

EXHIBIT 1

From: Kobialka, Lisa (Perkins Coie)
Sent: Thursday, August 30, 2007 6:06 PM
To: 'Corgill, Dennis S.'
Cc: Bandyopadhyay, Esha (Perkins Coie)
Subject: Meet and Confer

Importance: High

Dennis,

Based on your recent filing the Court representing that all discovery has been completed, we understand that you have no intention of providing Rob Robertson for deposition, despite the offer to do so earlier. As such, we will be making a motion to strike his declaration in light of plaintiff's failure to disclose this apparently relevant fact witness. We intend to make a request to the Court to have this briefing done on an expedited basis so this motion can be heard at the same time as the summary judgment motion. If so, we can discuss the timing of the opposition and reply to this motion.

Please let us know whether you would be willing to agree to an expedited briefing schedule, so this motion can be heard at the same time as the summary judgment hearing, currently scheduled for September 27th. We intend to file this motion in the next day or so and as such, request a prompt response.

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