

EXHIBIT E

From: Schmidt, Jill
Sent: Friday, April 13, 2012 11:33 AM
To: 'Marshall Searcy'; David Perlson; Graham Pechenik; emullins@astidavis.com
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Subject: Apple/Motorola (FL): Proposed Schedule

Hi Marshall,

I'm looping in HTC's counsel, as they have asked to participate in any scheduling discussions that may affect them. For their benefit, I'm recirculating the dial-in for our call at **1pm PT today**.

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Our proposed schedules are listed below:

Event	FL-1 (current)	FL-2 (current)	Motorola's Proposed Schedule for FL-1 plus overlapping portions of FL-2	Apple's Proposed Schedule for FL-1 plus overlapping portions of FL-2 (with HTC)	Apple's Proposed FL-2 Schedule
Infringement contentions	--	--	--	4/27/12 (Only on '721 patent and new accused products for overlapping Apple and Motorola patents)	9/7/12
Invalidity contentions	--	--	--	5/18/12 (Only on '721 patent)	10/5/12
Markman Hearing	--	--	--	--	1/18/12
Close of fact discovery	5/4/12	6/8/12	6/29/12	10/5/12	5/3/13
Opening expert reports	5/11/12	6/8/12	7/13/12	10/19/12	6/7/13
Rebuttal expert reports	6/8/12	7/9/12	8/17/12	11/20/12	7/12/13
Close of expert discovery	7/3/12	7/30/12	8/31/12	12/21/12	8/9/13
Deadline to file dispositive motions	7/13/12	8/13/12	9/7/12	1/14/13	8/23/13
Deadline to file pretrial motions	7/20/12	10/29/12	10/29/12	3/11/13	9/6/13
Deadline to file joint pretrial stipulations / jury instructions	9/13/12	1/11/13	1/11/13	5/24/13	11/8/13
Calendar call	10/16/12	1/22/13	1/22/13	6/4/13	12/10/13
Trial	10/22/12	1/28/13	1/28/13	6/10/13	12/16/13

Motorola has not yet proposed a new schedule for FL-2. If I have understood our prior correspondence correctly, Motorola is proposing that FL-1 should include (1) all the claims currently pending in FL-1; (2) Motorola's and Apple's claims on the patents-in-suit that overlap with FL-1 regarding new accused products; (3) Apple's claims against Motorola regarding the '721 patent; and (4) Apple's 271(f) theory in its proposed amended answer (for which there is a April 19 hearing scheduled in the FL-1 case).

Apple believes that both schedules need to be modified in light of the six new patents Motorola seeks to add to FL-2 with its proposed amended complaint (and any additional patents HTC may assert when it files its responsive pleading on May 11). Moreover, given the overlap between issues and the accused products in FL-1 and FL-2, Apple proposed consolidating both cases in their entirety. Motorola rejected that proposal, but Apple is willing to agree to the partial consolidation of FL-1 and FL-2 proposed by Motorola if Apple's claims against HTC regarding the '721 patent are also included in FL-1. Otherwise, Motorola's proposal would result in duplicative discovery in FL-1 and FL-2. Alternatively, if HTC agrees to coordinate discovery regarding the '721 patent on the FL-1 schedule, (even if Apple's claims against HTC regarding the '721 patent remain in FL-2), a longer discovery period in FL-1 would be required to accommodate that.

Let's discuss these issues at 1pm.

Best regards,
Jill



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