

EXHIBIT H

Mitchell, April

From: Kale, Rohan
Sent: Friday, April 29, 2011 3:49 PM
To: Byron Pickard
Cc: David Cornwell; Maria Cabico; Hannah J. Robinson; Hemminger, Steve; Newton, Mike; WH
Subject: USDC-DE 09-791 EXTERNAL
RE: Apple Subpoenas

Dear Byron,

We are disappointed that we have not heard from you. It has been 10 days since you said you will confer with your clients regarding these depositions. We have been trying to obtain proposed deposition dates from you for Messrs. Sterne, Perry, Coller, and Bezos for almost the entire month of April. Please provide dates for these witnesses no later than Wednesday, May 4. If we do not receive proposed dates for these witnesses by that time, we will seek judicial enforcement of the subpoenas.

In addition, we have not received the documents you promised that are responsive to the subpoena for the 703 patent. Please confirm that we will receive them by next Wednesday.

Best Regards,

Rohan

From: Byron Pickard [mailto:bpickard@skgf.com]
Sent: Tuesday, April 19, 2011 6:45 PM
To: Kale, Rohan
Cc: David Cornwell; Maria Cabico; Hannah J. Robinson; Hemminger, Steve; Newton, Mike
Subject: RE: Apple Subpoenas

Dear Rohan,

We've received your emails. Unfortunately, I was tied up with deposition preparation last week and am tied up this week with depositions in another matter. I still need to confer with my clients concerning these depositions. Once that is done, I will let you know our final position; I expect that will be soon. However, as I stated in my letter objecting to your subpoenas, the depositions dates in your subpoenas conflict with the calendars of Messrs. Sterne, Perry, Coller, and Bezos—not to mention that one of the proposed dates is Good Friday. Therefore, they will not appear on the dates you subpoenaed them. However, there may be a way for us to accommodate your needs, but, again, I first need to confer with my clients.

Very Best,

Byron

From: Kale, Rohan [mailto:Rohan.Kale@alston.com]
Sent: Monday, April 18, 2011 8:06 PM
To: Kale, Rohan; Byron Pickard
Cc: David Cornwell; Maria Cabico; Hannah J. Robinson; Hemminger, Steve; Newton, Mike
Subject: RE: Apple Subpoenas

Byron,

I have yet to receive a response from you regarding the outstanding deposition subpoenas to Messrs. Robert Sterne, Glenn Perry, Rich Coller, and Sal Bezos. If we do not hear back from you by close of business tomorrow with proposed, alternate deposition dates, we will expect Messrs. Sterne, Perry, Coller, and Bezos to appear on the dates and the location specified in the subpoenas.

Best Regards,
Rohan

From: Kale, Rohan
Sent: Thursday, April 14, 2011 10:07 AM
To: Kale, Rohan; Byron Pickard
Cc: David Cornwell; Maria Cabico; Hannah J. Robinson; Hemminger, Steve; Newton, Mike
Subject: RE: Apple Subpoenas

Byron,

During our meet and confer yesterday, you offered to provide a 30(b)(6) witness on specific topics if we agreed to withdraw the subpoenas to Messrs. Robert Sterne, Glenn Perry, Rich Coller, and Sal Bezos. This alternative is unacceptable to us. We believe these individuals have personal knowledge as to non-privileged issues to this litigation and we intend to go forward with the depositions as indicated in the subpoenas. Please let me know if you will be proposing alternative deposition dates for Messrs. Sterne, Perry, Coller, and Bezos.

Best Regards,

Rohan

From: Kale, Rohan
Sent: Tuesday, April 12, 2011 10:42 PM
To: Byron Pickard
Cc: David Cornwell; Maria Cabico; Hannah J. Robinson; Nokia-Apple-09-791
Subject: Re: Apple Subpoenas

Byron,

Yes, tomorrow at 3:00 pm works for me.

Rohan

On Apr 12, 2011, at 18:14, "Byron Pickard" <bpickard@skgf.com> wrote:

Rohan,

Can you talk tomorrow at 3 pm?

Byron

<image001.jpg>

From: Kale, Rohan [mailto:Rohan.Kale@alston.com]
Sent: Tuesday, April 12, 2011 6:06 PM
To: Kale, Rohan; Byron Pickard
Cc: David Cornwell; Maria Cabico; Hannah J. Robinson; Nokia-Apple-09-791
Subject: RE: Apple Subpoenas

Dear Byron,

I write to follow up regarding the outstanding deposition subpoenas to Robert Sterne, Glenn Perry, Rich Coller, and Sal Bezos. Please let me know when you will be available this week for a meet and confer to discuss alternate dates for the depositions. If we do not hear back from you, we will expect Mr. Sterne, Mr. Perry, Mr. Coller, and Mr. Bezos to appear on the dates and at the location specified in the subpoenas.

Best Regards,

Rohan Kale

Alston & Bird LLP

1201 West Peachtree Street

Atlanta, GA 30309

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404-253-8760 - Fax

rohan.kale@alston.com

From: Kale, Rohan
Sent: Monday, April 11, 2011 2:09 PM
To: Byron Pickard

Cc: David Cornwell; Maria Cabico; Hannah J. Robinson; Hemminger, Steve; Newton, Mike
Subject: RE: Apple Subpoenas

Dear Byron,

I write in response to your letter dated April 8, 2011 regarding the deposition subpoenas to Robert Sterne, Glenn Perry, Rich Coller, and Sal Bezos. In your letter, you state that questions concerning reexamination of patents asserted in the litigation will be protected by attorney client privilege and the attorney work product doctrine. We disagree. Discussions with the Patent Examiner during the reexamination proceedings are not protected by the work product doctrine or by attorney client privilege. We also disagree with your characterization of the requests being for the purpose of harassing Apple's attorneys. We are entitled to deposition testimony on all matters presented to the Patent Examiner.

Please let me know when you are available for a meet and confer to discuss your concerns and alternate dates for the depositions.

Best Regards,

Rohan Kale

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404-253-8760 - Fax

rohan.kale@alston.com

From: Byron Pickard [mailto:bpickard@skgf.com]
Sent: Friday, April 08, 2011 9:18 PM
To: Kale, Rohan
Cc: David Cornwell; Maria Cabico; Hannah J. Robinson
Subject: Apple Subpoenas

Dear Rohan,

Please see the attached.

Best,

Byron

Byron Pickard

Sterne, Kessler, Goldstein and Fox P.L.L.C.

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