

EXHIBIT C

WARD V. CISCO
CISCO'S SUBMISSION LOG

Group 1—
Documents Produced in Albritton v. Cisco under Protective Order and Non-Waiver Agreements

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not Be Produced	Reason(s) Document Could Not Be Responsive to Interrogatory No. 6
1	CISCO PRIVILEGED. 000001	CISCO PRIVILEGED.00 0001	Bart Showalter (Baker Botts attorney) John Corcoran (Cisco attorney) Kurt Pankratz (Baker Botts attorney) Mallun Yan (Cisco attorney) Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)	Rick Frenkel (Cisco attorney)	Dan Lang (Cisco attorney)	17-Oct-2007 1:47 p.m.	Amended ESN Complaint	Email regarding ESN's filing of an amended complaint.	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Document could not be relied on by Frenkel because document contains Frenkel's own work product (hereinafter, this reason will be stated as "Frenkel's work product.")	Reason(s) Document Could Not Be Responsive to Interrogatory No. 6: Document has nothing to do with the subject matter of the interrogatory (hereinafter, this reason will be stated as "unrelated subject matter.")
2a	CISCO PRIVILEGED. 000002	CISCO PRIVILEGED.00 0003	Bart Showalter (Baker Botts attorney) Kurt Pankratz (Baker Botts attorney) Mark Michels (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Marta Beckwith (Cisco attorney)	Dan Lang (Cisco attorney)	17-Oct-2007 4:47 p.m.	RE: Amended ESN Complaint	Email regarding attachment to ESN's amended complaint	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Document could not be relied on because it does not provide any relevant information (hereinafter, this reason will be stated as "no information provided.")	Unrelated subject matter. No information provided.

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5	Reason(s) Document Could Not be Responsive to Interrogatory No. 6
2b			Kurt Pankratz (Baker Botts attorney) Marta Beckwith (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Bart Showalter (Baker Botts attorney) John Corcoran (Cisco attorney)	Rick Frenkel (Cisco attorney)	Dan Lang (Cisco attorney)	17-Oct-2007 4:45 p.m.	RE: Amended ESN Complaint	Email regarding amended complaint and legal strategy with respect to same	Attorney Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Frenkel's work product.	Unrelated subject matter.
2c			Marta Beckwith (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Bart Showalter (Baker Botts attorney) John Corcoran (Cisco attorney)	Kurt Pankratz (Baker Botts attorney)	Dan Lang (Cisco attorney)	17-Oct-2007 4:32 p.m.	RE: Amended ESN Complaint	Email regarding amended complaint	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
2d			Bart Showalter (Baker Botts attorney) Kurt Pankratz (Baker Botts attorney) Mallun Yen (Cisco attorney) Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)	Rick Frenkel (Cisco attorney)		18-Oct-2007 9:23 a.m.	ESN	Email regarding the court clerk's changing of the docket.	(see 1) Attorney Client Work Product (ordinary)	(see 1) Frenkel denies relying on this. Frenkel's work product.	(see 1) Unrelated subject matter.
3	CISCO PRIVILEGED. 000004	CISCO PRIVILEGED.00 0004									

Group 1, Page 2

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5: Document(s) relied on in writing the article at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6: When Cisco learned that ESN was being filed, Cisco was filing there was a filing error
4a	CISCO PRIVILEGED. 000005	CISCO PRIVILEGED. 0005	Rick Frankel (Cisco attorney) Bart Showalter (Baker Botts attorney) Maria Beckwith (Cisco attorney) Mark Michels (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney)	Kurt Pankratz (Baker Botts attorney)	Dan Lang (Cisco attorney)	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)	Frankel denies relying on this. (Hereinafter, this reason is referred to as "not sent to Cisco first learned about claim.")	Not when Cisco first learned ESN was making this claim (hereinafter, this reason is referred to as "not sent to Cisco first learned about claim.")
4b			(logged at 3)						(see 3)	(see 3)	Unrelated subject matter.
5a	CISCO PRIVILEGED. 000006	CISCO PRIVILEGED. 0006	Rick Frankel (Cisco attorney) Bart Showalter (Baker Botts attorney) Marta Beckwith (Cisco attorney) Mark Michels (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney) Dan Lang (Cisco attorney)	Kurt Pankratz (Baker Botts attorney)	Dan Lang (Cisco attorney)	18-Oct-2007 11:29 a.m.	RE: ESN	Email regarding date of ESN compliant and opinion regarding same	Attorney Client Work Product (ordinary and opinion)	Frankel denies relying on this. No information provided; information came from Frankel.	(see 3)
5b			(logged at 3)						(see 3)	(see 3)	This document was not sent to Cisco, so it could not be responsive (hereinafter, this reason is referred to as "not sent to Cisco.") Not when Cisco first learned about claim.
6a	CISCO PRIVILEGED. 000007	CISCO PRIVILEGED. 0008	Kurt Pankratz (Baker Botts attorney)	Jillian Powell (Baker Botts paralegal)		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)	Frankel denies relying on this. Document could not have been relied on by Frankel in writing the October 17 and 18 article because it was received after those articles were written. October 19 article added no new information. (Hereinafter, this reason is stated as "created after the articles.") This document was not sent to Frankel, so he could not have relied on it (hereinafter, this reason is referred to as "not sent to Frankel.")	(see 3)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- When Cisco learned that ESN was claiming there was a filing error
6b			Kurt Pancratz (Baker Botts attorney) Bart Showalter (Baker Botts attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Mallun Yen (Cisco attorney)	Rick Frenkel (Cisco attorney)	Dan Lang (Cisco attorney)	16-Oct-2007 11:34 a.m.	FW: Urgent - please read - ESN	Email attaching complaint and discussing legal opinions relating to same	Attorney Client Work Product (ordinary and opinion)	Unrelated subject matter. Not sent to Cisco. Not when Cisco first learned about claim.
7a	CISCO PRIVILEGED.0000009	CISCO PRIVILEGED.00006	Steve Shortgen (Baker Botts attorney)	Jillian Powell (Baker Botts paralegal)	Kurt Pancratz (Baker Botts attorney)	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)	Not sent to Cisco. Not when Cisco first learned about claim.
7b			Jillian Powell (Baker Botts paralegal)	Steve Schortgen (Baker Botts attorney)	Kurt Pancratz (Baker Botts attorney)	22-Oct-2007 10:56 a.m.	ESN	Email between Baker Botts attorneys/paralegal regarding call to the court clerk regarding changing of the date of the ESN complaint	Attorney Client Work Product (ordinary)	No information provided. Not sent to Cisco. Not when Cisco first learned about claim.
8a	CISCO PRIVILEGED.0000010	CISCO PRIVILEGED.00010	Jillian Powell (Baker Botts paralegal) Steve Schortgen (Baker Botts attorney)	Kurt Pancratz (Baker Botts attorney)		22-Oct-2007 11:50 a.m.	Re: ESN	Email between Baker Botts attorneys regarding calls made by Plaintiff	Attorney Client Work Product (ordinary)	Unrelated subject matter. Not sent to Cisco. Not when Cisco first learned about claim.
8b			(logged at 7a)						(see 7a)	
8c			(logged at 7b)						(see 7b)	
9a	CISCO PRIVILEGED.000011	CISCO PRIVILEGED.00013	Mark Chandler (Cisco attorney)	Mallun Yen (Cisco attorney)	Rick Frenkel (Cisco attorney)	25-Feb-2008 9:32 p.m.	FW: ESN - PRIVILEGED AND CONFIDENTIAL RE: ESN	Email regarding Yen's lack of involvement with the article at issue	Attorney Client Work Product (ordinary)	Unrelated subject matter. Not sent to Cisco. Not when Cisco first learned about claim.
9b			John Noh (Cisco PR)	Mallun Yen (Cisco attorney)	Rick Frenkel (Cisco attorney)	18-Oct-2007 10:06 a.m.	RE: ESN	Produced - not privileged	Produced - not privileged	Unrelated subject matter. No information provided.
9c			Mallun Yen (Cisco attorney)	John Noh (Cisco PR)	Rick Frenkel (Cisco attorney)	18-Oct-2007 10:04 a.m.	Re: ESN	Produced - not privileged	Produced - not privileged	Unrelated subject matter. No information provided.

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- If/When Cisco learned that ESN was claiming there was a filing error
9d			Mark Chandler (Cisco attorney) Matthew Tamehian (Cisco attorney) Neal Rubin (Cisco attorney) John Noh (Cisco PR)	Mallun Yen (Cisco attorney)		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)	Frenkel denies relying on this. Not originally sent to Frenkel. Unrelated subject matter.
9e			(logged at 5a)							
9f			(logged at 3)							(see 5a)
10	CISCO PRIVILEGED.000019	CISCO PRIVILEGED.0026	(logged at 6b)							(see 3)
11	CISCO PRIVILEGED.000027	CISCO PRIVILEGED.0027	Mallun Yen (Cisco attorney) Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)	Rick Frenkel (Cisco attorney)		15-Oct-2007 3:00 p.m.	We were just sued by ESN, LLC	Email discussing lawsuit filed by ESN against Cisco	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Frenkel's work product. Unrelated subject matter.
12	CISCO PRIVILEGED.000028	CISCO PRIVILEGED.0028	Rick Frenkel (Cisco attorney)	Mark R. Weinstein (White & Case attorney)		25-Oct-2007 11:44 a.m.	ESN Filing Date - From the docket and discussing Blogs - A/C Privileged	Email with attorney regarding alteration of docket and discussing speculation regarding same	Attorney Client Work Product (ordinary)	Unrelated subject matter. Not when Cisco first learned about claims.
13	CISCO PRIVILEGED.000037	CISCO PRIVILEGED.0041		Marta Beckwith (Cisco attorney)		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)	Unrelated subject matter. Not when Cisco first learned about claims.
14	CISCO PRIVILEGED.000043	CISCO PRIVILEGED.0043	Victoria Maroulis (Quinn Emanuel attorney)	Marta Beckwith (Cisco attorney)	Charles K Verhovsen (Quinn Emanuel attorney)	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)	Unrelated subject matter. Not when Cisco first learned about claim.
15	CISCO PRIVILEGED.000044	CISCO PRIVILEGED.0048	Marta Beckwith (Cisco attorney)	Bart Showalter (Baker Botts attorney)		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)	Unrelated subject matter. Not when Cisco first learned about claim.
15b										
16a	CISCO PRIVILEGED.000087	CISCO PRIVILEGED.0087	Samir Bhavsar (Baker Botts attorney)	Marta Beckwith (Cisco attorney)	Bart Showalter (Baker Botts attorney)	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)	Unrelated subject matter. Not when Cisco first learned about claim.

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Document(s) revealed on in writing the articles at issue.	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error
16b			Marta Beckwith (Cisco attorney)	Samir Bhavsar (Baker Botts attorney)	Bart Showalter (Baker Botts attorney)	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 (ordinary); Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.
16c			Bart Showalter (Baker Botts attorney)	Marta Beckwith (Cisco attorney)	Doug Kuben (Baker Botts attorney); Bryant Boren (Baker Botts attorney); Samir Bhavsar (Baker Botts attorney); Chad Walters (Baker Botts attorney)	25-Feb-2008 5:56 p.m.	Troll Tracker	Email to Cisco's Counsel regarding Frenkel being revealed as Patent Troll Tracker	Attorney Client (ordinary); Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter	Unrelated subject matter. Not when Cisco first learned about claim.
17	CISCO PRIVILEGED. 000089	CISCO PRIVILEGED.00 0089	Bart Showalter (Baker Botts attorney)	Marta Beckwith (Cisco attorney)	Bryant Boren (Baker Botts attorney); Chad Walters (Baker Botts attorney); Doug Kuben (Baker Botts attorney); Samir Bhavsar (Baker Botts attorney)	25-Feb-2008 3:56 p.m.	Troll Tracker	Email informing counsel that Frenkel has been revealed as the Patent Troll Tracker	Attorney Client (ordinary); Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter	Unrelated subject matter. Not when Cisco first learned about claim.
18	CISCO PRIVILEGED. 000094	CISCO PRIVILEGED.00 0094	Greg Chambers (McKook Smith attorney)	Marta Beckwith (Cisco attorney)		25-Nov-2007 8:13 a.m.	New local rules	Email asking for analysis of changes to the local rules	Attorney Client (ordinary); Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.
19a	CISCO PRIVILEGED. 000103	CISCO PRIVILEGED.00 0105	Mallun Yen (Cisco attorney); Michael Ritter (Cisco attorney); Rick Frenkel (Cisco attorney)	Marta Beckwith (Cisco attorney)		18-Oct-2007 9:23 a.m.	ESN	Email about contacting attorneys who handled a motion to correct the docket	Attorney Client (ordinary); Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter.
19b			Michael Ritter (Cisco attorney); Marta Beckwith (Cisco attorney); Rick Frenkel (Cisco attorney)	Mallun Yen (Cisco attorney)		18-Oct-2007 11:43 AM	RE: ESN	Email about contacting local counsel about legal advice	Attorney Client (ordinary); Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "replied on" in writing the article at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error
19c			Mallun Yan (Cisco attorney) Marta Beckwith (Cisco attorney) Rick Frenkel (Cisco attorney)	Michael Ritter (Cisco attorney)		18-Oct-2007 11:44 AM	RE: ESN	Email about contacting local counsel about legal advice	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter.
19d			Marta Beckwith (Cisco attorney) Rick Frenkel (Cisco attorney) Michael Ritter (Cisco attorney)	Mallun Yan (Cisco attorney)		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)	Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter.
19e			Rick Frenkel (Cisco attorney) Kurt Pankratz (Baker Botts attorney) Bart Showalter (Baker Botts attorney) Marta Beckwith (Cisco attorney) Mark Michels (Cisco attorney) Michael Ritter (Cisco attorney)	Mallun Yan (Cisco attorney)	Dan Lang (Cisco attorney)	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)	Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter.
19f			Kurt Pankratz (Baker Botts attorney) Bart Showalter (Baker Botts attorney) Marta Beckwith (Cisco attorney) Mark Michels (Cisco attorney) Mallun Yan (Cisco attorney) Michael Ritter (Cisco attorney)	Rick Frenkel (Cisco attorney)	Dan Lang (Cisco attorney)	18-Oct-2007 11:33 AM	RE: ESN	Email about legal opinions concerning enforcement of filing dates and legal strategy regarding same	Attorney Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Frenkel's work product.	Unrelated subject matter.
19g			(logged at 4a)						(see 4a)	(see 4a)	
19h			(logged at 3)						(see 3)	(see 3)	
20a	CISCO PRIVILEGED.0000109	CISCO PRIVILEGED.00111	Mallun Yan (Cisco attorney)	Mark Chandler (Cisco attorney)		25-Feb-2008 10:10 PM	ESN - PRIVILEGED AND CONFIDENTIAL	Email regarding Yant's lack of involvement in article at issue	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.
20b			(logged at 9a)						(see 9a)	(see 9a)	
20c			(logged at 9b)						(see 9b)	(see 9b)	
20d			(logged at 9c)						(see 9c)	(see 9c)	
20e			(logged at 9d)						(see 9d)	(see 9d)	

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- When Cisco learned that ESN was claiming there was a filing error
20f			(logged at 5a)						(see 5a)	(see 5a)
20g			(logged at 3)						(see 3)	(see 3)
21a	CISCO PRIVILEGED.0000112	CISCO PRIVILEGED.00115	Mallum Yen (Cisco attorney)	Mark Chandler (Cisco attorney)		25-Feb-2008 10:13 PM	ESN - PRIVILEGED AND CONFIDENTIAL	Email regarding Yen's lack of involvement in article at issue	Attorney Client Work Product (ordinary)	Unrelated subject matter. Not when Cisco first learned about claim.
21b			Mark Chandler (Cisco attorney)	Mallum Yen (Cisco attorney)		25-Feb-2008 10:11 PM	RE-ESN - PRIVILEGED AND CONFIDENTIAL	Email regarding Yen's lack of involvement in article at issue	Attorney Client Work Product (ordinary)	Unrelated subject matter. Not when Cisco first learned about claim.
21c			(logged at 20a)						(see 20a)	(see 20a)
21d			(logged at 9a)						(see 9a)	(see 9a)
21e			(logged at 9b)						(see 9b)	(see 9b)
21f			(logged at 9c)						(see 9c)	(see 9c)
21g			(logged at 9d)						(see 9d)	(see 9d)
21h			(logged at 5a)						(see 5a)	(see 5a)
21i			(logged at 3)						(see 3)	(see 3)
22a	CISCO PRIVILEGED.000116	CISCO PRIVILEGED.00118	(logged at 21b)						(see 21b)	(see 21b)
22b			(logged at 20a)						(see 20a)	(see 20a)
22c			(logged at 9a)						(see 9a)	(see 9a)
22d			(logged at 9b)						(see 9b)	(see 9b)
22e			(logged at 9c)						(see 9c)	(see 9c)
22f			(logged at 9d)						(see 9d)	(see 9d)
22g			(logged at 5a)						(see 5a)	(see 5a)
22h			(logged at 3)						(see 3)	(see 3)
23a	CISCO PRIVILEGED.000122	CISCO PRIVILEGED.00125	Mark Chandler (Cisco attorney)	Mallum Yen (Cisco attorney)		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)	Unrelated subject matter. Not when Cisco first learned about claim.
23b			(logged at 21a)						(see 21a)	(see 21a)
23c			(logged at 21b)						(see 21b)	(see 21b)
23d			(logged at 20a)						(see 20a)	(see 20a)
23e			(logged at 9a)						(see 9a)	(see 9a)
23f			(logged at 9b)						(see 9b)	(see 9b)
23g			(logged at 9c)						(see 9c)	(see 9c)
23h			(logged at 9d)						(see 9d)	(see 9d)
23i			(logged at 5a)						(see 5a)	(see 5a)
23j			(logged at 3)						(see 3)	(see 3)
24a	CISCO PRIVILEGED.000126	CISCO PRIVILEGED.00126	Matthew Taniilian (Cisco attorney)	Mark Chandler (Cisco attorney)		18-Oct-2007 9:40 a.m.	FW-ESN	Email forwarding email concerning calling local counsel	Attorney Client Work Product (ordinary)	Unrelated subject matter. No information provided.

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cleco learned that ESN was claiming there was a filing error
24b			Mark Chandler (Cisco attorney) John Noh (Cisco PR)	Mallun Yen (Cisco attorney)		18-Oct-2007 9:26 a.m.	FW: ESN	Email regarding calling local counsel	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
24c			(logged at 3)							(see 3)	(see 3)
25a	CISCO PRIVILEGED. 000134	CISCO PRIVILEGED. 0135	Rick Frenkel (Cisco attorney)	John Corcoran (Cisco attorney)		17-Oct-2007 4:46 p.m.	Re: Amended ESN Complaint	Email responding to proposed legal strategy	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
25b			(logged at 2b)							(see 2b)	(see 2b)
25c			(logged at 2c)							(see 2c)	(see 2c)
25d			(logged at 1)							(see 1)	(see 1)
26a	CISCO PRIVILEGED. 000136	CISCO PRIVILEGED. 0137	John Corcoran (Cisco attorney)	Rick Frenkel (Cisco attorney)		17-Oct-2007 4:47 p.m.	Amended ESN Complaint	Email responding to proposed legal strategy	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
26b			(logged at 25a)							(see 25a)	(see 25a)
26c			(logged at 2b)							(see 2b)	(see 2b)
26d			(logged at 2c)							(see 2c)	(see 2c)
26e			(logged at 1)							(see 1)	(see 1)
27a	CISCO PRIVILEGED. 000138	CISCO PRIVILEGED. 0140	Matthew Tanielian (Cisco attorney)	Rick Frenkel (Cisco attorney)		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	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. Frenkel's work product.	Unrelated subject matter. Not within ESN's materiality or relevance.
27b			Rick Frenkel (Cisco attorney)	Matthew Tanielian (Cisco attorney)	Mallun Yen (Cisco attorney) Dan Lang (Cisco attorney)	19-Oct-2007 12:28 p.m.	Fair Comparison of Patent Litigation Statistics, 1990 v. 2006 v. 2007	Email regarding sending statistics to patent reform coalition	Attorney Client	Frenkel denies relying on this. Created after the articles. Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
27c			Mark Chandler (Cisco attorney) Matthew Tanielian (Cisco attorney)	Rick Frenkel (Cisco attorney)	Mallun Yen (Cisco attorney) Dan Lang (Cisco attorney)	18-Oct-2007 9:47 p.m.	Fair Comparison of Patent Litigation Statistics, 1990 v. 2006 v. 2007	Email regarding business' jurisdictions for patent cases	Attorney Client	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter.

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Requested "piled on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error
28a	CISCO PRIVILEGED. 000141	CISCO PRIVILEGED.00 0144	Rick Frenkel (Cisco attorney)	Mallun Yen (Cisco attorney)		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)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.
28b			Mallun Yen (Cisco attorney)	Rick Frenkel (Cisco attorney)		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)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.
28c			(logged at 9a)						(see 9a)	(see 9a)	(see 9a)
28d			(logged at 9b)						(see 9b)	(see 9b)	(see 9b)
28e			(logged at 9c)						(see 9c)	(see 9c)	(see 9c)
28f			(logged at 9d)						(see 9d)	(see 9d)	(see 9d)
28g			(logged at 9e)						(see 9e)	(see 9e)	(see 9e)
28h			(logged at 3)						(see 3)	(see 3)	(see 3)
29a	CISCO PRIVILEGED. 000146	CISCO PRIVILEGED.00 0149	(logged at 28b)						(see 28b)	(see 28b)	(see 28b)
29b			(logged at 9a)						(see 9a)	(see 9a)	(see 9a)
29c			(logged at 9b)						(see 9b)	(see 9b)	(see 9b)
29d			(logged at 9c)						(see 9c)	(see 9c)	(see 9c)
29e			(logged at 9d)						(see 9d)	(see 9d)	(see 9d)
29f			(logged at 9e)						(see 9e)	(see 9e)	(see 9e)
29g			(logged at 3)						(see 3)	(see 3)	(see 3)
30a	CISCO PRIVILEGED. 000154	CISCO PRIVILEGED.00 0158	(logged at 27b)						(see 27b)	(see 27b)	(see 27b)
30b			(logged at 27c)						(see 27c)	(see 27c)	(see 27c)
31a	CISCO PRIVILEGED. 000167	CISCO PRIVILEGED.00 0168	(logged at 19e)						(see 19e)	(see 19e)	(see 19e)
31b			(logged at 19f)						(see 19f)	(see 19f)	(see 19f)
31c			(logged at 4a)						(see 4a)	(see 4a)	(see 4a)
31d			(logged at 3)						(see 3)	(see 3)	(see 3)
32a	CISCO PRIVILEGED. 000169	CISCO PRIVILEGED.00 0169	Barf Snowwater (Baker Botts attorney) Mallun Yen (Cisco attorney) Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Kurt Rankratz (Baker Botts attorney)	Dan Lang (Cisco attorney)	18-Oct-2007 9:36 a.m.	ESN	Email regarding the date for the ESN complaint and discussing proof of filing on October 15	Attorney Client Work Product (ordinary)	Frenkel denies relying on this.	Unrelated subject matter.
32b			(logged at 3)						(see at 3)	(see at 3)	(see at 3)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relies on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was obtaining there was a filing error
33a	CISCO PRIVILEGED. 000192	CISCO PRIVILEGED.00 0194	(logged at 19c)						(see 19c)	(see 19c)	(see 19c)
33b			(logged at 19d)						(see 19d)	(see 19d)	(see 19d)
33c			(logged at 19e)						(see 19e)	(see 19e)	(see 19e)
33d			(logged at 19f)						(see 19f)	(see 19f)	(see 19f)
33e			(logged at 4a)						(see 4a)	(see 4a)	(see 4a)
33f			(logged at 3)						(see 3)	(see 3)	(see 3)
34	CISCO PRIVILEGED. 000204	CISCO PRIVILEGED.00 0204	Kurt Pancratz (Baker Botts attorney) Maria Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)	Zahner, Gail (Day Pitney attorney)	Bucci, Michael A. (Day Pitney attorney) Sicilian, James (Day Pitney attorney)	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)	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter. This concerns service of Cisco's complaint, not ESN's complaint.	Unrelated subject matter
35a	CISCO PRIVILEGED. 000212	CISCO PRIVILEGED.00 0212	Kurt Pancratz (Baker Botts attorney) Bart Showalter (Baker Botts attorney) Maria Beckwith (Cisco attorney)	Maria Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	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)	Frenkel denies relying on this. No information provided.	Unrelated subject matter. No information provided.
35b			Maria Beckwith (Cisco attorney)	Anthony J. Downs (Goodwin Proctor attorney)	Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	18-Oct-2007 11:21 a.m.	Re: Hertz/TSD Motion to Correct Docket	Email sending pleadings in another case.	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
36a	CISCO PRIVILEGED. 000227	CISCO PRIVILEGED.00 0228	Kurt Pancratz (Baker Botts attorney) Bart Showalter (Baker Botts attorney) Doug Kubeht (Baker Botts attorney) Mallun Yen (Cisco attorney) Mark Michels (Cisco attorney) Maria Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Flick Frenkel (Cisco attorney)	Rich Renfree (Cisco attorney)		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)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter	Unrelated subject matter.

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Requested "Relied on" in Writing the Articles at Issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error
36b			Doug Kubehl (Baker Botts attorney) Bart Showlalter (Baker Botts attorney) Kurt Pankratz (Baker Botts attorney) Rick Frenkel (Cisco attorney) Marla Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Mallun Yen (Cisco attorney) Rich Renfree (Cisco attorney)	Mark Michels (Cisco attorney)		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)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
36c			Bart Showlalter (Baker Botts attorney) Kurt Pankratz (Baker Botts attorney) Rick Frenkel (Cisco attorney) Marla Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Mallun Yen (Cisco attorney) Rich Renfree (Cisco attorney)	Doug Kubehl (Baker Botts attorney)		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)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.

Group 1, Page 12

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "railed on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error
36d			Bart Showalter (Baker Botts attorney) Kurt Pankratz (Baker Botts attorney) Rick Frenkel (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Mallun Yen (Cisco attorney) Mark Michels (Cisco attorney)	Doug Kubehl (Baker Botts attorney)		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)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
36e			Doug Kubehl (Baker Botts attorney) Kurt Pankratz (Baker Botts attorney)	Bart Showalter (Baker Botts attorney)		19-Oct-2007 7:55 a.m.	FW: ESN Files Motion to Enjoin Cisco's CT Case	Email regarding getting started with work on the ESN case	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
36f			Marta Beckwith (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney)	Rick Frenkel (Cisco attorney)	Mark Michels (Cisco attorney) Bart Showalter (Baker Botts attorney) Kurt Pankratz (Baker Botts attorney)	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)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. Frenkel's work product.	Unrelated subject matter.
37a	CISCO PRIVILEGED. 000231	CISCO PRIVILEGED 00 0233	Victoria Maroulis (Quinn Emanuel attorney)	Michael Ritter (Cisco attorney)		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)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.
37b			Michael Ritter (Cisco attorney)	Victoria Maroulis (Quinn Emanuel attorney)		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)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles.	Unrelated subject matter. Not when Cisco first learned about claim.
37c			Kevin Smith (Quinn Emanuel attorney) Rick Frenkel (Cisco attorney) Marta Beckwith (Cisco attorney)	Michael Ritter (Cisco attorney)	Mark Michels (Cisco attorney) Victoria Maroulis (Quinn Emanuel attorney) Charles K. Verheven (Quinn Emanuel attorney)	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)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5: Usernames, Frenkel "yelled on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6: When Cisco learned that ESN was obtaining these was a filing error
37d			Rick Frenkel (Cisco attorney) Marta Beckwith (Cisco attorney)	Kevin Smith (Quinn Emanuel attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Victoria Maroulis (Quinn Emanuel attorney) Charles K. Verhoeven (Quinn Emanuel attorney)	30-Oct-2007 3:24 p.m.	Re: ESN v. Cisco -- Conference Call	Email discussing opposition to motion to stay	Attorney Client Work Product (ordinary and opinion)	Unrelated subject matter. Not when Cisco first learned of claim.	Unrelated subject matter. Not when Cisco first learned of claim.
37e			Kevin Smith (Quinn Emanuel attorney) Marta Beckwith (Cisco attorney)	Rick Frenkel (Cisco attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Victoria Maroulis (Quinn Emanuel attorney) Charles K. Verhoeven (Quinn Emanuel attorney)	30-Oct-2007 2:38 p.m.	Re: ESN v. Cisco -- Conference Call	Email discussing opposition to motion to stay	Attorney Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Frenkel's work product. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned of claim.
37f			Rick Frenkel (Cisco attorney) Marta Beckwith (Cisco attorney)	Kevin Smith (Quinn Emanuel attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Victoria Maroulis (Quinn Emanuel attorney) Charles K. Verhoeven (Quinn Emanuel attorney)	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)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned of claim.
38a	CISCO PRIVILEGED. 0000234	CISCO PRIVILEGED. 00237	Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Marta Beckwith (Cisco attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Victoria Maroulis (Quinn Emanuel attorney) Charles K. Verhoeven (Quinn Emanuel attorney)	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)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
38b			Rick Frenkel (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)	Mallun Yen (Cisco attorney)		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)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue
38c			Marta Beckwith (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney)	Rick Frenkel (Cisco attorney)		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)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
38d			(logged at 19a)						(see 19a)		(see 19c)
38e			(logged at 19b)						(see 19b)		(see 19b)
38f			(logged at 19c)						(see 19c)		(see 19c)
38g			(logged at 19d)						(see 19d)		(see 19d)
38h			(logged at 19e)						(see 19e)		(see 19e)
38i			(logged at 19f)						(see 19f)		(see 19f)
38j			(logged at 4a)						(see 4a)		(see 4a)
38k			(logged at 3)						(see 3)		(see 3)
39a	CISCO PRIVILEGED.000250	CISCO PRIVILEGED.000251	(logged at 19d)						(see 19d)		(see 19d)
39b			(logged at 19e)						(see 19e)		(see 19e)
39c			(logged at 19f)						(see 19f)		(see 19f)
39d			(logged at 4a)						(see 4a)		(see 4a)
39e			(logged at 3)						(see 3)		(see 3)
40a	CISCO PRIVILEGED.000264	CISCO PRIVILEGED.000264	Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Mallun Yen (Cisco attorney)	Mark Michels (Cisco attorney)	19-Oct-2007 8:11 a.m.	Re:	Email about selection of counsel	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.
40b			Rick Frenkel (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney)	Marta Beckwith (Cisco attorney)	Mark Michels (Cisco attorney)	19-Oct-2007 7:19 a.m.	Re:	Email about case strategy and selection of counsel	Attorney Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.
40c			Marta Beckwith (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney)	Rick Frenkel (Cisco attorney)	Mark Michels (Cisco attorney)	11:51 p.m.		Email about case strategy	Attorney Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. Frenkel's work product.	Unrelated subject matter. Not when Cisco first learned about claim.
41	CISCO PRIVILEGED.000255	CISCO PRIVILEGED.000255	ip-disputes-team(Cisco IP team mailer list)	Marta Beckwith (Cisco attorney)		25-Nov-2007	New EDTx rules	Email about change to local rules	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about claim.
42a	CISCO PRIVILEGED.000256	CISCO PRIVILEGED.000256	(logged at 24b)						(see 24c)		(see 24d)
42b			(logged at 3)						(see 3)		(see 3)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relies on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error
43a	CISCO PRIVILEGED. 000257	CISCO PRIVILEGED.00 0260	(logged at 38c)						(see 38c)	(see 38c)	(see 38c)
43b			(logged at 19a)						(see 19a)	(see 19a)	(see 19a)
43c			(logged at 19b)						(see 19b)	(see 19b)	(see 19b)
43d			(logged at 19c)						(see 19c)	(see 19c)	(see 19c)
43e			(logged at 19d)						(see 19d)	(see 19d)	(see 19d)
43f			(logged at 19e)						(see 19e)	(see 19e)	(see 19e)
43g			(logged at 19f)						(see 19f)	(see 19f)	(see 19f)
43h			(logged at 4a)						(see 4a)	(see 4a)	(see 4a)
43i			(logged at 3)						(see 3)	(see 3)	(see 3)
44a	CISCO PRIVILEGED. 000251	CISCO PRIVILEGED.00 0261	(logged at 2c)						(see 2c)	(see 2c)	(see 2c)
44b			(logged at 1)						(see 1)	(see 1)	(see 1)
45a	CISCO PRIVILEGED. 000254	CISCO PRIVILEGED.00 0265	(logged at 9d)						(see 9d)	(see 9d)	(see 9d)
45b			(logged at 5a)						(see 5a)	(see 5a)	(see 5a)
45c			(logged at 3)						(see 3)	(see 3)	(see 3)
46a	CISCO PRIVILEGED. 000269	CISCO PRIVILEGED.00 0272	(logged at 38b)						(see 38b)	(see 38b)	(see 38b)
46b			(logged at 38c)						(see 38c)	(see 38c)	(see 38c)
46c			(logged at 19a)						(see 19a)	(see 19a)	(see 19a)
46d			(logged at 19b)						(see 19b)	(see 19b)	(see 19b)
46e			(logged at 19c)						(see 19c)	(see 19c)	(see 19c)
46f			(logged at 19d)						(see 19d)	(see 19d)	(see 19d)
46g			(logged at 19e)						(see 19e)	(see 19e)	(see 19e)
46h			(logged at 19f)						(see 19f)	(see 19f)	(see 19f)
46i			(logged at 4a)						(see 4a)	(see 4a)	(see 4a)
46j			(logged at 3)						(see 3)	(see 3)	(see 3)
47a	CISCO PRIVILEGED. 000276	CISCO PRIVILEGED.00 0277	Kurt Pancratz (Baker Botts attorney) Mallun Yan (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Bart Showalter (Baker Botts attorney)	Dan Lang (Cisco attorney)	16-Oct-2007 4:31 a.m.	Urgent - please read - ESN	Email regarding amended complaint and legal opinions regarding same	Attorney Client Work Product (ordinary and opinion)	Frenkel denies relying on this.	Unrelated subject matter.
47b			(logged at 6b)						(see 6b)	(see 6b)	(see 6b)

No.	Begin Bates No.	End Bates No.	To	From	CC	Main Date	Title	Description	Privilege	Reason(s) Document Could Not be Responsive to Interrogatory No. 5. Documents Frenkel relied on "in writing the articles at issue claiming there was a filing error
48a	CISCO PRIVILEGED. 000278	CISCO PRIVILEGED.00 0281	Maria Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Mallun Yen (Cisco attorney)		18-Oct-2007 1:09 p.m.	ESN	Email discussing a motion to correct the docket in another case	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter.
48b			(logged at 38a)						(see 38a)	(see 38a)
48c			(logged at 38b)						(see 38b)	(see 38b)
48d			(logged at 38c)						(see 38c)	(see 38c)
48e			(logged at 38a)						(see 38a)	(see 38a)
48f			(logged at 19b)						(see 19b)	(see 19b)
48g			(logged at 19c)						(see 19c)	(see 19c)
48h			(logged at 19d)						(see 19d)	(see 19d)
48i			(logged at 19e)						(see 19e)	(see 19e)
48j			(logged at 19f)						(see 19f)	(see 19f)
48k			(logged at 4a)						(see 4a)	(see 4a)
48l			(logged at 3)						(see 3)	(see 3)
48m	CISCO PRIVILEGED. 000287	CISCO PRIVILEGED.00 0287	John Noh (Cisco PR)	Mallun Yen (Cisco attorney)		18-Oct-2007 10:54 a.m.	ESN	Email forwarding earlier email about changing of the docket	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. No information provided.
49b			(logged at 32a)						(see 32a)	(see 32a)
49c			(logged at 3)						(see 3)	(see 3)
50a	CISCO PRIVILEGED. 000324	CISCO PRIVILEGED.00 0324	John Noh (Cisco PR)	Mallun Yen (Cisco attorney)		17-Oct-2007 6:28 p.m.	Amended ESN Complaint	Email forwarding ESN's amended complaint	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter.
50b			(logged at 1)						(see 1)	(see 1)
51a	CISCO PRIVILEGED. 000327	CISCO PRIVILEGED.00 0331	Mallun Yen (Cisco attorney) Maria Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)	Rick Frenkel (Cisco attorney)		18-Oct-2007	ESN	Email discussing how venue reform would affect the case	Attorney Client Work Product (ordinary)	Frenkel denies relying on this. Frenkel's work product. Unrelated subject matter.
51b			(logged at 48a)						(see 48a)	(see 48a)
51c			(logged at 38a)						(see 38a)	(see 38a)
51d			(logged at 38b)						(see 38b)	(see 38b)
51e			(logged at 38c)						(see 38c)	(see 38c)
51f			(logged at 19a)						(see 19a)	(see 19a)
51g			(logged at 19b)						(see 19b)	(see 19b)
51h			(logged at 19c)						(see 19c)	(see 19c)
51i			(logged at 19d)						(see 19d)	(see 19d)
51j			(logged at 19e)						(see 19e)	(see 19e)
51k			(logged at 19f)						(see 19f)	(see 19f)
51l			(logged at 4a)						(see 4a)	(see 4a)
51m			(logged at 3)						(see 3)	(see 3)

Group 2—

Documents Not Produced in the Albritton v. Cisco case.

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was compiled there was a filing error
1a	CISCO PRIVILEGED .000029	CISCO PRIVILEGED .000029	31-Oct-2007 5:51 PM	Sam Baxter (McKool Smith attorney)	Marta Beckwith (Cisco attorney)		RE: ESN	Email with attorney regarding discussions with ESN	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. No information provided.	Unrelated subject matter. No information provided. Not when Cisco first learned about claim.
1b			31-Oct-2007 3:22 PM	Marta Beckwith (Cisco attorney)	Sam Baxter (McKool Smith attorney)		RE: ESN	Email with attorney regarding engaging him and finding counsel for urgent issues in case	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. No information provided.	Unrelated subject matter. No information provided. Not when Cisco first learned about claim.
1c			31-Oct-2007 1:04 PM	Sam Baxter (McKool Smith attorney)	Marta Beckwith (Cisco attorney)		RE: ESN	Email from attorney regarding phone call to discuss case	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. No information provided.	Unrelated subject matter. No information provided. Not when Cisco first learned about claim.
1d			31-Oct-2007 1:22 PM (CST)	Marta Beckwith (Cisco attorney)	Sam Baxter (McKool Smith attorney)	Garret Chambers (McKool Smith attorney)	ESN	Email from attorney regarding phone call to discuss case	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. No information provided.	Unrelated subject matter. No information provided. Not when Cisco first learned about claim.
2a	CISCO PRIVILEGED .000030	CISCO PRIVILEGED .000030	24-Oct-2007 1:39 PM	Marta Beckwith (Cisco attorney)	Barl Showalter (Baker Botts attorney)		RE: ESN	Email with attorney regarding representation in ESN litigation.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. No information provided.	Unrelated subject matter. No information provided. Not when Cisco first learned about claim.
2b			24-Oct-2007 4:17 AM	Barl Showalter (Baker Botts attorney)	Marta Beckwith (Cisco attorney)		ESN	Email with attorney regarding representation in ESN litigation.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. No information provided.	Unrelated subject matter. No information provided. Not when Cisco first learned about claim.

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relayed on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relayed on" in writing the articles at issue
3a	CISCO PRIVILEGED .000031	CISCO PRIVILEGED .000031	25-Oct-2007 12:25 PM	Kurt Pancratz (Baker Botts attorney)	Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Bart Showalter (Baker Botts attorney) Bryant Boren (Baker Botts attorney) Doug Kubehl (Baker Botts attorney)	FW: Cisco/ESN	Email forwarding email with attorney regarding legal strategy with respect to motion to stay filed in ESN litigation in Connecticut.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. No information provided.	No information provided. Unrelated subject matter.
3b			25-Oct-2007 2:19 PM	Michael A. Bucco (Day Pitney attorney)	Kurt Pankratz (Baker Botts attorney)	Bart Showalter (Baker Botts attorney)	Cisco/ESN	Email with attorney regarding legal strategy with respect to motion to stay filed in ESN litigation in Connecticut.	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not sent to Frenkel. Learned about litigation.
4a	CISCO PRIVILEGED .000032	CISCO PRIVILEGED .000032	31-Oct-2007	(logged at 1b)					(see 1b)	(see 1b)	(see 1b)
4b				(logged at 1c)					(see 1c)	(see 1c)	(see 1c)
4c				(logged at 1d)					(see 1d)	(see 1d)	(see 1d)
5a	CISCO PRIVILEGED .000033	CISCO PRIVILEGED .000033	31-Oct-2007 9:16 PM	Marta Beckwith (Cisco attorney)	Sam Baxter (McKool Smith attorney)		RE: ESN	Email with attorney regarding representation in ESN litigation.	Attorney/Client Work Product (ordinary)	Frenkel admits relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. Not sent to Frenkel. Learned about litigation.
5b				(logged at 1a)					(see 1a)	(see 1a)	(see 1a)
5c				(logged at 1b)					(see 1b)	(see 1b)	(see 1b)
5d				(logged at 1c)					(see 1c)	(see 1c)	(see 1c)
5e				(logged at 1d)					(see 1d)	(see 1d)	(see 1d)
6a	CISCO PRIVILEGED .000034	CISCO PRIVILEGED .000034	17-Oct-2007 1:50 PM	Marta Beckwith (Cisco attorney)	Michael Bucco (Day Pitney attorney) Sicilian, James (Day Pitney attorney)	Michael Ritter (Cisco attorney)	FW: Amended ESN Complaint	Email regarding services of amended complaint in ESN litigation.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter.	Unrelated subject matter.
6b				(this email was produced in the Arbitration case and is logged in Group 1 at 1)					(See Group 1 at 1)	(See Group 1 at 1)	(See Group 1 at 1)
7a	CISCO PRIVILEGED .000035	CISCO PRIVILEGED .000036	19-Oct-2007 12:49 PM	Marta Beckwith (Cisco attorney)	Charles K. Vermorel (Quinn Emanuel) Victoria Maroulis (Quinn Emanuel attorney)		FW: We were just sued by ESN, LLC	Email forwarding research of ESN for purposes of ESN litigation.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles.	Unrelated subject matter.

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to	Reason(s) Document Could Not be Responsive to
7b			15-Oct-2007 3:25 PM	Rick Frenkel (Cisco attorney)	Rick Frenkel (Cisco attorney) Mallun Yen (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Mark Michaels (Cisco attorney)	Dan Lang (Cisco attorney)	RE: We were just sued by ESN, LLC	Email regarding research of ESN for purposes of ESN litigation.	Attorney/Client Work Product (ordinary)	Fränkel denies relying on this. Fränkel's work product.	Could Not be Responsive to Interrogatory No. 5- When Cisco learned that ESN was copying there was a filing error. Unrelated subject matter.
7c				(this email was produced in the Albright case and is logged in Group 1 at 11)					(see Group 1 at 11)		(see Group 1 at 11)
8a	CISCO PRIVILEGED .000042	CISCO PRIVILEGED .000042	19-Oct-2007 1:50 PM	Marta Beckwith (Cisco attorney)	Edward Reines (Weil Gotshal attorney) Matthew Powers (Weil Gotshal attorney)		FW: Amended ESN Complaint	Email forwarding email with attorneys discussing filing of amended petition in ESN litigation.	Attorney/Client Work Product (ordinary)	Fränkel denies relying on this. Not sent to Fränkel. No information provided.	No information provided. Unrelated subject matter.
8b				(this email was produced in the Albright case and is logged in Group 1 at 11)					(see Group 1 at 11)		(see Group 1 at 11)
9	CISCO PRIVILEGED .000049	CISCO PRIVILEGED .000049	30-Nov-2007 1:12 PM	Bart Showalter (Baker Botts attorney)	Rick Frenkel (Cisco attorney)	Marta Beckwith (Cisco attorney)	FW: ESN	Email attaching invalidity analysis of ESN patent claims.	Attorney/Client Work Product (ordinary and opinion)	Fränkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco learned about case.
10	CISCO PRIVILEGED .000050	CISCO PRIVILEGED .000050	30-Nov-2007					Invalidity analysis of ESN patent claims (attachment to No. 9)	Attorney/Client Work Product (ordinary and opinion)	Fränkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
11	CISCO PRIVILEGED .000064	CISCO PRIVILEGED .000072	30-Nov-2007					Invalidity analysis of ESN patent claims (attachment to No. 9)	Attorney/Client Work Product (ordinary and opinion)	Fränkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.

Group 2, Page 3

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue
12	CISCO PRIVILEGED .000073	CISCO PRIVILEGED .000086	30-Nov-2007	Marta Beckwith (Cisco attorney)	Charles K Verhoeven (Quinn Emanuel attorney) Victoria Maroulis (Quinn Emanuel attorney)			Invalidity analysis of ESN patent claims (attachment to No. 9)	Attorney/Client Work Product (ordinary and pertinent)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter. No information provided. (See Group 1 at 1)
13a	CISCO PRIVILEGED .000088	CISCO PRIVILEGED .000088	19-Oct-2007 12:48 PM	Marta Beckwith (Cisco attorney)	Charles K Verhoeven (Quinn Emanuel attorney) Victoria Maroulis (Quinn Emanuel attorney)		FW: We were just sued by ESN, LLC	Email forwarding among attorneys discussing ESN filing, declaratory judgment action in Connecticut and strategy relating to same.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. No information provided.	Unrelated subject matter. No information provided.
13b				Group 1 at 11					(See Group 1 at 11)	Frenkel denies relying on this. (See Group 1 at 11)	(See Group 1 at 1)
14a	CISCO PRIVILEGED .000090	CISCO PRIVILEGED .000090	31-Oct-2007 1:48 PM	Sam Baxter (McKool Smith attorney)	Marta Beckwith (Cisco attorney)		RE: ESN	Email with attorney regarding representation in ESN litigation.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
14b				(logged at 1b)					(see 1b)	(see 1b)	(see 1b)
14c				(logged at 1c)					(see 1c)	(see 1c)	(see 1c)
14d				(logged at 1d)					(see 1d)	(see 1d)	(see 1d)
15a	CISCO PRIVILEGED .000091	CISCO PRIVILEGED .000092	19-Oct-2007 12:50 PM	Marta Beckwith (Cisco attorney)	Charles K Verhoeven (Quinn Emanuel attorney) Victoria Maroulis (Quinn Emanuel attorney)		FW: Urgent - please read ESN	Email forwarding email regarding subject-matter jurisdiction in ESN litigation and legal opinions regarding same.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel.	Unrelated subject matter. No information provided.
15b				(this email was produced in the Albritton case and is logged in Group 1 at 10)					(see Group 1, at 10)	(see Group 1, at 10)	(see Group 1, at 10)
16a	CISCO PRIVILEGED .000093	CISCO PRIVILEGED .000093	19-Oct-2007 12:50 PM	Marta Beckwith (Cisco attorney)	Charles K Verhoeven (Quinn Emanuel attorney) Victoria Maroulis (Quinn Emanuel attorney)		FW: Amended ESN Complaint	Email forwarding email regarding amended complaint in ESN litigation.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles	Unrelated subject matter.
16b				(this email was produced in the Albritton case and is logged in Group 1 at 1)					(See Group 1, at 1)	(See Group 1, at 1)	(See Group 1, at 1)

Group 2, Page 4

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not Be Responsive to Interrogatory No. 5- Documents Frankel "relied on" in writing the articles at issue	Reason(s) Document Could Not Be Responsive to Interrogatory No. 6- When Cisco learned that ESN was copying there was a filing error
17a	CISCO PRIVILEGED .000095	CISCO PRIVILEGED .000097	16-Oct-2007 1:49 PM	Paul Devinsky (McDermott Will & Emery)	Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney)		Re: Cisco - McDermott Will & Emery IP Teleconference	Email discussing legal analysis of claims made by ESN	Attorney/Client Work Product (ordinary and opinion)	Frankel denies relying on this. Not sent to Frankel.	Unrelated subject matter.
17b			16-Oct-2007 3:58 PM	Paul Devinsky (McDermott Will & Emery)	Mark Michels (Cisco attorney)	Marta Beckwith (Cisco attorney)	Re: Cisco - McDermott Will & Emery IP Teleconference	Email forwarding basic information about the ESN lawsuit	Attorney/Client Work Product (ordinary)	Frankel denies relying on this. Not sent to Frankel.	Unrelated subject matter.
18a	CISCO PRIVILEGED .000098	CISCO PRIVILEGED .000098	17-Oct-2007 4:45 PM	(this email was produced in the Albright case and is logged in Group 1 at 2b)					(See Group 1, at 2b)	(See Group 1, at 2b)	(See Group 1, at 2b)
18b				(this email was produced in the Albright case and is logged in Group 1 at 2c)					(See Group 1, at 2c)	(See Group 1, at 2c)	(See Group 1, at 2c)
19a	CISCO PRIVILEGED .000099	CISCO PRIVILEGED .000100	17-Oct-2007 2:41 PM	Rick Frankel (Cisco attorney)	Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)	John Corcoran (Cisco attorney)	FW: Amended ESN Complaint	Email analyzing issue with ESN's claims in ESN litigation.	Attorney/Client Work Product (ordinary and opinion)	Frankel denies relying on this. Frankel's work product. Unrelated subject matter.	Unrelated subject matter.
19b			17-Oct-2007 1:59 PM	John Corcoran (Cisco attorney)	Rick Frankel (Cisco attorney)	John Corcoran (Cisco attorney)	RE: Amended ESN Complaint	Email analyzing issue with ESN's claims in ESN litigation.	Attorney/Client Work Product (ordinary and opinion)	Frankel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
19c				(this email was produced in the Albright case and is logged in Group 1 at 1)					(See Group 1, at 1)	(See Group 1, at 1)	(See Group 1, at 1)
20a	CISCO PRIVILEGED .000101	CISCO PRIVILEGED .000101	15-Oct-2007 4:01 PM	Marta Beckwith (Cisco attorney)	John Noh (Cisco PR)		FW: We were just sued by ESN, LLC	Email regarding potentially filing declaratory judgment action in Connecticut.	Attorney/Client Work Product (ordinary)	Frankel denies relying on this. Not sent to Frankel.	Unrelated subject matter.

Group 2, Page 5

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue (See Group 1, at 11)	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned there was a filing error (See Group 1, at 11)
20b				(this email was produced in the Albritton case and is logged in Group 1 at 11)					(See Group 1, at 11)		
21	CISCO PRIVILEGED. 000102	CISCO PRIVILEGED. 000102	26-Oct-2007 5:38 PM	Mallun Yen (Cisco attorney)	Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)		ESN	Email regarding case strategy and determination of representation for ESN lawsuit.	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter.
22a	CISCO PRIVILEGED. 000106	CISCO PRIVILEGED. 000107	16-Oct-2007 7:26 AM	Marta Beckwith (Cisco attorney)	Mallun Yen (Cisco attorney) Mark Michels (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)		RE: Amended ESN Complaint	Email regarding hiring of local counsel.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
22b			17-Oct-2007 10:03 PM	Mark Michels (Cisco attorney)	Mallun Yen (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)		RE: Amended ESN Complaint	Email regarding hiring of local counsel.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
22c			17-Oct-2007 9:32 PM	Mallun Yen (Cisco attorney)	Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney) Mark Michels (Cisco attorney)		FW: Amended ESN Complaint	Email regarding strategy with respect to hiring local counsel	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
22d			17-Oct-2007 2:41 PM	Mark Chandler (Cisco attorney)	Mallun Yen (Cisco attorney)		RE: Amended ESN Complaint	Email regarding strategy with respect to hiring local counsel	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
22e			17-Oct-2007 2:32 PM	Mallun Yen (Cisco attorney)	Mark Chandler (Cisco attorney)		FW: Amended ESN Complaint	Email forwarding email regarding ESN filing an amended complaint	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. No information provided.	Unrelated subject matter. No information provided.
22f				(this email was produced in the Albritton case and is logged in Group 1 at 11)					(See Group 1, at 11)		

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- When Cisco learned that ESN was claiming there was a filing error
23a	CISCO PRIVILEGED. 000108	CISCO PRIVILEGED. 000108	17-Oct-2007	(logged at 22d)					(see 22d)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- When Cisco learned that ESN was claiming there was a filing error (see 22d)
23b				(logged at 22e)					(see 22e)	(see 22e)
23c				(this email was produced in the Arbitration case and is logged in Group 1 at 1)					(See Group 1, at 1)	(See Group 1, at 1)
24a	CISCO PRIVILEGED. 000119	CISCO PRIVILEGED. 000121	19-Oct-2007 12:30 PM	Mark Chamrier (Cisco attorney)	Matthew Tanielian (Cisco attorney)		RE: Fair Comparison of Patent Litigation Statistics, 1990 v. 2006 v. 2007	Email regarding patent statistics.	Attorney/Client	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter.
24b				(this email was produced in the Arbitration case and is logged in Group 1 at 27b)					(See Group 1, at 27b)	(See Group 1, at 27b)
24c				(this email was produced in the Arbitration case and is logged in Group 1 at 27c)					(See Group 1, at 27c)	(See Group 1, at 27c)
25a	CISCO PRIVILEGED. 000127	CISCO PRIVILEGED. 000130	27-Oct-2007 11:27 AM	Rick Frenkel (Cisco attorney)	Victoria Maroulis (Quinn Emanuel attorney) Marta Beckwith (Cisco attorney)	Katherine Bennett (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Sayuri Sharper (Quinn Emanuel attorney) Mark Michaels (Cisco attorney) Michael Ritter (Cisco attorney)	Re: ESN v. Cisco update and important new date in CT case	Email concerning strategy with respect to venue.	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Frenkel's work product. Unrelated subject matter.
25b			27-Oct-2007 10:21 AM PST	Victoria Maroulis (Quinn Emanuel attorney)	Rick Frenkel (Cisco attorney) Marta Beckwith (Cisco attorney)	Michael Ritter (Cisco attorney) Mark Michaels (Cisco attorney) Sayuri Sharper (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Katherine Bennett (Quinn Emanuel attorney)	Re: ESN v. Cisco update and important new date in CT case	Email concerning strategy with respect to venue.	Attorney/Client Work Product (ordinary and opinion)	Unrelated subject matter. Not when Cisco learned about opinion. See when about opinion.

Group 2, Page 7

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was compiled there was a filing error
25c			27-Oct-2007 10:00 AM	Rick Frenkel (Cisco attorney)	Victoria Maroulis (Quinn Emanuel attorney) Marta Beckwith (Cisco attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Sayuri Sharper (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Katherine Bennett (Quinn Emanuel attorney)	Re: ESN v. Cisco update and important new date in CT case	Email concerning strategy with respect to venue and communications with counsel.	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. Frenkel's work product.	Unrelated subject matter. Not when Cisco first learned about the articles.
25d			27-Oct-2007 6:54 AM	Victoria Maroulis (Quinn Emanuel attorney)	Marta Beckwith (Cisco attorney)	Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney) Mark Michels (Cisco attorney) Sayuri Sharper (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Katherine Bennett (Quinn Emanuel attorney)	Re: ESN v. Cisco update and important new date in CT case	Email concerning case strategy and legal opinions	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco first learned about the articles.
26a	CISCO PRIVILEGED. 000131	CISCO PRIVILEGED. 000133	12-Nov-2007 4:35 PM	Rick Frenkel (Cisco attorney)	Mark Michels (Cisco attorney) Rick Frenkel (Cisco attorney)		RE: IP Team Monthly Report Please Respond by 11/16	IP team monthly report with case summaries and legal opinions regarding various litigation	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Frenkel's work product. All information except the summary of the ESN v. Cisco is unquestionably irrelevant to this case and non-responsive.	Unrelated subject matter. Not when Cisco first learned about the articles. All information except the summary of the ESN v. Cisco is unquestionably irrelevant to this case and non-responsive.
26b			12-Nov-2007 11:44	Rick Frenkel (Cisco attorney)	Mark Michels (Cisco attorney)	Rick Frenkel (Cisco attorney)	RE: IP Team Monthly Report Please Respond by 11/16	Email correspondence regarding writing a summary of the ESN lawsuit	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. Not when Cisco first learned about the articles.
26c			12-Nov-2007 11:30 AM	Mark Michels (Cisco attorney)	Rick Frenkel (Cisco attorney)		RE: IP Team Monthly Report Please Respond by 11/16	Email correspondence regarding writing a summary of the ESN lawsuit and regarding making sure the summary is privileged	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. Not when Cisco first learned about the articles.

Group 2, Page 8

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel created on in writing the articles at issue (See Group 1, at 36b)	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was admitted there was a filing error (See Group 1, at 36c)
30a	CISCO PRIVILEGED. 000157	CISCO PRIVILEGED. 000158	19-Oct-2007 9:57 AM	(This email was produced in the Albritton case and is logged in Group 1 at 36b)					(See Group 1, at 36b)	(See Group 1, at 36b)	(See Group 1, at 36b)
30b				(This email was produced in the Albritton case and is logged in Group 1 at 36c)					(See Group 1, at 36c)	(See Group 1, at 36c)	(See Group 1, at 36c)
30c				(This email was produced in the Albritton case and is logged in Group 1 at 36d)					(See Group 1, at 36d)	(See Group 1, at 36d)	(See Group 1, at 36d)
30d				(This email was produced in the Albritton case and is logged in Group 1 at 36e)					(See Group 1, at 36e)	(See Group 1, at 36e)	(See Group 1, at 36e)
30e				(This email was produced in the Albritton case and is logged in Group 1 at 36f)					(See Group 1, at 36f)	(See Group 1, at 36f)	(See Group 1, at 36f)
31a	CISCO PRIVILEGED. 000159	CISCO PRIVILEGED. 000160	19-Oct-2007 1:16 PM	Victoria Maroulis (Quinn Emanuel attorney)	Charles K Verhoeven (Quinn Emanuel attorney) Marta Beckwith (Cisco attorney)	Mark Michels (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	RE: ESN	Email regarding beginning work on ESN matter	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided. Not when Cisco first learned about matter.	Unrelated subject matter. No information provided. Not when Cisco first learned about matter.
31b			19-Oct-2007 12:48 PM	Marta Beckwith (Cisco attorney)	Victoria Maroulis (Quinn Emanuel attorney) Charles K Verhoeven (Quinn Emanuel attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Rick Frenkel (Cisco attorney)	ESN	Email regarding legal strategy with respect to declaratory judgment action.	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles.	Not when Cisco first learned about matter.

Page 19 of 30
Case 09-3053 Document 22-1 Filed 09/16/09 Page 19 of 30

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "replied on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claimed there was a filing error
32a	CISCO PRIVILEGED. 000161	CISCO PRIVILEGED. 000163	12-Nov-2007 4:36 PM	Mark Michels (Cisco attorney)	Rick Frenkel (Cisco attorney)		RE: IP Team Monthly Report Please Respond by 11/16	Email responding to status of various Cisco lawsuits.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided. (see 26a)	No information provided. Not when Cisco learned about (b)(5). Unrelated subject matter. No information provided. (see 26a)
32b				(logged at 26a)					(see 26a)		
32c				(logged at 26b)					(see 26b)		
32d				(logged at 26c)					(see 26c)		
32e				(logged at 26d)					(see 26d)		
32f				(logged at 26e)					(see 26e)		
33a	CISCO PRIVILEGED. 000164	CISCO PRIVILEGED. 000166	26-Oct-2007 7:55 PM	Mark Michels (Cisco attorney)	Rick Frenkel (Cisco attorney)		Re: ESN v. Cisco update and important new date in CT case	Email responding to scheduling call regarding case strategy.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided. (see 25a)	Unrelated subject matter. Not when Cisco learned about (b)(5). (See Group 1, at 36f)
33b				(logged at 25a)					(see 25a)		
33c				(logged at 25b)					(see 25b)		
33d				(logged at 25c)					(see 25c)		
33e				(logged at 25d)					(see 25d)		
34	CISCO PRIVILEGED. 000170	CISCO PRIVILEGED. 000170	18-Oct-2007 11:30 PM	(This email was produced in the Albritton case and is logged in Group 1 at 36f)					(See Group 1, at 36f)		
35	CISCO PRIVILEGED. 000171	CISCO PRIVILEGED. 000171	2-Nov-2007 8:34 AM	Marta Beckwith (Cisco attorney)	John Noh (Cisco PR)	Mark Michels (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	ESN	Email regarding potential agreed motion to dismiss and cooling off period.	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. (See Group 1, at 36f)	Unrelated subject matter. Not when Cisco learned about (b)(5).

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privileges Type	Reason(s) Document Could Not be Responsive to	Reason(s) Document Could Not be Responsive to
36a	CISCO PRIVILEGED. 000172	CISCO PRIVILEGED. 000174	27-Oct-2007 12:14 PM	Victoria Maroulis (Quinn Emanuel attorney)	Maria Beckwith (Cisco attorney) Rick Frenkel (Cisco attorney)	Katherine Bernhelt (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Mark Michels (Cisco attorney) Michael Ritter (Cisco attorney) Sayuri Sharper (Quinn Emanuel attorney)	Re: ESN v. Cisco update and important new date in CT case	Email regarding new venue case and how it relates to case strategy.	Attorney/Client Work Product (ordinary and opinion)	Created after the articles. Unrelated subject matter.	Reason(s) Document Could Not be Responsive to: Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error. Unrelated subject matter. Not when Cisco learned about the matter.
36b				(logged at 25a)					(see 25a)	(see 25a)	(see 25a)
36c				(logged at 25b)					(see 25b)	(see 25b)	(see 25b)
36d				(logged at 25c)					(see 25c)	(see 25c)	(see 25c)
36e				(logged at 25d)					(see 25d)	(see 25d)	(see 25d)
37a	CISCO PRIVILEGED. 000175	CISCO PRIVILEGED. 000175	19-Oct-2007 8:10 AM	Mallun Yen (Cisco attorney)	Maria Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Mark Michels (Cisco attorney)	RE:	Email responding to email regarding selection of local counsel and strategy for filing declaratory judgment action.	Attorney/Client Work Product (ordinary and opinion)	Created after the articles. Unrelated subject matter. No information provided.	Reason(s) Document Could Not be Responsive to: Interrogatory No. 5- Documenta. Frankel "rolled on" in writing the articles at issue. Frankel denies relying on this. Created after the articles. Unrelated subject matter.
37b				Maria Beckwith (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney)	Rick Frenkel (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney)	Mark Michels (Cisco attorney)	RE:	Email regarding selection of local counsel and strategy for filing declaratory judgment action.	Attorney/Client Work Product (ordinary and opinion)	Created after the articles. Unrelated subject matter. No information provided.	Reason(s) Document Could Not be Responsive to: Interrogatory No. 5- Documenta. Frankel "rolled on" in writing the articles at issue. Frankel denies relying on this. Created after the articles. Unrelated subject matter.
37c				Rick Frenkel (Cisco attorney)	Maria Beckwith (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney)	Mark Michels (Cisco attorney)	RE: Ois	Email regarding selection of local counsel	Attorney/Client Work Product (ordinary and opinion)	Created after the articles. Unrelated subject matter. No information provided.	Reason(s) Document Could Not be Responsive to: Interrogatory No. 5- Documenta. Frankel "rolled on" in writing the articles at issue. Frankel denies relying on this. Created after the articles. Unrelated subject matter.
38a	CISCO PRIVILEGED. 000176	CISCO PRIVILEGED. 000176	29-Oct-2007 8:16 PM	Rick Frenkel (Cisco attorney)	Maria Beckwith (Cisco attorney)	Mark Michels (Cisco attorney) Michael Ritter (Cisco attorney)	RE: Ois	Email regarding selection of local counsel	Attorney/Client Work Product (ordinary and opinion)	Created after the articles. Unrelated subject matter. No information provided.	Reason(s) Document Could Not be Responsive to: Interrogatory No. 5- Documenta. Frankel "rolled on" in writing the articles at issue. Frankel denies relying on this. Created after the articles. Unrelated subject matter.

Group 2, Page 12

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Inquisitory No. 5- Documents Frenkel "releas[redacted]" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Inquisitory No. 6- When Cisco learned that ESN was a firm there was a filing error
38b			29-Oct-2007 7:53 PM	Marta Beckwith (Cisco attorney)	Rick Frenkel (Cisco attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney)	Dis	Email regarding selection of local counsel and case strategy	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. Not when Cisco learned about strategy.
39	CISCO PRIVILEGED. 000177	CISCO PRIVILEGED. 000177	28-Nov-2007 1:30 PM	Rick Frenkel (Cisco attorney)	Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney) Victoria Maroulis (Quinn Emanuel attorney)		ESN	Email regarding strategy with respect to discussing revenue numbers with ESN.	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. Frenkel's work product.	Unrelated subject matter. Not when Cisco learned about strategy.
40a	CISCO PRIVILEGED. 000176	CISCO PRIVILEGED. 000180	17-Oct-2007 9:50 PM	Rick Frenkel (Cisco attorney)	Mallin Yen (Cisco attorney) Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)		RE: Amended ESN Complaint	Email regarding selection of counsel for ESN litigation.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. Not when Cisco learned about strategy.
40b			17-Oct-2007 9:31 PM (PST)	(logged at 22c)					(see 22c)	(see 22c)	(see 22c)
40c			17-Oct-2007 2:41 PM	(logged at 22d)	Mallin Yen (Cisco attorney)		RE: Amended ESN Complaint		(see 22d)	(see 22d)	(see 22d)
40d				(logged at 22e)					(see 22e)	(see 22e)	(see 22e)
40e				(this email was produced in the Albritton case and is logged in Group 1 at 1)					(see Group 1 at 1)	(see Group 1 at 1)	(see Group 1 at 1)
41a	CISCO PRIVILEGED. 000181	CISCO PRIVILEGED. 000182	25-Oct-2007 12:28 PM	Rick Frenkel (Cisco attorney)	Victoria Maroulis (Quinn Emanuel attorney)	Mark Michels (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)	FW: Cisco/ESN	Email regarding requirements to file motion in Connecticut.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. Frenkel's work product. No information provided.	Unrelated subject matter. No information provided. Not when Cisco learned about strategy.

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error
41b			25-Oct-2007 12:25 PM	Kurt Pankratz (Baker Botts attorney)	Maria Beckwith (Cisco attorney) Rick Frenkel (Cisco attorney) Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney)	Bart Showalter (Baker Botts attorney) Doug Kubent (Baker Botts attorney) Bryant Boren (Baker Botts attorney)	FW: Cisco/ESN	Email forwarding email regarding analysis of pleadings filed in Connecticut action	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided. Not what Cisco learned about claim.
41c			(logged at 3b)						(see 3b)	(see 3b)	(see 5b)
42a	CISCO PRIVILEGED. 000183	CISCO PRIVILEGED. 000185	18-Oct-2007 8:08 AM	Rick Frenkel (Cisco attorney)	Mallin Yen (Cisco attorney) Mark Michels (Cisco attorney) Maria Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)		RE: Amended ESN Complaint	Email regarding selection of counsel.	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Unrelated subject matter. Frenkel's work product. No information provided.	Unrelated subject matter. No information provided.
42b			(logged at 22a)						(see 22a)	(see 22a)	(see 22a)
42c			(logged at 22b)						(see 22b)	(see 22b)	(see 22b)
42d			(logged at 22c)						(see 22c)	(see 22c)	(see 22c)
42e			(logged at 22d)						(see 22d)	(see 22d)	(see 22d)
42f			(logged at 22e)						(see 22e)	(see 22e)	(see 22e)
42g			(this email was produced in the Arbitration case and is logged in Group 1 at 1)						(see Group 1 at 1)	(see Group 1 at 1)	(see Group 1 at 1)

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- When Cisco learned that ESN was claiming there was a filing error	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue
43a	CISCO PRIVILEGED. 000186	CISCO PRIVILEGED. 000187	17-Oct-2007 10:03 PM	(logged at 22b)					(see 22b)	(see 22b)	(see 22b)
43b				(logged at 22c)					(see 22c)	(see 22c)	(see 22c)
43c				(logged at 22d)					(see 22d)	(see 22d)	(see 22d)
43d				(logged at 22e)					(see 22e)	(see 22e)	(see 22e)
43e				(this email was produced in the Albritton case and is logged in Group 1 at 1)					(see Group 1 at 1)	(see Group 1 at 1)	(see Group 1 at 1)
44	CISCO PRIVILEGED. 000188	CISCO PRIVILEGED. 000188	15-Oct-2007 8:31 PM	Marta Beckwith (Cisco attorney)	Mallun Yen (Cisco attorney)	John Noh (Cisco PR)	ESN Complaint	Email regarding mechanics and strategy for filing declaratory judgment action.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter.	Frenkel denies relying on this. Unrelated subject matter.
45a	CISCO PRIVILEGED. 000189	CISCO PRIVILEGED. 000189	15-Oct-2007 4:02 PM	John Noh (Cisco PR)	Marta Beckwith (Cisco attorney)		RE: We were just sued by ESN, LLC	Email responding to email regarding strategy for filing declaratory judgment action.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. No information provided.	Frenkel denies relying on this. No information provided.
45b			15-Oct-2007 4:01 PM	Marta Beckwith (Cisco attorney)	John Noh (Cisco PR)		FW: We were just sued by ESN, LLC	Email responding to email regarding strategy for filing declaratory judgment action.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter.	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter.
45c				(this email was produced in the Albritton case and is logged in Group 1 at 1)					(see Group 1 at 1)	(see Group 1 at 1)	(see Group 1 at 1)
46a	CISCO PRIVILEGED. 000190	CISCO PRIVILEGED. 000191	18-Oct-2007 9:57 AM	Neal Rubin (Cisco attorney)	John Noh (Cisco PR), Mallun Yen (Cisco attorney), Mark Chandler (Cisco attorney), Matthew Tanelian (Cisco attorney)		RE: ESN	Email regarding local counsel in another case	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter.	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter.
46b				(this email was produced in the Albritton case and is logged in Group 1 at 9d)			FW: ESN		(see Group 1 9d)	(see Group 1 9d)	(see Group 1 9d)

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relies on" in writing the articles at issue (see Group 1 at 5a)	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was cleaned there was a filing error (see Group 1 at 5a)
46c				(this email was produced in the Arbitration case and is logged in Group 1 at 5a)					(see Group 1 at 5a)		
46d				(this email was produced in the Arbitration case and is logged in Group 1 at 5a)					(see Group 1 at 5a)		
47a	CISCO PRIVILEGED. 000195	CISCO PRIVILEGED 000197	16-Oct-2007 9:14 PM	Kurt Pankratz (Baker Botts attorney)	Mallun Yen (Cisco attorney) Marta Beckwith (Cisco attorney)	Bart Showalter (Baker Botts attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Re: Complaint for Declaratory Judgment	Email regarding status of filings in the ESN case	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter.	(fructified subject matter)
47b			16-Oct-2007 10:43 PM	Mallun Yen (Cisco attorney)	Marta Beckwith (Cisco attorney)	Bart Showalter (Baker Botts attorney) Rick Frenkel (Cisco attorney) Michael Ritter (Cisco attorney)	Re: Complaint for Declaratory Judgment	Email regarding status of filings in the ESN case	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
47c			16-Oct-2007 1:39 PM	Marta Beckwith (Cisco attorney)	Michael A Bucco (Day Pitney attorney) Kurt Pankratz (Baker Botts attorney) James Scillian (Day Pitney attorney)	Bart Showalter (Baker Botts attorney) Mallun Yen (Cisco attorney)	Re: Complaint for Declaratory Judgment	Response to update regarding service of papers in Connecticut lawsuit	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
47d			16-Oct-2007 12:39 PM	Michael A Bucco (Day Pitney attorney)	Marta Beckwith (Cisco attorney) Kurt Pankratz (Baker Botts attorney)	Bart Showalter (Baker Botts attorney)	Re: Complaint for Declaratory Judgment	Update regarding service of papers in Connecticut lawsuit	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.
47e			16-Oct-2007 12:29 PM	Marta Beckwith (Cisco attorney)	Michael A Bucco (Day Pitney attorney) Kurt Pankratz (Baker Botts attorney) James Scillian (Day Pitney attorney)	Bart Showalter (Baker Botts attorney)	Re: Complaint for Declaratory Judgment	Email asking about filing and service of papers in Connecticut lawsuit	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.

Group 2, Page 16

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to	Reason(s) Document Could Not be Responsive to
471			16-Oct-2007 7:35 AM	Michael A Bucci (Day Pitney attorney)	Maria Beckwith (Cisco attorney) Kurt Pancratz (Baker Botts attorney) James Sicilian (Day Pitney attorney)	Bart Showalter (Baker Botts attorney)	Re: Complaint for Declaratory Judgment	Email discussing complaint and summons for declaratory judgment in Connecticut	Attorney/Client Work Product (ordinary and opinion)	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.
47g			16-Oct-2007 10:26 AM	Maria Beckwith (Cisco attorney)	Michael A Bucci (Day Pitney attorney) Kurt Pancratz (Baker Botts attorney) James Sicilian (Day Pitney attorney)	Bart Showalter (Baker Botts attorney)	Re: Complaint for Declaratory Judgment	Email discussing change to complaint and summons for declaratory judgment in Connecticut	Attorney/Client Work Product (ordinary and opinion)	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.
47h			16-Oct-2007 6:53 AM	Michael A Bucci (Day Pitney attorney)	Kurt Pancratz (Baker Botts attorney) James Sicilian (Day Pitney attorney)	Maria Beckwith (Cisco attorney) Bart Showalter (Baker Botts attorney)	Re: Complaint for Declaratory Judgment	Email discussing complaint and summons for declaratory judgment in Connecticut	Attorney/Client Work Product (ordinary and opinion)	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.
47i			16-Oct-2007 8:59 AM	Kurt Pancratz (Baker Botts attorney)	James Sicilian (Day Pitney attorney) Michael A Bucci (Day Pitney attorney)	Maria Beckwith (Cisco attorney) Bart Showalter (Baker Botts attorney)	Complaint for Declaratory Judgment	Email discussing complaint and summons for declaratory judgment in Connecticut	Attorney/Client Work Product (ordinary and opinion)	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.	Unrelated subject matter. This is about Cisco's filing in Connecticut, not about ESN's filing in the Eastern District of Texas.
48a	CISCO PRIVILEGED: 000198	CISCO PRIVILEGED: 000199	19-Oct-2007 8:59 AM	(this email was produced in the Arbitration case and is logged in Group 1 at 36c)					(see Group 1 at 36c)	(see Group 1 at 36c)	(see Group 1 at 36c)
48b			19-Oct-2007 10:56 AM	(this email was produced in the Arbitration case and is logged in Group 1 at 36d)					(see Group 1 at 36d)	(see Group 1 at 36d)	(see Group 1 at 36d)

Group 2, Page 17

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to	Reason(s) Document Could Not be Responsive to
48c				(this email was produced in the Albritton case and is logged in Group 1 at 36e)					(see Group 1 at 36e)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- When Cisco learned that ESN was a claim there was a filing error (see Group 1 at 36e)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "replied on" in writing the articles at issue on this. Frenkel denies relying (see Group 1 at 36e)
48d				(this email was produced in the Albritton case and is logged in Group 1 at 36f)					(see Group 1 at 36f)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "replied on" in writing the articles at issue on this. Frenkel denies relying (see Group 1 at 36f)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "replied on" in writing the articles at issue on this. Frenkel denies relying (see Group 1 at 36f)
49a	CISCO PRIVILEGED. 000200	CISCO PRIVILEGED. 000201	19-Oct-2007 4:43 AM	Kurt Parkratz (Baker Bolts attorney)	Bart Showalter (Baker Bolts attorney) Melun Yen (Cisco attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)	Dan Lang (Cisco attorney)	Re: Urgent -- please read -- ESN	Email regarding limiting of filing of complaint in the Connecticut lawsuit	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
49b			16-Oct-2007 1:34 AM	(this email was produced in the Albritton case and is logged in Group 1 at 36b)					(see Group 1 at 36b)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "replied on" in writing the articles at issue on this. Frenkel denies relying (see Group 1 at 36b)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "replied on" in writing the articles at issue on this. Frenkel denies relying (see Group 1 at 36b)
50a	CISCO PRIVILEGED. 000202	CISCO PRIVILEGED. 000203	15-Oct-2007 8:08 PM	Rick Frenkel (Cisco attorney)	O'Shaughnessy, William (McCarter attorney)	Bright, William (McCarter attorney) Mark Giarratana, (McCarter attorney) Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney)	RE: Conflict Check	Email regarding possible representation in Connecticut.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. Frenkel's work product.	Unrelated subject matter.
50b			15-Oct-2007 6:47 PM	William O'Shaughnessy (McCarter attorney)	Rick Frenkel (Cisco attorney)	William Bright (McCarter) Mark Giarratana (McCarter attorney)	RE: Conflict Check	Email regarding possible representation in Connecticut.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
50c			15-Oct-2007 7:40 PM	Rick Frenkel (Cisco attorney)	William O'Shaughnessy (McCarter attorney)		Conflict Check	Email regarding possible representation in Connecticut.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Unrelated subject matter. Frenkel's work product. (see 25b)	Unrelated subject matter.
51a	CISCO PRIVILEGED. 000205	CISCO PRIVILEGED. 000207	27-Oct-2007 10:21 AM	(logged at 25b)					(see 25b)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "replied on" in writing the articles at issue on this. Frenkel denies relying (see Group 1 at 36e)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "replied on" in writing the articles at issue on this. Frenkel denies relying (see Group 1 at 36e)

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Documents Frenkel "railed on" in writing the articles at issue (see 25c)	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was copying there was a full (see 25c)
51b			27-Oct-2007 10:00 AM	(logged at 25c)							
51c			27-Oct-2007 6:54 AM PST	(logged at 25d)							
52a	CISCO PRIVILEGED. 000208	CISCO PRIVILEGED. 000211	27-Oct-2007 6:49 PM	Marta Beckwith (Cisco attorney)	Victoria Maroulis (Quinn Emanuel attorney) Rick Frenkel (Cisco attorney)	Katherine Bennett (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Sayuri Sharper (Quinn Emanuel attorney) Mark Michels (Cisco attorney) Michael Ritter (Cisco attorney)	Re: ESN v. Cisco: update and important new date in CT case	Email regarding legal advice from regarding case strategy	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not within Cisco's work product. In which about subject.
52b			27-Oct-2007 12:54 PM	Rick Frenkel (Cisco attorney)	Victoria Maroulis (Quinn Emanuel attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Sayuri Sharper (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Katherine Bennett (Quinn Emanuel attorney)	Re: ESN v. Cisco: update and important new date in CT case	Email regarding ESN's lack of contacts with the Eastern District of Texas	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. Frenkel's work product.	Unrelated subject matter. Not within Cisco's work product. Learned about subject.

Group 2, Page 19

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not Be Responsive to Interrogatory No. 5- Documenta Frenkel "poked out" in writing the articles at issue	Reason(s) Document Could Not Be Responsive to Interrogatory No. 6- When Cisco learned that ESN was a claim there was a filing error
52c			27-Oct-2007 12:14 PM PST	Victoria Maroulis (Quinn Emanuel attorney)	Rick Frenkel (Cisco attorney) Marta Beckwith (Cisco attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Sayuri Sharper (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Katherine Bennett (Quinn Emanuel attorney)	Re: ESN v. Cisco: update and important new date in CT case	Email regarding new case law regarding venue	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco learned about filing error.
52d			27-Oct-2007 11:26 AM	Rick Frenkel (Cisco attorney)	Victoria Maroulis (Quinn Emanuel attorney) Marta Beckwith (Cisco attorney)	Michael Ritter (Cisco attorney) Mark Michels (Cisco attorney) Sayuri Sharper (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Katherine Bennett (Quinn Emanuel attorney)	Re: ESN v. Cisco: update and important new date in CT case	Email regarding call and new case law regarding venue.	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Unrelated subject matter. Frenkel's work product.	Unrelated subject matter. Not when Cisco learned about filing error.
52e				(logged at 25b)					(see 25b)		(see 25b)
52f				(logged at 25c)					(see 25c)		(see 25c)
52g				(logged at 25d)					(see 25d)		(see 25d)
53a	CISCO PRIVILEGED. 000213	CISCO PRIVILEGED. 000214	16-Oct-2007 9:08 PM	Mallun Yen (Cisco attorney)	Marta Beckwith (Cisco attorney) Michael Ritter (Cisco attorney) Rick Frenkel (Cisco attorney)		RE: Nuance	Email regarding the proper way to handle a problem with a filing	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Frenkel denies relying on this. Created after the articles.	Unrelated subject matter.
53b			18-Oct-2007 6:01 PM	Rick Frenkel (Cisco attorney)	Marta Beckwith (Cisco attorney) Mallun Yen (Cisco attorney) Michael Ritter (Cisco attorney)		RE: Nuance	Email regarding research and analysis regarding ESN litigation	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Created after the articles. Frenkel's work product.	Unrelated subject matter

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to	Reason(s) Document Could Not be Responsive to
53c			18-Oct-2007 5:53 PM	Marta Beckwith (Cisco attorney)	Mallun Yen (Cisco attorney) Rick Frenkel (Cisco attorney) Michael Ritter (Cisco attorney)	Michael Ritter (Cisco attorney)	Nuance	Email analysis regarding ESN litigation and possible local counsel	Attorney/Client (ordinary and opinion)	Unrelated subject matter.	Reason(s) Document Could Not be Responsive to Interrogatory No. 6: When ESN was claimed that ESN was claimed there was a filing error.
54a	CISCO PRIVILEGED. 000215	CISCO PRIVILEGED. 000217	15-Oct-2007 8:48 PM	Marta Beckwith (Cisco attorney)	Rick Frenkel (Cisco attorney)	Michael Ritter (Cisco attorney)	RE: Conflict Check	Email regarding selection of counsel and filing of declaratory judgment action.	Attorney/Client (ordinary and opinion)	Unrelated subject matter.	Reason(s) Document Could Not be Responsive to Documents Frenkel "walled on" in writing the articles at issue
54b			15-Oct-2007 8:45 PM	Rick Frenkel (Cisco attorney)	Marta Beckwith (Cisco attorney)	Michael Ritter (Cisco attorney)	RE: Conflict Check	Email regarding suspicions regarding filing of complaint and legal strategy and opinion regarding same.	Attorney/Client (ordinary and opinion)	Unrelated subject matter.	Reason(s) Document Could Not be Responsive to Frenkel's work product.
54c			15-Oct-2007 8:13 PM	Marta Beckwith (Cisco attorney)	Rick Frenkel (Cisco attorney)	Michael Ritter (Cisco attorney)	RE: Conflict Check	Email regarding selection of counsel and filing of declaratory judgment action.	Attorney/Client (ordinary and opinion)	Unrelated subject matter.	Reason(s) Document Could Not be Responsive to Frenkel's work product.
54d				(logged at 50a)					(see 50a)		
54e				(logged at 50b)					(see 50b)		
54f				(logged at 50c)					(see 50c)		
55a	CISCO PRIVILEGED. 000218	CISCO PRIVILEGED. 000220	27-Oct-2007 10:01 AM	(logged at 25c)					(see 25c)		
55b				(logged at 25d)					(see 25d)		
55a	CISCO PRIVILEGED. 000221	CISCO PRIVILEGED. 000224	27-Oct-2007 12:54 PM	(logged at 52b)					(see 52b)		
55b				(logged at 52c)					(see 52c)		
55c				(logged at 52d)					(see 52d)		

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "pulled out" in writing the articles at issue (see 25b)	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error (see 25b)
56d				(logged at 25b)					(see 25b)	(see 25b)	
56e				(logged at 25c)					(see 25c)	(see 25c)	
56f				(logged at 25d)					(see 25d)	(see 25d)	
57a	CISCO PRIVILEGED. 000225	CISCO PRIVILEGED. 000226	18-Oct-2007 8:33 PM	Mark Michels (Cisco attorney)	Maitun Yen (Cisco attorney), Marta Beckwith (Cisco attorney), Michael Ritter (Cisco attorney), Rick Frenkel (Cisco attorney)	Dan Lang (Cisco attorney)	RE: We were just sued by ESN, LLC	Email regarding opinions regarding Girard in another case	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Unrelated subject matter.	Unrelated subject matter.
57b				(logged at 7b)					(see 7b)	(see 7b)	
57c				(logged at Group 1 at 11)					(see Group 1 at 11)	(see Group 1 at 11)	
58a	CISCO PRIVILEGED. 000229	CISCO PRIVILEGED. 000230	18-Oct-2007 11:35 AM	(this email was produced in the Arbitration case and is logged in Group 1 at 19f)					(see Group 1 at 19f)	(see Group 1 at 19f)	
58b			18-Oct-2007 11:27 AM	(this email was produced in the Arbitration case and is logged in Group 1 at 4a)					(see Group 1 at 4a)	(see Group 1 at 4a)	
58c				(this email was produced in the Arbitration case and is logged in Group 1 at 3)					(see Group 1 at 3)	(see Group 1 at 3)	

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- Documents Essential "relied on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error
59a	CISCO PRIVILEGED. 000238	CISCO PRIVILEGED. 000238	19-Oct-2007 8:56 AM	(This email was produced in the Albritton case and is logged in Group 1 at 36d)					(see Group 1 at 36d)	(see Group 1 at 36d)	(see Group 1 at 36d)
59b				(This email was produced in the Albritton case and is logged in Group 1 at 36e)					(see Group 1 at 36e)	(see Group 1 at 36e)	(see Group 1 at 36e)
59c				(This email was produced in the Albritton case and is logged in Group 1 at 36f)					(see Group 1 at 36f)	(see Group 1 at 36f)	(see Group 1 at 36f)
60a	CISCO PRIVILEGED. 000239	CISCO PRIVILEGED. 000241	31-Oct-2007 6:47 PM	(This email was produced in the Albritton case and is logged in Group 1 at 37b)					(see Group 1 at 37b)	(see Group 1 at 37b)	(see Group 1 at 37b)
60b			31-Oct-2007 5:04 PM	(This email was produced in the Albritton case and is logged in Group 1 at 37c)					(see Group 1 at 37c)	(see Group 1 at 37c)	(see Group 1 at 37c)
60c			30-Oct-2007 3:24 PM	(This email was produced in the Albritton case and is logged in Group 1 at 37d)					(see Group 1 at 37d)	(see Group 1 at 37d)	(see Group 1 at 37d)
60d			30-Oct-2007 2:38 PM	(This email was produced in the Albritton case and is logged in Group 1 at 37e)					(see Group 1 at 37e)	(see Group 1 at 37e)	(see Group 1 at 37e)
60e			30-Oct-2007 11:06 AM	(This email was produced in the Albritton case and is logged in Group 1 at 37f)					(see Group 1 at 37f)	(see Group 1 at 37f)	(see Group 1 at 37f)

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to	Reason(s) Document Could Not be Responsive to
61a	CISCO PRIVILEGED. 000242	CISCO PRIVILEGED. 000243	17-Oct-2007 9:32 p.m.	(logged at 22c)					(see 22c)	(see 22c)	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- When Cisco learned that ESN was claiming there was a filing error. (see 22c)
61b				(logged at 22d)					(see 22d)	(see 22d)	(see 22d)
61c				(logged at 22e)					(see 22e)	(see 22e)	(see 22e)
61d				(this email was produced in the Albritton case and is logged in Group 1 at 1)					(see Group 1 at 1)	(see Group 1 at 1)	(see Group 1 at 1)
62	CISCO PRIVILEGED. 000244	CISCO PRIVILEGED. 000244	18-Oct-2007 11:51 PM	(this email was produced in the Albritton case and is logged in Group 1 at 40c)					(see Group 1 at 40c)	(see Group 1 at 40c)	(see Group 1 at 40c)
63a	CISCO PRIVILEGED. 000245	CISCO PRIVILEGED. 000249	27-Oct-2007 10:19 PM	Victoria Maroulis (Quinn Emanuel attorney)	Marta Beckwith (Cisco attorney) Rick Franke (Cisco attorney)	Katherine Bennett (Quinn Emanuel attorney) Kevin Smith (Quinn Emanuel attorney) Mark Michels (Cisco attorney) Michael Ritter (Cisco attorney) Sayuri Sharper (Quinn Emanuel attorney)	Re: ESN v. Cisco; update and important new date in CT case	Email regarding conference call and evaluation of ESN's connections with Texas.	Attorney/Client Work Product (ordinary and opinion)	Unrelated subject matter. Created after the articles. Unrelated subject matter.	Unrelated subject matter. Not when Cisco learned about case.
63b				(logged at 52a)					(see 52a)	(see 52a)	(see 52a)
63c				(logged at 52b)					(see 52b)	(see 52b)	(see 52b)
63d				(logged at 52c)					(see 52c)	(see 52c)	(see 52c)
63e				(logged at 52d)					(see 52d)	(see 52d)	(see 52d)
63f				(logged at 25b)					(see 25b)	(see 25b)	(see 25b)

Group 2, Page 24

No.	Bates Begin	Bates End	Date	From	To	CC	Time	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "pulled out" in writing the articles at issue (see 25c)	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was company there was a filing error (see 25c)
63g				(logged at 25c)					(see 25c)		
63h				(logged at 25d)					(see 25d)		
64a	CISCO PRIVILEGED. 000252	CISCO PRIVILEGED. 000252	15-Oct-2007 8:52 PM	Mallum Yen (Cisco attorney)	Marta Beckwith (Cisco attorney)	John Noh (Cisco PR) Mark Chandler (Cisco attorney)	RE: ESN complaint	Email thanking Marta for the update	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
64b				(logged at 44)					(see 44)		
65a	CISCO PRIVILEGED. 000253	CISCO PRIVILEGED. 000253	18-Oct-2007 5:08 PM	Mark Chandler (Cisco attorney)	Mallum Yen (Cisco attorney)		RE: ESN	Email asking about response from potential counsel.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter. No information provided.	Unrelated subject matter. No information provided.
65b				(this email was produced in the Albright case and is logged in Group 1 at 3)			FW: ESN	Email about calling counsel about legal issues.	Attorney/Client Work Product (ordinary)	Frenkel denies relying on this. Not sent to Frenkel. Unrelated subject matter.	Unrelated subject matter. No information provided.
65c									(see Group 1 at 3)		
66a	CISCO PRIVILEGED. 000262	CISCO PRIVILEGED. 000263	18-Oct-2007 9:06 PM	Mallum Yen (Cisco attorney)	John Noh (Cisco PR) Mark Chandler (Cisco attorney) Matthew Taniellan (Cisco attorney)		FW: Nuance	Email regarding legal analysis and opinion regarding ESN lawsuit	Attorney/Client Work Product (ordinary and opinion)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles.	Not when Cisco first learned about claim.
66b				(logged at 53b)					(see 53b)		
66c				(logged at 53c)					(see 53c)		
67a	CISCO PRIVILEGED. 000266	CISCO PRIVILEGED. 000268	18-Oct-2007 11:43 AM	(this email was produced in the Albright case and is logged in Group 1 at 19b)					(see Group 1 at 19b)		

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frenkel "relied on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- When Cisco learned that ESN was claiming there was a filing error
67b			18-Oct-2007 11:44 AM	(this email was produced in the Albritton case and is logged in Group 1 at 19c)					(see Group 1 at 19c)	(see Group 1 at 19c)	(see Group 1 at 19c)
67c			18-Oct-2007 11:40 AM	(this email was produced in the Albritton case and is logged in Group 1 at 19d)					(see Group 1 at 19d)	(see Group 1 at 19d)	(see Group 1 at 19d)
67d			18-Oct-2007 11:38 AM	(this email was produced in the Albritton case and is logged in Group 1 at 19e)		Dan Lang (Cisco attorney)	RE: ESN		(see Group 1 at 19e)	(see Group 1 at 19e)	(see Group 1 at 19e)
67e			18-Oct-2007 11:33 AM	(this email was produced in the Albritton case and is logged in Group 1 at 19f)					(see Group 1 at 19f)	(see Group 1 at 19f)	(see Group 1 at 19f)
67f			18-Oct-2007 11:27 AM	(this email was produced in the Albritton case and is logged in Group 1 at 4a)					(see Group 1 at 4a)	(see Group 1 at 4a)	(see Group 1 at 4a)
67g			18-Oct-2007 11:23 AM	(this email was produced in the Albritton case and is logged in Group 1 at 3)					(see Group 1 at 3)	(see Group 1 at 3)	(see Group 1 at 3)
68a	CISCO PRIVILEGED. 000273	CISCO PRIVILEGED. 000274	18-Oct-2007 9:08 PM	Mallory Yen (Cisco attorney) (logged at 65a)	Mark Chandler (Cisco attorney)		RE: ESN	Email regarding selection of counsel.	Attorney/Client Work Product (ordinary and opinion) (see 65a)	Frenkel denies relying on this. Not sent to Frenkel. Created after the articles. Unrelated subject matter. (see 65a)	Unrelated subject matter (see 65a)
68b				(logged at 65a)							(see 65a)
68c				(logged at 65b)					(see 65b)	(see 65b)	(see 65b)
68d				(this email was produced in the Albritton case and is logged in Group 1 at 3)					(see Group 1 at 3)	(see Group 1 at 3)	(see Group 1 at 3)

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents, Frankel "rolled on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was copying there was a filing error
69a	CISCO PRIVILEGED. 000275	CISCO PRIVILEGED. 000275	17-Oct-2007 6:26 PM	Mallun Yen (Cisco attorney)	John Noh (Cisco PR) Marta Beckwith (Cisco attorney)	Michael Ritter (Cisco attorney)	RE: ESN complaint	Update about status of filings in ESN litigation.	Attorney/Client Work Product (ordinary)	Frankel denies relying on this. Not sent to Frankel.	Unrelated subject matter.
69b			17-Oct-2007 6:11 PM	John Noh (Cisco PR) (logged at 44)	Marta Beckwith (Cisco attorney) Mallun Yen (Cisco attorney)		RE: ESN complaint	Request for update about status of filings in ESN litigation	Attorney/Client Work Product (ordinary) (see 44)	Not sent to Frankel.	Unrelated subject matter.
69c									(see 44)	(see 44)	(see 44)
70a	CISCO PRIVILEGED. 000282	CISCO PRIVILEGED. 000283	15-Oct-2007 4:13 PM	Mallun Yen (Cisco attorney)	Mark Chandler (Cisco attorney)		FW: We were just sued by ESN, LLC	Email regarding summary of claims and strategy in ESN litigation.	Attorney/Client Work Product (ordinary and opinion) (see Group 1 at 11)	Frankel denies relying on this. Not sent to Frankel.	Unrelated subject matter.
70b				(this email was produced in the Arbitration case and is logged in Group 1 at 11) (logged at 22e)					(see Group 1 at 11)	(see Group 1 at 11)	(see Group 1 at 11)
71a	CISCO PRIVILEGED. 000284	CISCO PRIVILEGED. 000284	17-Oct-2007 2:32 PM						(see 22e)	(see 22e)	(see 22e)
71b				(this email was produced in the Arbitration case and is logged in Group 1 at 11)					(see Group 1 at 11)	(see Group 1 at 11)	(see Group 1 at 11)
72a	CISCO PRIVILEGED. 000285	CISCO PRIVILEGED. 000286	15-Oct-2007 4:21 p.m.	Mark Chandler (Cisco attorney) (logged at 70a)	Mallun Yen (Cisco attorney)			Email regarding topics for meeting.	Attorney/Client Work Product (ordinary) (see 70a)	Frankel denies relying on this. Not sent to Frankel. Unrelated subject matter. (see 70a)	Unrelated subject matter. (see 70a)
72b									(see Group 1 at 11)	(see Group 1 at 11)	(see Group 1 at 11)
72c				(this email was produced in the Arbitration case and is logged in Group 1 at 11)					(see Group 1 at 11)	(see Group 1 at 11)	(see Group 1 at 11)
73	CISCO PRIVILEGED. 000288	CISCO PRIVILEGED. 000323						Chart of patent lawsuits	Attorney/Client Work Product (ordinary) (see 7b)	Frankel denies relying on this. Unrelated subject matter. (see 7b)	Unrelated subject matter. (see 7b)
74a	CISCO PRIVILEGED. 000325	CISCO PRIVILEGED. 000326	15-Oct-2007 3:25 PM	(logged at 70b)					(see 7b)	(see 7b)	(see 7b)

Group 2, Page 27

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Frankel "relied on" in writing the articles at issue (see Group 1 at 11)	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was de minimis there was a filing error (see Group 1 at 11)
74b			15-Oct-2007 3:00 PM	(this email was produced in the Albritton case and is logged in Group 1 at 11)					(see Group 1 at 11)		

Group 2, Page 28

Group 3—
Documents Produced by Baker Botts in the Albritton case

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privileges Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 5- Documents Fraternal "refused on" in writing the articles at issue	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESN was claiming there was a filing error
1a	BB_0001	BB_0006		(logged at Group 1, 6a)					(see Group 1, 6a)	(see Group 1, 6a)	(see Group 1, 6a)
1b				(logged at Group 1, 6b)					(see Group 1, 6b)	(see Group 1, 6b)	(see Group 1, 6b)
2a	BB_0007	BB_0009		(logged at Group 1, 7a)					(see Group 1, 7a)	(see Group 1, 7a)	(see Group 1, 7a)
2b				(logged at Group 1, 7b)					(see Group 1, 7b)	(see Group 1, 7b)	(see Group 1, 7b)
3a	BB_0010	BB_0012		(logged at Group 1, 8a)					(see Group 1, 8a)	(see Group 1, 8a)	(see Group 1, 8a)
3b				(logged at Group 1, 7a)					(see Group 1, 7a)	(see Group 1, 7a)	(see Group 1, 7a)
3c				(logged at Group 1, 7b)					(see Group 1, 7b)	(see Group 1, 7b)	(see Group 1, 7b)
4	BB_0013	BB_0013		(logged at Group 1, 1)					(see Group 1, 1)	(see Group 1, 1)	(see Group 1, 1)
5a	BB_0017	BB_0017		(logged at Group 1, 4a)					(see Group 1, 4a)	(see Group 1, 4a)	(see Group 1, 4a)
5b				(logged at Group 1, 3)					(see Group 1, 3)	(see Group 1, 3b)	(see Group 1, 3)
6a	BB_0018	BB_0018		(logged at Group 1, 5a)					(see Group 1, 5a)	(see Group 1, 5a)	(see Group 1, 5a)
6b				(logged at Group 1, 3)					(see Group 1, 3)	(see Group 1, 3)	(see Group 1, 3)
7	BB_0019	BB_0023		(logged at Group 1, 6b)					(see Group 1, 6b)	(see Group 1, 6b)	(see Group 1, 6b)
8a	BB_0024	BB_0026		(logged at Group 1, 47a)					(see Group 1, 47a)	(see Group 1, 47a)	(see Group 1, 47a)
8b				(logged at Group 1, 6b)					(see Group 1, 6b)	(see Group 1, 6b)	(see Group 1, 6b)
9a	BB_0027	BB_0028		(logged at Group 1, 32a)					(see Group 1, 32a)	(see Group 1, 32a)	(see Group 1, 32a)
9b				(logged at Group 1, 3)					(see Group 1, 3)	(see Group 1, 3)	(see Group 1, 3)
10a	BB_0029	BB_0033		(logged at Group 1, 19e)					(see Group 1, 19e)	(see Group 1, 19c)	(see Group 1, 19e)
10b				(logged at Group 1, 19f)					(see Group 1, 19f)	(see Group 1, 19f)	(see Group 1, 19f)
10c				(logged at Group 1, 4a)					(see Group 1, 4a)	(see Group 1, 4a)	(see Group 1, 4a)
10d				(logged at Group 1, 3)					(see Group 1, 3)	(see Group 1, 3)	(see Group 1, 3)

Group 3, Page 1



JACKSON WALKER L.L.P.
ATTORNEYS & COUNSELORS

Charles L. Babcock
(713) 752-4210 (Direct Dial)
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July 15, 2009

Chief Judge Jimm Larry Hendren
U. S. District Court for the Western District of Arkansas
John Paul Hammerschmidt Federal Building, Room 559
35 East Mountain
Fayetteville, Arkansas 72701

Re: C.A. No. 08-4022; *John Ward, Jr. v Cisco Systems, Inc., et al.*, In the United States District Court for the Western District of Arkansas, Texarkana Division

Judge Hendren:

On July 13, 2009, Defendant provided a written response to Plaintiff's concerns regarding the Defendant's response to Plaintiff's second 197 requests for production. Today, the parties had a meet and confer to reach agreements regarding the objections to the requests. With regard to request number 55 asking for "ALL DOCUMENTS CONCERNING any knowledge of the above captioned case by CISCO's Board of Directors," Cisco had specifically objected to the request. Following receipt of Plaintiff's request for a meet and confer on July 13, 2009, Cisco located one document that contained a report to the board by Cisco's General Counsel.

Cisco does not believe the privileged report of Cisco's General Counsel to the Board of Directors falls under the Court's July 8, 2009, Order (document # 81). However, in an abundance of caution, Cisco is providing the Court with a copy of the document, the Affidavit of William W. Friedman, and a replacement page for the Group 2 documents listed on Page 28 of Cisco's Submission Log. This document is Document No. 75, and is bates numbered Cisco Privileged.000332-333. Please add this privileged document to the end of the group 2 section of the notebook. The document being submitted herein is protected from disclosure by the attorney-client privilege, Cisco requests that the Court not disclose the document to plaintiff, nor order any disclosure of the documents to plaintiff, without providing Cisco with sufficient notice to seek appellate review, if merited by the circumstances.

Copies of this letter and the revised Group 2 page 28 are being served on counsel for plaintiff.

1401 McKinney, Suite 1900 • Houston, Texas 77010 • (713) 752-4200 • fax (713) 752-4221

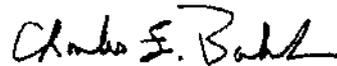
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CISCO RECORD 001360

July 15, 2009
Page 2

Please feel free to contact me if you have any questions.

Very truly yours,


Charles L. Babcock

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

JOHN WARD, JR.

§
§
§
§
§
§

C. A. NO. 08-4022
JURY TRIAL DEMANDED

v.

CISCO SYSTEMS, INC.

DECLARATION OF WILLIAM W. FRIEDMAN

I, WILLIAM W. FRIEDMAN, declare and state as follows:

1. My name is William W. Friedman. I am a Senior Corporate Counsel employed by Cisco Systems, Inc. ("Cisco"), the defendant in the above-captioned lawsuit (the "Ward case"). I am over the age of twenty-one years and am competent to make this Declaration, and am authorized to do so by Cisco. Through my personal involvement and information obtained from others in Cisco's Intellectual Property Legal Team, Government Affairs Department, and Public Relations Department, I have knowledge of the facts set forth below, unless otherwise stated, and they are true and correct.

2. I am a graduate of Boston College Law School and was licensed to practice law in California in 2001. I am the in-house lawyer at Cisco responsible for the Ward case and a related lawsuit filed in the United States District Court for the Eastern District of Texas styled *Eric Albritton v. Cisco Systems, Inc., et al.* (the "Albritton case").

3. Document numbered Cisco Privilege.000332-333 contains reference to reports made by Mark Chandler, Senior Vice President, Legal Services, General Counsel and Secretary to the Cisco Board of Directors. The report was made to the Board by Mr. Chandler in his capacity as General Counsel. The information provided to the board and reported in the minutes is attorney-client communication about pending litigation and other legal issues.

4. In the Court's July 8, 2009, Order, it instructed Cisco to submit for *in camera* review all documents which could possibly be responsive to plaintiff's interrogatories number 5 and 6. The document numbered Cisco Privilege.000332-333 is not responsive to either interrogatory number 5 or interrogatory number 6. Those interrogatories read as follows:

INTERROGATORY FIVE:

IDENTIFY ALL information relied upon by Richard Frenkel in making the statements contained in the Troll Tracker October 17, 2007, October 18, 2007 and revised October 18, 2007 posts, and separately and for each piece of information IDENTIFY the DATE and TIME the information was received by Frenkel, IDENTIFY all DOCUMENTS CONCERNING the information received, IDENTIFY ALL PERSONS involved in the information received,

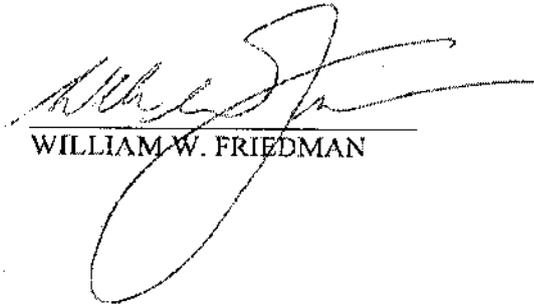
IDENTIFY the nature of any COMMUNICATION involved INCLUDING the DATE, TIME, and ALL PERSONS involved in the COMMUNICATION, and IDENTIFY all DOCUMENTS CONCERNING that COMMUNICATION.

INTERROGATORY SIX:

IDENTIFY the DATE and TIME that CISCO first became aware that ESN claimed that the filing date of the complaint as listed on the court's docket was an error and DESCRIBE the circumstances under which CISCO obtained that knowledge INCLUDING ALL PERSONS involved, all COMMUNICATIONS involved and separately and for each COMMUNICATION the DATE, TIME, ALL PERSONS involved, the content of the COMMUNICATION, what prompted the COMMUNICATION, the form of the COMMUNICATION, and IDENTIFY ALL DOCUMENTS CONCERNING CISCO's knowledge.

18. I declare under penalty of perjury that the foregoing facts are true and correct.

Signed this 15th day of July at San Jose, California.



WILLIAM W. FRIEDMAN

No.	Bates Begin	Bates End	Date	From	To	CC	Title	Description	Privilege Type	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESW was claiming there was a filing error	Reason(s) Document Could Not be Responsive to Interrogatory No. 6- When Cisco learned that ESW was claiming there was a filing error
74b			15-Oct-2007 3:00 PM	(this email was produced in the Albritton case and is logged in Group 1 at 11)					(see Group 1 at 11)	(see Group 1 at 11)	(see Group 1 at 11)
75	CISCO PRIVILEGED. 000332	CISCO PRIVILEGED 000333	20-Mar-2008					Minutes of Meeting Board of Directors Cisco Systems, Inc.	Attorney/Client Attorney/Client on unrelated cases	Created after articles. Not received by Frenkel. Does not discuss information Frankel had.	Unrelated Subject Matter.