phone 903/792-7080  
Fax 903/792-8233  
gpc@texarkanalaw.com

---

**From:** Gil Gillam [mailto:gil@gillamsmithlaw.com]  
**Sent:** Thursday, December 10, 2020 9:46 PM  
**To:** Geoff Culbertson; DLA-Apple-Maxell-EDTX@us.dlapiper.com; Kelly Tidwell; Janet Orr  
**Cc:** Melissa Smith; Nicole Winningham; alice.lineberry@us.dlapiper.com; Diana Arias; Beaber, Jamie B.; Grimaldi, Alan M.; Gelsleichter, Alison T.; Bonner, Amanda Streff; Paul, Baldine B.; Nese, Bryan; Bakewell, Clark S.; Buccigross, Gray M.; Fussell, Tripp; Kelly Tidwell; Levy, Kfir B.; Miranda, Luiz; Lindinger, Michael L.; Pluta, Robert G.; Miller, Tiffany A.; Barrow, William J.; Wendy Asbel  
**Subject:** RE: Case 5:19-cv-00036-RWS Maxell Ltd. v. Apple Inc

While Maxell may have said it is dropping "the 586 patent weeks ago", it is still in the lawsuit. As Apple is working on the narrowing issue, I assume Maxell should be able to file a motion to dismiss the 586 with prejudice to remove it from the case. Can you get this on file Friday?



*Principal Office:*  
303 S. Washington Ave.  
Marshall, Texas 75670

Tel. 903.934.8450  
Fax 903.934.9257

**Tyler Office:**

102 N. College, Suite 800  
Tyler, Texas 75702

**[www.gillamsmithlaw.com](http://www.gillamsmithlaw.com)**

---

**From:** Geoff Culbertson [<mailto:gpc@texarkanalaw.com>]

**Sent:** Wednesday, December 09, 2020 3:50 PM

**To:** [DLA-Apple-Maxell-EDTX@us.dlapiper.com](mailto:DLA-Apple-Maxell-EDTX@us.dlapiper.com); Kelly Tidwell; Janet Orr

**Cc:** Melissa Smith; Gil Gillam; Nicole Winningham; [alice.lineberry@us.dlapiper.com](mailto:alice.lineberry@us.dlapiper.com); Diana Arias; Beaber, Jamie B.; Grimaldi, Alan M.; Gelsleichter, Alison T.; Bonner, Amanda Streff; Paul, Baldine B.; Nese, Bryan; Bakewell, Clark S.; Buccigross, Gray M.; Fussell, Tripp; Kelly Tidwell; Levy, Kfir B.; Miranda, Luiz; Lindinger, Michael L.; Pluta, Robert G.; Miller, Tiffany A.; Barrow, William J.; Wendy Asbel

**Subject:** Case 5:19-cv-00036-RWS Maxell Ltd. v. Apple Inc

Dear Counsel,

Further to the call with Judge Schroeder this week, Maxell dropped the '586 patent weeks ago and awaits reciprocal narrowing by Apple including an agreement to representative products and narrowing of Apple's invalidity case. Please let us know when Apple intends to provide Maxell with its next step for narrowing? Once received, Maxell will commit to dropping additional patents and/or claims.

Best,

Geoff

Geoff Culbertson  
Patton Tidwell & Culbertson, LLP  
2800 Texas Blvd.  
Texarkana, TX 75503  
Phone 903/792-7080  
Fax 903/792-8233  
[gpc@texarkanalaw.com](mailto:gpc@texarkanalaw.com)