

TAB A-7

Parker, Crystal

From: Parker, Crystal
Sent: Friday, June 19, 2009 3:13 PM
To: 'Patricia L. Peden'; nickpatton@texarkanalaw.com
Cc: Babcock, Chip; Flynn-DuPart, Mary Lou; Adair, Kathy; 'Marcie Long'
Subject: RE: Ward v. Cisco submission log

Patty,

We all agreed that Cisco would produce to the Court *in camera* the privileged documents Cisco produced in the Albritton case. I believe the log contains all of those documents. If you will let me know whether there are any documents produced in the Albritton case that were not identified, we will add them to the list. Otherwise, we will get the documents to the Court.

Thanks,

Crystal J. Parker
Jackson Walker L.L.P.
713-752-4217

From: Patricia L. Peden [mailto:ppeden@pedenlawfirm.com]
Sent: Wednesday, June 17, 2009 12:32 PM
To: Parker, Crystal; nickpatton@texarkanalaw.com
Cc: Babcock, Chip; Flynn-DuPart, Mary Lou; Adair, Kathy; 'Marcie Long'
Subject: RE: Ward v. Cisco submission log

Crystal:

We will look through the list and confirm that it includes all of the documents produced in the Albritton case. It will take us a day or two to do that and get back to you. Cisco's submission log should also include the documents that Baker Botts gave Cisco for production in the Albritton case. Also, there are documents on Cisco's privilege log separate and apart from the documents produced in the Albritton case that should be submitted. We will identify those documents for inclusion on Cisco's list. Can you confirm for me that Cisco's privilege log has not changed since it was last produced to Ward? If additional documents have been logged on Cisco's privilege log, please provide us with an updated privilege log so that we can identify the documents we would like submitted to Judge Hendren. Finally, you may want to include a column on the far left of the submission log that numbers the documents. If the Court has questions about the documents and wants further argument, it helps to be able to discuss the documents by number.

Thanks,

Patty

From: Parker, Crystal [mailto:cparker@jw.com]
Sent: Wednesday, June 17, 2009 7:58 AM
To: ppeden@pedenlawfirm.com; nickpatton@texarkanalaw.com
Cc: Babcock, Chip; Flynn-DuPart, Mary Lou; Adair, Kathy
Subject: Ward v. Cisco submission log

<<DOCSOPEN-#5536654-v2-Privileged_Documents_Produced_in_Albritton_v__Cisco_case.DOC>>

6/26/2009

Patty and Nick,

Attached is the submission log containing all the privileged documents produced under the Protective Order and non-waiver agreements in the Albritton v. Cisco case (except one as described below). As we agreed in our hearing with Judge Hendren, Cisco will submit these documents for in camera inspection on or before next Friday. Judge Hendren asked us to come to an agreement regarding this list. Please confirm that these are all the privileged documents produced under the Protective Order and non-waiver agreements in the Albritton v. Cisco case. You will notice that one document is missing: CISCO PRIVILEGED.000014, which was inadvertently produced as a privileged document, when it is only responses to privileged documents but not itself privileged. I will have it bates labeled and produced to you as a non-privileged document before we submit these documents to Judge Hendren.

Take care,

Crystal J. Parker
Jackson Walker L.L.P.
1400 McKinney, Suite 1900
Houston, TX 77010
713-752-4200 (main)
713-752-4217 (direct)
713-752-4221 (main fax)
713-754-6717 (direct fax)
Email: cparker@jw.com

Internet Email Confidentiality

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6/26/2009

TAB A-8

**WARD V. CISCO
CISCO'S SUBMISSION LOG**

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
1	CISCO PRIVILEGED.0 00001	CISCO PRIVILEGED.0 000001	Bart Showalter ¹ (Baker Botts) John Corcoran Kurt Pankratz (Baker Botts) Mallun Yen Mark Michels Marta Beckwith Michael Ritter	Rick Frenkel	Dan Lang	17-Oct-2007 1:47 p.m.	Amended ESN Complaint	Email regarding ESN's filing of an amended complaint.	Attorney Client Work Product (ordinary)
2a	CISCO PRIVILEGED.0 00002	CISCO PRIVILEGED.0 000003	Bart Showalter (Baker Botts) Kurt Pankratz (Baker Botts) Mark Michels Michael Ritter Rick Frenkel	Marta Beckwith	Dan Lang	17-Oct-2007 4:47 p.m.	RE: Amended ESN Complaint	Email regarding attachment to ESN's amended complaint	Attorney Client Work Product (ordinary)
2b			Kurt Pankratz (Baker Botts) Marta Beckwith Mallun Yen Michael Ritter Mark Michels Bart Showalter (Baker Botts) John Corcoran	Rick Frenkel	Dan Lang	17-Oct-2007 4:45 p.m.	RE: Amended ESN Complaint	Email regarding attachment to ESN's amended complaint and legal strategy with respect to same	Attorney Client Work Product (ordinary and opinion)
2c			Marta Beckwith Mallun Yen Michael Ritter Mark Michels Bart Showalter (Baker Botts) John Corcoran	Kurt Pankratz	Dan Lang	17-Oct-2007 4:32 p.m.	RE: Amended ESN Complaint	Email regarding attachment to ESN's amended complaint	Attorney Client Work Product (ordinary)
2d			(logged at 1)						
3	CISCO PRIVILEGED.0	CISCO PRIVILEGED.	Bart Showalter (Baker Botts)	Rick Frenkel		18-Oct-2007	ESN	Email regarding the court clerk's changing	Attorney Client Work Product (ordinary)

¹ Every person listed in the "From" and "To" categories was a Cisco employee unless otherwise indicated.

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
	00004	000004	Kurt Pankratz (Baker Botts) Mallun Yen Mark Michels Marta Beckwith Michael Ritter			9:23 a.m.		of the docket.	
4a	CISCO PRIVILEGED.0 00005	CISCO PRIVILEGED. 000005	Rick Frenkel Bart Showalter (Baker Botts) Marta Beckwith Mark Michels Mallun Yen Michael Ritter	Kurt Pankratz (Baker Botts)	Dan Lang	18-Oct- 2007 11:27 a.m.	RE: ESN	Email regarding the court clerk's changing of the docket and expressing legal opinion	Attorney Client Work Product (ordinary and opinion)
4b			(logged at 3)						
5	CISCO PRIVILEGED.0 00006	CISCO PRIVILEGED. 000006	Rick Frenkel Bart Showalter (Baker Botts) Marta Beckwith Mark Michels Mallun Yen Michael Ritter Dan Lang	Kurt Pankratz (Baker Botts)	Dan Lang	18-Oct- 2007 11:29 a.m.	RE: ESN	Email regarding court clerk changing date of ESN compliant and opinion regarding same	Attorney Client Work Product (ordinary and opinion)
5b			(logged at 3)						
6a	CISCO PRIVILEGED.0 00007	CISCO PRIVILEGED. 000008	Kurt Pankratz (Baker Botts)	Jillian Powell (Baker Botts)		22-Oct- 2007 10:18 a.m.	FW: Urgent - please read - ESN	Email between Baker Botts attorneys attaching ESN original complaint	Attorney Client Work Product (ordinary)
6b			Kurt Pankratz (Baker Botts) Bart Showalter (Baker Botts) Marta Beckwith Micheal Ritter Mallun Yen	Rick Frenkel	Dan Lang	16-Oct- 2007 1:34 a.m.	FW: Urgent - please read - ESN	Email attaching complaint and discussing legal opinions relating to same	Attorney Client Work Product (ordinary and opinion)
7a	CISCO PRIVILEGED.0 00009	CISCO PRIVILEGED. 000009	Steve Shortgen (Baker Botts)	Jillian Powell (Baker Botts)	Kurt Pankratz (Baker Botts)	22-Oct- 2007 11:48 a.m.	RE: ESN	Email between Baker Botts attorneys/paralegals regarding call to the court clerk regarding changing of the date of the ESN complaint	Attorney Client Work Product (ordinary)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
7b			Jillian Powell (Baker Botts)	Steve Shortgen (Baker Botts)	Kurt Pancratz (Baker Botts)	22-Oct-2007 10:58 a.m.	RE: ESN	Email between Baker Botts attorneys asking Jillian about her call to the court clerk regarding the ESN complaint	Attorney Client Work Product (ordinary)
8a	CISCO PRIVILEGED.000010	CISCO PRIVILEGED.000010	Jillian Powell (Baker Botts) Steve Schortgen (Baker Botts)	Kurt Pankratz (Baker Botts)		22-Oct-2007 11:50 a.m.	Re: ESN	Email between Baker Botts attorneys regarding calls made by Plaintiff	Attorney Client Work Product (ordinary)
8b			(logged at 7a)						
8c			(logged at 7b)						
9a	CISCO PRIVILEGED.000011	CISCO PRIVILEGED.000013	Mark Chandler	Mallun Yen	Rick Frenkel	25-Feb-2008 9:32 p.m.	FW: ESN - PRIVILEGED AND CONFIDENTIAL	Email regarding Yen's lack of involvement with the article at issue	Attorney Client Work Product (ordinary)
9b			John Noh	Mallun Yen	Rick Frenkel	18-Oct-2007 10:06 a.m.	RE: ESN	Produced-not privileged	Produced-not privileged
9c			Mallun Yen	John Noh	Rick Frenkel	18-Oct-2007 10:04 a.m.	Re: ESN	Produced- not privileged	Produced-not privileged
9d			Mark Chandler Matthew Tanielian Neal Rubin John Noh	Mallun Yen		18-Oct-2007 9:47 a.m.	Re: ESN	Email regarding sources that local counsel persuaded the court clerk to change the date, discussing the lawsuit and asking whether there is a news story	Attorney Client Work Product (ordinary)
9e			(logged at 5a)						
9f			(logged at 5b)						
10	CISCO PRIVILEGED.000019	CISCO PRIVILEGED.000026	(logged at 6b)						
11	CISCO PRIVILEGED.000027	CISCO PRIVILEGED.000027	Mallun Yen Mark Michels Marta Beckwith	Rick Frenkel		15-Oct-2007	We were just sued by ESN, LLC	Email discussing lawsuit filed by ESN against Cisco	Attorney Client Work Product (ordinary)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
			Michael Ritter			3:00 p.m.			
12	CISCO PRIVILEGED.0 00028	CISCO PRIVILEGED.0 000028	Rick Frenkel	Mark R. Weinstein (White & Case)		25-Oct-2007 11:44 a.m.	ESN Filing Date - From the Blogs - A/C Privileged	Email with attorney regarding alteration of docket and discussing speculation regarding same	Attorney Client Work Product (ordinary)
13	CISCO PRIVILEGED.0 00037	CISCO PRIVILEGED.0 000041		Marta Beckwith		22-Oct-2007 10:47 a.m.	In case you haven't seen this about your DJ case in ESN	Email forwarding article about the ESN filing to legal team	Attorney Client Work Product (ordinary)
14	CISCO PRIVILEGED.0 00043	CISCO PRIVILEGED.0 000043	Victoria Maroulis (Quinn Emanuel)	Marta Beckwith	Charles K Verhoeven (Quinn Emanuel)	25-Feb-2008 4:01 p.m.	Troll Tracker	Email informing Cisco's counsel that Frenkel has been revealed as the Patent Troll Tracker	Attorney Client Work Product (ordinary)
15	CISCO PRIVILEGED.0 00044	CISCO PRIVILEGED.0 000048	Marta Beckwith	Bart Showalter (Baker Botts)		22-Oct-2007 11:01 a.m.	In case you haven't seen this about your DJ case in ESN	Response to article written about ESN lawsuit and expressing opinion about the bias of the same	Attorney Client Work Product (ordinary)
16a	CISCO PRIVILEGED.0 00087	CISCO PRIVILEGED.0 000087	Samir Bhavsar (Baker Botts)	Marta Beckwith	Bart Showalter (Baker Botts)	25-Feb-2008 4:07 p.m.	Troll Tracker	Response to question from Cisco's counsel regarding Frenkel being revealed as the Patent Troll Tracker	Attorney Client Work Product (ordinary)
16b			Marta Beckwith	Samir Bhevsar (Baker Botts)	Bart Showalter (Baker Botts)	25-Feb-2008 4:01 p.m.	Troll Tracker	Question from Cisco's counsel regarding Frenkel being revealed as the Patent Troll Tracker	Attorney Client Work Product (ordinary)
16c			Bart Showalter (Baker Botts)	Marta Beckwith	Doug Kube (Baker Botts) Bryant Boren (Baker Botts) Samir Bhavsar (Baker Botts) Chad Walters (Baker Botts)	25-Feb-2008 5:56 p.m.	Troll Tracker	Email to Cisco's Counsel regarding Frenkel being revealed as Patent Troll Tracker	Attorney Client Work Product (ordinary)
17	CISCO PRIVILEGED.0	CISCO PRIVILEGED.	Bart Showalter (baker Botts)	Marta Beckwith	Bryant Boren	25-Feb-2008	Troll Tracker	Email informing counsel that Frenkel	Attorney Client Work Product (ordinary)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
	00089	000089	(Baker Botts)		(Baker Botts) Chad Walters (Baker Botts) Doug Kube (Baker Botts) Samir Bhavsar (Baker Botts)	3:56 p.m.		has been revealed as the Patent Troll Tracker	
18	CISCO PRIVILEGED.0 00094	CISCO PRIVILEGED.0 000094	Greg Chambers (McKook Smith)	Marta Beckwith		25-Nov-2007 8:13 a.m.	New local rules	Email asking for analysis of changes to the local rules	Attorney Client Work Product (ordinary)
19a	CISCO PRIVILEGED.0 00103	CISCO PRIVILEGED.0 000105	Mallun Yen Michael Ritter Rick Frenkel	Marta Beckwith		18-Oct-2007 9:23 a.m.	ESN	Email about contacting attorneys who handled a motion to correct the docket	Attorney Client Work Product (ordinary)
19b			Michael Ritter Marta Beckwith Rick Frenkel	Mallun Yen		18-Oct-2007 11:43 AM	RE: ESN	Email about contacting local counsel about legal advice	Attorney Client Work Product (ordinary)
19c			Mallun Yen Marta Beckwith Rick Frenkel	Michael Ritter		18-Oct-2007 11:44 AM	RE: ESN	Email about contacting local counsel about legal advice	Attorney Client Work Product (ordinary)
19d			Marta Beckwith Rick Frenkel Michael Ritter	Mallun Yen		18-Oct-2007 11:40 AM	FW: ESN	Email about contacting attorneys who handled a motion to correct the docket	Attorney Client Work Product (ordinary)
19e			Rick Frenkel Kurt Pankratz (Baker Botts) Bart Showalter (Baker Botts) Marta Beckwith Mark Michels Michael Ritter	Mallun Yen	Dan Lang	18-Oct-2007 11:38 AM	RE: ESN	Email about contacting attorneys who handled a motion to correct the docket	Attorney Client Work Product (ordinary)
19f			Kurt Pankratz (Baker Botts) Bart Showalter (Baker Botts) Marta Beckwith	Rick Frenkel	Dan Lang	18-Oct-2007 11:33 AM	RE:ESN	Email about legal opinions concerning enforcement of filing dates and legal strategy regarding	Attorney Client Work Product (ordinary and opinion)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
22g			(logged at 5a)						
22h			(logged at 5b)						
23a	CISCO PRIVILEGED.0 00122	CISCO PRIVILEGED.000125	Mark Chandler	Mallun Yen		25-Feb-2008 10:14 PM	ESN - PRIVILEGED AND CONFIDENTIAL	Email regarding Yen's lack of involvement in article at issue	Attorney Client Work Product (ordinary)
23b			(logged at 21a)						
23c			(logged at 21b)						
23d			(logged at 9a)						
23e			(logged at 9b)						
23f			(logged at 9c)						
23g			(logged at 9d)						
23h			(logged at 5a)						
23i			(logged at 5b)						
24a	CISCO PRIVILEGED.0 00126	CISCO PRIVILEGED.000126	Matthew Tanielian	Mark Chandler		18-Oct-2007 9:40 a.m.	ESN	Email forwarding email concerning calling local counsel	Attorney Client Work Product (ordinary)
24b			(logged at 3)						
25a	CISCO PRIVILEGED.0 00134	CISCO PRIVILEGED.000135	Rick Frenkel	John Corcoran		17-Oct-2007 4:46 p.m.	Re: Amended ESN Complaint	Email responding to proposed legal strategy	Attorney Client Work Product (ordinary)
25b			(logged at 2b)						
25c			(logged at 2c)						
25d			(logged at 2d)						
26a	CISCO PRIVILEGED.0 00136	CISCO PRIVILEGED.000137	John Corcoran	Rick Frenkel		17-Oct-2007 4:47 p.m.	Amended ESN Complaint	Email responding to proposed legal strategy	Attorney Client Work Product (ordinary)
26b			(logged at 25a)						
26c			(logged at 2b)						
26d			(logged at 2c)						
26e			(logged at 2d)						
27a	CISCO PRIVILEGED.0 00138	CISCO PRIVILEGED.000140	Matthew Tanielian	Rick Frenkel		19-Oct-2007 12:47 p.m.	Fair Comparison of Patent Litigation Statistics, 1990 v. 2006 v. 2007	Email regarding sending statistics to patent reform coalition	Attorney Client

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
27b			Rick Frenkel Mark Chandler	Matthew Tanielian	Mallun Yen Dan Lang	19-Oct-2007 12:29 p.m.	Fair Comparison of Patent Litigation Statistics, 1990 v. 2006 v. 2007	Email regarding sending statistics to patent reform coalition	Attorney Client
27c			Mark Chandler Matthew Tanielian	Rick Frenkel	Mallun Yen Dan Lang	18-Oct-2007 9:47 p.m.	Fair Comparison of Patent Litigation Statistics, 1990 v. 2006 v. 2007	Email regarding busiest jurisdictions for patent cases	Attorney Client
28a	CISCO PRIVILEGED.000141	CISCO PRIVILEGED.000144	Rick Frenkel	Mallun Yen		25-Feb-2008 9:51 p.m.	ESN - PRIVILEGED AND CONFIDENTIAL	Email discussing Yen's lack of involvement in the article at issue	Attorney Client Work Product (ordinary)
28b			Mallun Yen	Rick Frenkel		25-Feb-2008 9:51 p.m.	ESN - PRIVILEGED AND CONFIDENTIAL	Email discussing Yen's lack of involvement in the article at issue	Attorney Client Work Product (ordinary)
28c			(logged at 9a)						
28d			(logged at 9b)						
28e			(logged at 9c)						
28f			(logged at 9d)						
28g			(logged at 5a)						
28h			(logged at 5b)						
29a	CISCO PRIVILEGED.000146	CISCO PRIVILEGED.000149	(logged at 28b)						
29b			(logged at 9a)						
29c			(logged at 9b)						
29d			(logged at 9c)						
29e			(logged at 9d)						
29f			(logged at 5a)						
29g			(logged at 5b)						

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
30a	CISCO PRIVILEGED.0 00154	CISCO PRIVILEGED.0 000156	(logged at 27b)						
30b			(logged at 27c)						
31a	CISCO PRIVILEGED.0 00167	CISCO PRIVILEGED.0 000168	(logged at 19e)						
31b			(logged at 19f)						
31c			(logged at 19g)						
31d			(logged at 19h)						
32a	CISCO PRIVILEGED.0 00169	CISCO PRIVILEGED.0 000169	Bart Showalter (Baker Botts) Mallun Yen Mark Michels Marta Beckwith Michael Ritter Rick Frenkel	Kurt Pankratz (Baker Botts)	Dan Lang (dlang)	18-Oct-2007 9:36 a.m.	ESN	Email regarding the clerk's changing of the date for the ESN complaint and discussing proof of filing on October 15	Attorney Client Work Product (ordinary)
32b			(logged at 3)						
33a	CISCO PRIVILEGED.0 00192	CISCO PRIVILEGED.0 000194	(logged at 19c)						
33b			(logged at 19d)						
33c			(logged at 19e)						
33d			(logged at 19f)						
33e			(logged at 3)						
33f			(logged at 4a)						
34	CISCO PRIVILEGED.0 00204	CISCO PRIVILEGED.0 000204	Kurt Pankratz (Baker Botts) Marta Beckwith Michael Ritter	Zahner, Gail (Day Pitney)	Bucci, Michael A. (Day Pitney) Sicilian, James (Day Pitney)	17-Oct-2007 2:00 p.m.	Complaint for Declaratory Judgment - Cisco v ESN LLC	Email regarding service of complaint for declaratory judgment on ESN	Attorney Client Work Product (ordinary)
35a	CISCO PRIVILEGED.0 00212	CISCO PRIVILEGED.0 000212	Kurt Pankratz (Baker Botts) Bart Showalter (Baker Botts)	Marta Beckwith	Mallun Yen Michael Ritter Rick Frenkel	18-Oct-2007 11:57 a.m.	Re: Hertz/TSD Motion to Correct Docket	Email forwarding pleadings in another case	Attorney Client Work Product (ordinary)
35b			Marta Beckwith	Anthony J. Downs	Mallun Yen Michael Ritter Rick Frenkel	18-Oct-2007 11:21	Re: Hertz/TSD Motion to Correct	Email sending pleadings in another case.	Attorney Client Work Product (ordinary)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
						a.m.	Docket		
36a	CISCO PRIVILEGED.000227	CISCO PRIVILEGED.000228	Kurt Pancratz (Baker Botts) Bart Showalter (Baker Botts) Doug Kubehl (Baker Botts) Mallun Yen Mark Michels Marta Beckwith Michael Ritter Rick Frenkel	Rich Renfree		19-Oct-2007 10:01 a.m.	RE: ESN Files Motion to Enjoin Cisco's CT Case	Email attaching ESN's amended complaint and discussing service	Attorney Client Work Product (ordinary)
36b			Doug Kubehl (Baker Botts) Bart Showlater (Baker Botts) Kurt Pancratz (Baker Botts) Rick Frenkel Marta Beckwith Michael Ritter Mallun Yen Rich Renfree	Mark Michels		19-Oct-2007 9:57 a.m.	Re: ESN Files Motion to Enjoin Cisco's CT Case	Email discussing service of ESN complaint and amended complaint	Attorney Client Work Product (ordinary)
36c			Bart Showlater (Baker Botts) Kurt Pancratz (Baker Botts) Rick Frenkel Marta Beckwith Michael Ritter Mallun Yen Rich Renfree	Doug Kubehl (Baker Botts)		19-Oct-2007 8:59 a.m.	Re: ESN Files Motion to Enjoin Cisco's CT Case	Email discussing service of ESN complaint	Attorney Client Work Product (ordinary)
36d			Bart Showlater (Baker Botts) Kurt Pancratz (Baker Botts) Rick Frenkel Marta Beckwith Michael Ritter Mallun Yen Mark Michels	Doug Kubehl (Baker Botts)		19-Oct-2007 10:56 a.m.	Re: ESN Files Motion to Enjoin Cisco's CT Case	Email asking for a return call	Attorney Client Work Product (ordinary)
36e			Doug Kubehl (Baker Botts) Kurt Pancratz	Bart Showalter		19-Oct-2007	FW: ESN Files Motion to Enjoin	Email regarding getting started with work on the ESN case	Attorney Client Work Product (ordinary)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
			(Baker Botts)			7:55 a.m.	Cisco's CT Case		
36f			Marta Beckwith Mallun Yen Micheal Ritter	Rick Frenkel	Mark Michels Bart Showalter Kurt Pancratz	19-Oct-2007 1:30 a.m.	ESN Files Motion to Enjoin Cisco's CT Case	Email regarding ESN's motion to enjoin and discussing strategy regarding same	Attorney Client Work Product (ordinary and opinion)
37a	CISCO PRIVILEGED.0 00231	CISCO PRIVILEGED.000233	'Victoria Maroulis' (Quinn Emanuel)	Michael Ritter		1-Nov-2007 9:10 a.m.	Re: ESN v. Cisco -- Conference Call	Email discussing status of potential settlement regarding venue issues	Attorney Client Work Product (ordinary)
37b			Michael Ritter	Victoria Maroulis		31-Oct - 2007 6:47 p.m.	Re: ESN v. Cisco -- Conference Call	Email discussing status of potential settlement regarding venue issues	Attorney Client Work Product (ordinary)
37c			Kevin Smith (Quinn Emanuel) Rick Frenkel Marta Beckwith	Michael Ritter	Mark Michels Victoria Maroulis (Quinn Emanuel) Charles K. Verhoeven (Quinn Emanuel)	31-Oct-2007 5:04 p.m.	Re: ESN v. Cisco -- Conference Call	Email discussing comments to draft opposition to motion to stay	Attorney Client Work Product (ordinary and opinion)
37d			Rick Frenkel Marta Beckwith	Kevin Smith (Quinn Emanuel)	Michael Ritter Mark Michels Victoria Maroulis (Quinn Emanuel) Charles K. Verhoeven (Quinn Emanuel)	30-Oct-2007 3:24 p.m.	Re: ESN v. Cisco -- Conference Call	Email discussing comments to draft opposition to motion to stay	Attorney Client Work Product (ordinary and opinion)
37e			Kevin Smith (Quinn Emanuel) Marta Beckwith	Rick Frenkel	Michael Ritter Mark Michels Victoria Maroulis (Quinn Emanuel) Charles K. Verhoeven (Quinn Emanuel)	30-Oct-2007 2:38 p.m.	Re: ESN v. Cisco -- Conference Call	Email discussing comments to draft opposition to motion to stay	Attorney Client Work Product (ordinary and opinion)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
37f			Rick Frenkel Marta Beckwith	Kevin Smith	Michael Ritter Mark Michels Victoria Maroulis Charles K. Verhoeven	30-Oct-2007 11:06 a.m.	ESN v. Cisco -- Conference Call	Email discussing draft opposition to motion to stay	Attorney Client Work Product (ordinary and opinion)
38a	CISCO PRIVILEGED.0 00234	CISCO PRIVILEGED.0 00237	Mallun Yen Michael Ritter Rick Frenkel	Marta Beckwith		18-Oct-2007 12:21 p.m.	Re: ESN	Email discussing another case in which another firm filed a motion to correct the docket	Attorney Client Work Product (ordinary)
38b			Rick Frenkel Marta Beckwith Michael Ritter	Mallun Yen		18-Oct-2007 11:57 a.m.	Re:ESN	Email discussing another case in which another case filed a motion to correct the docket	Attorney Client Work Product (ordinary)
38c			Marta Beckwith Mallun Yen Michael Ritter	Rick Frenkel		18-Oct-2007 11:54 a.m.	Re: ESN	Email discussing another case in which another case filed a motion to correct the docket	Attorney Client Work Product (ordinary)
38d			(logged at 19a)						
38e			(logged at 19b)						
38f			(logged at 19c)						
38g			(logged at 19d)						
38h			(logged at 19e)						
38i			(logged at 19f)						
38j			(logged at 4a)						
38k			(logged at 3)						
39a	CISCO PRIVILEGED.0 00250	CISCO PRIVILEGED.0 00251	(logged at 19d)						
39b			(logged at 19e)						
39c			(logged at 19f)						
39d			(logged at 4a)						
39e			(logged at 3)						
40a	CISCO PRIVILEGED.0 00254	CISCO PRIVILEGED.0 00254	Marta Beckwith Michael Ritter Rick Frenkel	Mallun Yen	Mark Michels	19-Oct-2007 8:11 a.m.	Re:	Email about selection of counsel	Attorney Client Work Product (ordinary)
40b			Rick Frenkel Mallun Yen Michael Ritter	Marta Beckwith	Mark Michels	19-Oct-2007 7:19 a.m.	Re:	Email about case strategy and selection of counsel	Attorney Client Work Product (ordinary and opinion)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
40c			Marta Beckwith Mallun Yen Michael Ritter	Rick Frenkel	Mark Michels	11:51 p.m.		Email about case strategy	Attorney Client Work Product (ordinary and opinion)
41	CISCO PRIVILEGED.0 00255	CISCO PRIVILEGED.0 000255	ip-disputes-team(Cisco IP team mailer list)	Marta Beckwith		25-Nov-2007	New EDTx rules	Email about change to local rules	Attorney Client Work Product (ordinary)
42a	CISCO PRIVILEGED.0 00256	CISCO PRIVILEGED.0 000256	John Noh (Mark Chandler	Mallun Yen		18-Oct-2007	ESN	Email regarding clerk changing date of ESN docket and calling counsel to discuss same	Attorney Client Work Product (ordinary)
42b			(logged at 3)						
43a	CISCO PRIVILEGED.0 00257	CISCO PRIVILEGED.0 000260	(logged at 38c)						
43b			(logged at 19a)						
43c			(logged at 19b)						
43d			(logged at 19c)						
43e			(logged at 19d)						
43f			(logged at 19e)						
43g			(logged at 19f)						
43h			(logged at 4a)						
43i			(logged at 3)						
44a	CISCO PRIVILEGED.0 00261	CISCO PRIVILEGED.0 000261	(logged at 2c)						
44b			(logged at 2d)						
45a	CISCO PRIVILEGED.0 00264	CISCO PRIVILEGED.0 000265	(logged at 9d)						
45b			(logged at 5a)						
45c			(logged at 5b)						
46a	CISCO PRIVILEGED.0 00269	CISCO PRIVILEGED.0 000272	(logged at 38b)						
46b			(logged at 38c)						
46c			(logged at 19a)						
46d			(logged at 19b)						
46e			(logged at 19c)						
46f			(logged at 19d)						
46g			(logged at 19e)						
46h			(logged at 19f)						
46i			(logged at 4a)						

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
46j			(logged at 3)						
47a	CISCO PRIVILEGED.0 00276	CISCO PRIVILEGED.0 000277	Kurt Pancratz (Baker Botts) Mallun Yen Marta Beckwith Michael Ritter Rick Frenkel	Bart Showalter (Baker Botts)	Dan Lang	16-Oct-2007	Urgent - please read - ESN	Email regarding amended complaint and legal opinions regarding same	Attorney Client Work Product (ordinary and opinion)
47b			(logged at 6b)						
48a	CISCO PRIVILEGED.0 00278	CISCO PRIVILEGED.0 000281	Marta Beckwith Michael Ritter Rick Frenkel	Mallun Yen		18-Oct-2007 1:09 p.m.	ESN	Email discussing a motion to correct the docket in another case	Attorney Client Work Product (ordinary)
48b			(logged at 38a)						
48c			(logged at 38b)						
48d			(logged at 19a)						
48e			(logged at 19b)						
48f			(logged at 19c)						
48g			(logged at 19d)						
48h			(logged at 19e)						
48i			(logged at 19f)						
48j			(logged at 4a)						
48k			(logged at 3)						
49a	CISCO PRIVILEGED.0 00287	CISCO PRIVILEGED.0 000287	John Noh	Mallun Yen		18-Oct-2007 10:54 a.m.	ESN	Email forwarding earlier email about changing of the docket	Attorney Client Work Product (ordinary)
49b			(logged at 32a)						
49c			(logged at 3)						
50a	CISCO PRIVILEGED.0 00324	CISCO PRIVILEGED.0 000324	John Noh	Mallun Yen		17-Oct-2007 6:28 p.m.	Amended ESN Complaint	Email forwarding ESN's amended complaint	Attorney Client Work Product (ordinary)
50b			(logged at 1)						
51a	CISCO PRIVILEGED.0 00327	CISCO PRIVILEGED.0 000331	Mallun Yen Marta Beckwith Michael Ritter	Rick Frenkel		18-Oct-2007	ESN	Email discussing how venue reform would affect the case	Attorney Client Work Product (ordinary)
51b			(logged at 48a)						
51c			(logged at 38a)						
51d			(logged at 38b)						
51e			(logged at 19a)						
51f			(logged at 19b)						

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege
51g			(logged at 19c)						
51h			(logged at 19d)						
51i			(logged at 19e)						
51j			(logged at 19f)						
51k			(logged at 4a)						
51l			(logged at 3)						