

EXHIBIT D

From: Trock, Kevin C. [kevin.trock@klgates.com]
Sent: Friday, March 09, 2007 5:56 PM
To: Brian Cannon
Cc: Claude M. Stern; Doug Colt; Davis, Harold H. Jr.; Bailey-Wells, Deborah
Subject: Re: Helio v. Palm

Hi Brian,

You may be confused on some of the facts. Palm's deposition of Helio was suspended after 7 hours of testimony by Helio witnesses. The rules indicate that if you need more than 7 hours you should approach the court for permission. I can't agree to more time and I can't consent to an emergency motion. But I can agree to give you more time to prepare your brief if that's what you need. Just let me know.

It's very confusing trying to negotiate settlement terms separately with 2 Palm attorneys. Which one of you is in charge of settlement, you or Claude? Something's going to get lost in translation. Just draft up a settlement agreement in writing along the lines that Claude and I discussed this afternoon and I'll present it to Helio for consideration.

Thanks.

Sent from my BlackBerry Wireless Handheld

Kevin C. Trock, Esq.
K&L Gates
Kirkpatrick & Lockhart Preston Gates Ellis LLP
Four Embarcadero Center, 10th Floor
San Francisco, CA 94111
(415) 249-1000 General
(415) 249-1021 Direct
(415) 430-5994 Mobile
(415) 249 -1001 Fax
kevin.trock@klgates.com
www.klgates.com

-----Original Message-----

From: Brian Cannon <briancannon@quinnemanuel.com>
To: Trock, Kevin C.
CC: Claude M. Stern <claudestern@quinnemanuel.com>; Doug Colt <dougcolt@quinnemanuel.com>
Sent: Fri Mar 09 19:28:36 2007
Subject: Helio v. Palm

Kevin: could you give me a call about a couple of topics:

(1) I'd like some clarification about the terms of Helio's counter-offer you gave to Claude earlier today; and

(2) We intend to file a motion this afternoon to request an expedited hearing to remedy your walking out of the deposition today after only 2 hours of testimony. I have left a message for Hal Davis, but will ask you as well: will Helio stipulate to a hearing on Wednesday, March 14 on this issue? The expedited hearing is necessary because Palm's opposition is due March 20 and your unilateral decision to terminate the deposition without notice prejudices Palm's ability to prepare fully its opposition.

Regards,

3/29/2007

Brian Cannon

Quinn Emanuel Urquhart Oliver & Hedges, LLP

555 Twin Dolphin Drive, Suite 560

Redwood Shores, CA 94065

Direct: (650) 801-5055

Main Phone: (650) 801-5000

Main Fax: (650) 801-5100

E-mail: briancannon@quinnemanuel.com <<mailto:ubriancannon@quinnemanuel.com>>

Web: www.quinnemanuel.com <<http://www.quinnemanuel.com/>>

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and/or work product and as such is privileged and confidential. If the reader of this message is not the intended recipient or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

This electronic message contains information from the law firm of Kirkpatrick & Lockhart Preston Gates Ellis LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at kevin.trock@klgates.com.