

EXHIBIT 8

Alan Block

From: Alan Block
Sent: Monday, April 14, 2008 9:16 AM
To: David S. Benyacar (dbenyacar@kayescholar.com); mkreeger@mofo.com
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Subject: In re Acacia

David and Matt --

We are in receipt of your letters of Friday afternoon identifying the motions which defendants intend to bring (which Acacia would oppose). It is clear, based on our exchange of letters, that there is no agreement between the parties as to how to proceed in this phase of the case.

Accordingly, for the preparation of the Joint Stipulation to be filed on Friday, April 18, 2008, we intend to provide the Court with Acacia's position separately from that of the defendants. In Acacia's portion, we shall recite the substance of the correspondence and proposals from the parties over the last few weeks and shall inform the Court of Acacia's statement of non-opposition to defendants' proposed motions and of Acacia's stipulation that, as a result of such non-opposition, no asserted claim is valid, for the reasons stated in the stipulation. We shall also explain and provide the case law as to why, in light of Acacia's stipulation, there is no further justiciable controversy. We also intend to inform the Court of the procedures that Acacia is prepared to take in order to obtain a final, appealable judgment, without the unnecessary motion practice that defendants insist must first occur.

In order that we may be able to have the joint stipulation prepared by the parties and filed by Friday, we shall provide you with Acacia's portion of the joint stipulation no later than the close of business on Wednesday, April 16 and expect that defendants will provide us with their portion of the joint stipulation by the same time. We would also expect, by the close of business Thursday, to exchange any proposed revisions of the two sections to be jointly filed on Friday.

Sincerely,
Alan