

David Silbert

From: David Silbert
Sent: Thursday, June 23, 2005 4:25 PM
To: 'Alan Block'
Cc: Roderick G. Dorman; Kevin Shenkman
Subject: Acacia v. New Destiny et al. -- Motion for Clarification

Alan:

Confirming my voicemail message, Comcast and other defendants intend to file an administrative motion under Civil L.R. 7-11 asking the Court to clarify that the September 8/9 hearing and associated briefing will concern only reconsideration of the July 12, 2004 Markman Order, and *not* additional terms in the '992 and '702 patents to be construed. Will Acacia stipulate to this request?

Thanks,
David

David J. Silbert
Keker & Van Nest, LLP
710 Sansome Street
San Francisco, CA 94111
(415) 391-5400
dsilbert@kvn.com
www.kvn.com

This message is intended only for the use of the individual or entity to which it is addressed. The message is confidential, and may contain attorney-client information, attorney work product or other privileged information. If you are not the intended recipient, you are hereby notified that any use or dissemination of this message is strictly prohibited. If you received this message in error, please notify the sender by hitting the "Reply" button, then delete the message.