

EXHIBIT E

From: Greenblatt, Nathan <nathan.greenblatt@weil.com>
Sent: Tuesday, July 26, 2011 7:43 PM
To: DeBruine, Sean; Chris Lubeck (Clubeck@bridgesmav.com); Mehta, Sonal
Cc: Apple Elan WGM Service; Elan Apple Team
Subject: RE: Elan v. Apple Inc.

Sean:

We disagree with your contention that there was some intention on the part of Apple to keep the existence of any subpoenas "hidden" from Elan. As we explained on July 25, 2011, to the extent subpoenas were not produced to Elan by Bridges & Mavrakakis, this omission was inadvertent and was rectified immediately once it was called to our attention. As to the limited correspondence Apple's counsel has had with third parties in following-up on these subpoenas, we appreciate you identifying the Elan document requests that call for these documents, and, based on those requests, agree to produce the correspondence you seek this week, along with any formal responses you have not already received.

Below you state that Elan is considering Apple's request of over a year ago that Elan produce its correspondence with third parties such as Synaptics, 3M, and Cirque. Please confirm immediately that you will collect and produce all such correspondence this week.

Thanks,

Nathan



Nathan A. Greenblatt

Weil, Gotshal & Manges LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065-1134
nathan.greenblatt@weil.com
+1 650 802 3251 Direct
+1 650 802 3100 Fax

From: DeBruine, Sean [mailto:Sean.DeBruine@alston.com]
Sent: Tuesday, July 26, 2011 4:46 PM
To: Greenblatt, Nathan; ahamill@bridgesmav.com; Mehta, Sonal
Cc: Apple Elan WGM Service; Elan Apple Team
Subject: RE: Elan v. Apple Inc.

Nathan,

I am troubled that now, nearly two weeks have passed since my email, Apple for the first time contests its obligation to produce these documents. They are called for by at least RFPs 29 and 51; Apple responded that it would produce the documents called for by those requests. I note that this issue came to our attention when documents produced by Garmin and Kyocera were provided to us. To date we have no written response or objections from these entities or from the other entities who were subpoenaed by Apple. We likewise have not seen any documents from those other parties, even though the deadlines set by the subpoenas have passed. Given that Apple kept the existence of these

subpoenas to Elan's customers hidden, we are certainly entitled to see those entities' responses immediately. In addition, to be clear, Elan is asking for the immediate production of any communications with its customers and potential customers concerning the subject matter of the lawsuit, whether or not directly related to the subpoenas. Absent a commitment from Apple today to a date certain by which these documents will be produced, we will have no choice but to file a motion to compel.

Your attempt to tie Apple's production with a belated identification of an alleged deficiency in Elan's production is not well taken. First, Apple's production obligations are independent of Elan's. We are not interested in Apple's belated attempt to address its own deficiency by making similar allegations against Elan. Next, we disagree that the discovery requests you identify call for the documents. Apple's RFP 92 call for copies of documents produced in response to any subpoena served by Elan. Elan has produced all such documents. We have not previously understood RFP 3 to have the scope Apple is now apparently advocating for this request. We are considering your request and will review our response and production accordingly.

I look forward to hearing from you.

Best regards,

From: Greenblatt, Nathan [mailto:nathan.greenblatt@weil.com]
Sent: Monday, July 25, 2011 5:44 PM
To: DeBruine, Sean; ahamill@bridgesmav.com; Mehta, Sonal
Cc: Apple Elan WGM Service; Elan Apple Team
Subject: RE: Elan v. Apple Inc.

Sean,

Although we do not agree Apple has agreed or is obligated to produce communications by its attorneys with third parties related to third-party compliance with subpoenas, we are willing to produce communications related to third party subpoena compliance, provided that Elan confirm that it will do the same, including with respect to Synaptics, 3M, Cirque, and all other third parties it has communicated with regarding Elan or Apple subpoenas. See, e.g., Apple RFP 3, 92. As I mentioned this morning, Apple had previously requested this information over a year ago and do not believe we have received a production of such information, nor does your email below respond to our request that you confirm that Elan will produce the information that it is now requesting from Apple.

Please let us know whether the bilateral production outlined above will satisfy Elan's concerns. We stand ready to meet and confer regarding this issue if Elan has any further questions.

Thanks,



Nathan A. Greenblatt

Weil, Gotshal & Manges LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065-1134
nathan.greenblatt@weil.com
+1 650 802 3251 Direct
+1 650 802 3100 Fax

From: DeBruine, Sean [mailto:Sean.DeBruine@alston.com]
Sent: Monday, July 25, 2011 11:05 AM
To: Greenblatt, Nathan; ahamill@bridgesmav.com; Mehta, Sonal
Cc: Apple Elan WGM Service; Elan Apple Team
Subject: RE: Elan v. Apple Inc.

Nathan,

Your comments regarding the meet and confer is not well taken. As the email string below indicates, other than the very belated production of the subpoenas served on Elan's customers, Apple has ignored my request for further information until now, and still there is no indication from your email that Apple has any intention of providing the documents related to the subpoenas or otherwise responsive to document requests for Apple's contact with those customers concerning Apple's patents. We are more than willing to discuss this matter further, to the extent it would be productive. Again, you have ignored the substance of the issue to focus only on the alleged procedural deficiency. At the risk of repeating myself, we are willing to engage in a meet and confer further if Apple has any intention of actually addressing these issues. Please let me know when you are available.

Best regards,

Sean

From: Greenblatt, Nathan [mailto:nathan.greenblatt@weil.com]
Sent: Monday, July 25, 2011 10:52 AM
To: DeBruine, Sean; ahamill@bridgesmav.com; Mehta, Sonal
Cc: Apple Elan WGM Service; Elan Apple Team
Subject: RE: Elan v. Apple Inc.

Sean:

Has Elan produced all its communications regarding subpoenas served in this case, including with Synaptics, 3M, Cirque, and all other third parties it has communicated with regarding Elan or Apple subpoenas? *See, e.g.,* Apple RFP 3, 92. We had previously requested this information over a year ago and do not believe we have received a production of such information.

With respect to your suggestion that Elan is planning to move to quash certain subpoenas served by Bridges & Mavrakakis, this is the first time Elan has raised this issue. To the extent Elan intends to file a motion, it has not fulfilled its obligations to meet and confer. Indeed, because you have been provided with all such subpoenas, including those that were inadvertently not served on you earlier, we would expect such a meet and confer to address *inter alia* what prejudice Elan claims to have suffered.

Thanks,



Nathan A. Greenblatt

Weil, Gotshal & Manges LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065-1134
nathan.greenblatt@weil.com
+1 650 802 3251 Direct
+1 650 802 3100 Fax

From: DeBruine, Sean [mailto:Sean.DeBruine@alston.com]
Sent: Friday, July 22, 2011 4:37 PM
To: ahamill@bridgesmav.com; Mehta, Sonal
Cc: Apple Elan WGM Service; Elan Apple Team
Subject: FW: Elan v. Apple Inc.

Andrew and Sonal,

More than a week has passed with no response to my request that Apple provide this long-overdue information. Elan therefore intends to file a motion to compel production of any communications between Apple and any third parties with regard to any subpoenas or its patents in suit, and will also move to quash these subpoenas for failure to comply with FRCP 45(b)(1). Please let me know by Monday if you have any response.

Best regards,

Sean DeBruine
Alston + Bird LLP
275 Middlefield Road | Suite 150 | Menlo Park, CA 94025
650-838-2121 Direct

Twelve Consecutive Years on Fortune® magazine's "The 100 Best Companies to Work For"™

From: DeBruine, Sean
Sent: Wednesday, July 13, 2011 5:27 PM
To: Gina Villanova; Elan Apple Team; Apple.Elan.WGM.Service@weil.com
Cc: Christopher Lubeck
Subject: RE: Elan v. Apple Inc.

Counsel, we appreciate that Apple has finally provided the attached subpoenas. Please let me know immediately when Apple will produce all responses to the subpoenas and copies of any and all communications with the subpoenaed parties.

Best regards,

Sean DeBruine
Alston + Bird LLP
275 Middlefield Road | Suite 150 | Menlo Park, CA 94025
650-838-2121 Direct

Twelve Consecutive Years on Fortune® magazine's "The 100 Best Companies to Work For"™

From: Gina Villanova [mailto:gina@bridgesmav.com]
Sent: Wednesday, July 13, 2011 4:46 PM
To: Elan Apple Team; Apple.Elan.WGM.Service@weil.com
Cc: Christopher Lubeck
Subject: Elan v. Apple Inc.

Dear Counsel:

Enclosed please find third party subpoenas served on behalf of Apple, Inc.

Please contact the undersigned if you have any questions regarding this matter.

Gina Villanova
Sent on behalf of Christopher R. Lubeck

***** IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS and other taxing authorities, we inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties that may be imposed on any taxpayer or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

NOTICE: This e-mail message and all attachments transmitted with it may contain legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachments is strictly prohibited. If you have received this message in error, please notify the sender immediately by telephone (404-881-7000) or by electronic mail (postmaster@alston.com), and delete this message and all copies and backups thereof. Thank you.

The information contained in this email message is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by email (postmaster@weil.com), and destroy the original message. Thank you.

***** IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS and other taxing authorities, we inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties that may be imposed on any taxpayer or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

NOTICE: This e-mail message and all attachments transmitted with it may contain legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachments is strictly prohibited. If you have received this message in error, please notify the sender immediately by telephone (404-881-7000) or by electronic mail (postmaster@alston.com), and delete this message and all copies and backups thereof. Thank you.

The information contained in this email message is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly

prohibited. If you have received this communication in error, please immediately notify us by email (postmaster@weil.com), and destroy the original message. Thank you.

***** IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS and other taxing authorities, we inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties that may be imposed on any taxpayer or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

NOTICE: This e-mail message and all attachments transmitted with it may contain legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachments is strictly prohibited. If you have received this message in error, please notify the sender immediately by telephone (404-881-7000) or by electronic mail (postmaster@alston.com), and delete this message and all copies and backups thereof. Thank you.

The information contained in this email message is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by email (postmaster@weil.com), and destroy the original message. Thank you.