

EXHIBIT C

From: Mehta, Sonal [Sonal.Mehta@weil.com]
Sent: Wednesday, October 20, 2010 6:22 AM
To: Bu, Jane; Apple Elan WGM Service
Cc: Elan Apple Team
Subject: RE: Re joint stipulation for leave to amend invalidity contentions

Jane,

Thanks for preparing this. Given that Apple's amended contentions have already been accepted by the Court and that we do not agree to several statements in the draft stipulation you propose, our suggestion would be that Elan file a motion to amend its invalidity contentions instead of a stipulation. You can state in the motion that Apple does not oppose. Please include the following statement of Apple's position: "Without agreeing on the adequacy or merits of Elan's amended contentions or the stated grounds for Elan's motion for leave to amend, Apple does not oppose Elan's request for leave to file its supplemental invalidity contentions."

Regards,

The logo for the law firm Weil, featuring the word "Weil" in a white serif font on a dark grey rectangular background.

Sonal N. Mehta

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From: Bu, Jane [mailto:Jane.Bu@alston.com]
Sent: Monday, October 18, 2010 4:42 PM
To: Mehta, Sonal; Apple Elan WGM Service
Cc: Elan Apple Team
Subject: Re joint stipulation for leave to amend invalidity contentions

Sonal: here is the draft stipulation we discussed last week. In light of the Court's order today granting Apple's unopposed motion, we modified the language of the stipulation slightly, so it only requests the Court to grant leave for Elan to amend its contentions. Please let us know if you have any comments. We would like to get this filed today or tomorrow if possible.

Thanks,

Jane

From: Mehta, Sonal [mailto:Sonal.Mehta@weil.com]
Sent: Friday, October 15, 2010 7:42 PM
To: Bu, Jane; Apple Elan WGM Service
Cc: Elan Apple Team
Subject: RE:

Thanks, Jane. Without agreeing on the merits or adequacy of the contentions, we are fine with your suggestion that the parties stipulate to the mutual amendment in this instance. Thanks for your offer to prepare the stip. Please send us a draft and we'll review and get back to you.

Weil

Sonal N. Mehta

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From: Bu, Jane [mailto:Jane.Bu@alston.com]
Sent: Tuesday, October 12, 2010 6:42 PM
To: Apple Elan WGM Service; Mehta, Sonal
Cc: Elan Apple Team
Subject:

Dear Sonal:

Attached please find Elan's proposed supplemental invalidity contentions and the additional claim charts referenced in the amendments. In light of the fact Apple had prior notice to the additional prior art references listed in Elan's amendments, we believe Apple will not be prejudiced by Elan's supplemental invalidity contentions. Since the Court has not granted Apple's September 20, 2010 Unopposed Motion for Leave to Amend Invalidity Contentions, we propose that the parties enter a joint stipulation requesting the Court to grant leave to formally amend both parties' PICs pursuant to Patent L.R. 3-6. Please let us know by this Friday whether Apple will agree to such a stipulation and we will prepare the joint stipulation for filing next Monday. In the alternative, we intend to seek the Court's leave to amend our contentions. If Apple declines to enter a joint stipulation with Elan, please let us know, also by this Friday, if Apple will consent to Elan's amendments to the invalidity contentions.

Best,

Jane

Jane H. Bu

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