

# **EXHIBIT A**

**FISH & RICHARDSON PRIVILEGED DOCUMENT LOG --  
RE: EXPEDITED DISCOVERY REQUEST #3**

Case No. 07-CV-5081

Priv Doc #	DATE	DOC TYPE	AUTHOR	RECIPIENT	DESCRIPTION	BASIS/ COMMENTS
41	4/22/2007	EMAIL	LUTTON, KATHERINE KELLY	STEELE, JOHN; DEVLIN, PETER J; ANDERSON, RICHARD J  CC: LUTTON, KATHERINE KELLY	Communication from K. Lutton with Firm counsel requesting Firm counsel's legal advice regarding S. Harris. Reflects K. Lutton's legal opinion. Regards Firm client, name known to S. Harris. Made in anticipation of litigation. Seeks Firm counsel's mental impressions of communications with S. Harris. Addresses Doc. #39.	Attorney-Client Communication; Attorney Work Product
42	3/25/2007	EMAIL	LUTTON, KATHERINE KELLY	DEVLIN, PETER J; STEELE, JOHN; ANDERSON, RICHARD J; BARKAN, DAVID	Communication from K. Lutton seeking legal advice from Firm counsel. Regards Firm client, name known to S. Harris. Communication made in anticipation of litigation. Regards communication with Firm client. Addresses Doc. #63. Part of privileged e-mail dialogue, comprising Docs. #42, 58-63.	Attorney-Client Communication; Attorney Work Product
43	4/18/2007	EMAIL	LUTTON, KATHERINE KELLY	DEVLIN, PETER J; ANDERSON, RICHARD J; STEELE, JOHN	Communication from K. Lutton with Firm counsel requesting Firm counsel's legal advice regarding S. Harris. Regards Firm client, name known to S. Harris. Communication made in anticipation of litigation. Raises question concerning S. Harris conduct and plans for case against Firm client.	Attorney-Client Communication; Attorney Work Product
44	5/1/2007	EMAIL	LUTTON, KATHERINE KELLY	STEELE, JOHN; LUTTON, KATHERINE KELLY; ANDERSON, RICHARD J; HILLMAN, BOB; CORDELL, RUFFIN  CC: DEVLIN, PETER J	Communication from K. Lutton with Firm counsel requesting Firm counsel's legal advice regarding issues surrounding S. Harris. Communication made in anticipation of litigation. Seeks comment regarding proposed course of action in dealing with S. Harris.	Attorney-Client Communication; Attorney Work Product
45	4/23/2007	EMAIL	STEELE, JOHN	LUTTON, KATHERINE KELLY; DEVLIN, PETER J	Communication from Firm counsel to K. Lutton for purposes of discussing S. Harris and Firm client issue (name known to S. Harris) and for purposes of advising the Firm regarding same. Reflects intent to confer with Firm counsel.	Attorney-Client Communication

CONFIDENTIAL INFORMATION SUBJECT TO PROTECTIVE ORDER

**FISH & RICHARDSON PRIVILEGED DOCUMENT LOG --  
RE: EXPEDITED DISCOVERY REQUEST #3**

Case No. 07-CV-5081

Priv Doc #	DATE	DOC TYPE	AUTHOR	RECIPIENT	DESCRIPTION	BASIS/ COMMENTS
46	4/30/2007	EMAIL	STEELE, JOHN	DEVLIN, PETER J; LUTTON, KATHERINE KELLY; STEELE, JOHN	Communication from Firm counsel rendering Firm counsel's advice and relaying outside counsel's legal advice. Communication made in anticipation of litigation. Regards Firm client, name known to S. Harris. Contains legal advice from Firm counsel regarding potential legal consequences of S. Harris's conduct. Regards communication with Firm client.	Attorney-Client Communication; Attorney Work Product
47	5/3/2007	EMAIL	LUTTON, KATHERINE KELLY	STEELE, JOHN; DEVLIN, PETER J; ANDERSON, RICHARD J; LUTTON, KATHERINE KELLY	Communication from K. Lutton with Firm counsel responding to prior privileged communications. Regards Firm client, name known to S. Harris. Requests further information and legal advice from Firm counsel. Communication made in anticipation of litigation. Reflects an intent not to share content with S. Harris. Contains mental impressions of communications with S. Harris. Comments on Doc. #21.	Attorney-Client Communication; Attorney Work Product
48	3/18/2007	EMAIL	BARKAN, DAVID	DEVLIN, PETER J; ANDERSON, RICHARD J; STEELE, JOHN; LUTTON, KATHERINE KELLY	Communication from D. Barkan with Firm counsel requesting Firm counsel's involvement and advice on a matter concerning a Firm client. Contains privileged and confidential information regarding Firm client. Name of Firm client known to S. Harris. Conveys information regarding issues relating to S. Harris and S. Harris conduct to Firm counsel for purposes of Firm counsel rendering legal advice. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.	Attorney-Client Communication
49	3/18/2007	EMAIL	BARKAN, DAVID	BARKAN, DAVID; DEVLIN, PETER J; ANDERSON, RICHARD J; STEELE, JOHN; LUTTON, KATHERINE KELLY	Communication from D. Barkan to Firm counsel, responding to D. Barkan's prior privileged communication and providing Firm counsel with information for purposes of counsel rendering legal advice. Communication requests Firm counsel's involvement and was made in anticipation of litigation. Request Firm counsel's legal advice.	Attorney-Client Communication; Attorney Work Product

**FISH & RICHARDSON PRIVILEGED DOCUMENT LOG --**  
**RE: EXPEDITED DISCOVERY REQUEST #3**  
Case No. 07-CV-5081

Priv Doc #	DATE	DOC TYPE	AUTHOR	RECIPIENT	DESCRIPTION	BASIS/ COMMENTS
50	3/18/2007	EMAIL	LUTTON, KATHERINE KELLY	BARKAN, DAVID; DEVLIN, PETER J; ANDERSON, RICHARD J; STEELE, JOHN; MCNABNAY, NEIL J CC: LUTTON, KATHERINE KELLY	Addresses Doc. #48. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.  Communication from K. Lutton responding to prior privileged communications from D. Barkan and to Firm counsel. Requests further information and Firm counsel's advice. Requests legal advice from Firm counsel concerning purported representations of S. Harris. Regards Firm client. Addresses Doc. #49. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.	Attorney-Client Communication; Attorney Work Product
51	3/18/2007	EMAIL	MCNABNAY, NEIL J	LUTTON, KATHERINE KELLY; BARKAN, DAVID; DEVLIN, PETER J; ANDERSON, RICHARD J; STEELE, JOHN; MCNABNAY, NEIL J	Communication from N. McNabnay giving information to Firm counsel for purposes of Firm counsel rendering legal advice. Contains summary to Firm counsel of communications from S. Harris. Addresses Doc. #50. Reflects intent not to be shared with S. Harris. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.	Attorney-Client Communication; Attorney Work Product
52	3/18/2007	EMAIL	STEELE, JOHN	LUTTON, KATHERINE KELLY; MCNABNAY, NEIL J; BARKAN, DAVID; DEVLIN, PETER J; ANDERSON, RICHARD J	Communication from Firm counsel responding to requests from K. Lutton and D. Barkan for legal advice. Addresses Doc. #51. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.	Attorney-Client Communication; Attorney Work Product
53	3/19/2007	EMAIL	DEVLIN, PETER J	LUTTON, KATHERINE KELLY; MCNABNAY, NEIL J; BARKAN, DAVID; ANDERSON, RICHARD J; STEELE, JOHN	Communication from P. Devlin with Firm counsel made in anticipation of litigation, regarding legal advice and regarding a Firm client (name known to S. Harris). Communication made to inform Firm counsel for purposes of Firm counsel rendering legal advice. Contains legal analysis. Addresses Doc. #51. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.	Attorney-Client Communication; Attorney Work Product

**FISH & RICHARDSON PRIVILEGED DOCUMENT LOG --  
RE: EXPEDITED DISCOVERY REQUEST #3**

Case No. 07-CV-5081

Priv Doc #	DATE	DOC TYPE	AUTHOR	RECIPIENT	DESCRIPTION	BASIS/ COMMENTS
54	3/20/2007	EMAIL	LUTTON, KATHERINE KELLY	STEELE, JOHN CC: LUTTON, KATHERINE KELLY	Communication from K. Lutton to Firm counsel requesting an update on Firm counsel's formulation of legal advice. Communication made in anticipation of litigation. Regards Firm client, name known to S. Harris. Addresses Doc. #52. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.	Attorney-Client Communication; Attorney Work Product
55	3/20/2007	EMAIL	STEELE, JOHN	LUTTON, KATHERINE KELLY CC: DEVLIN, PETER J; ANDERSON, RICHARD J; STEELE, JOHN	Communication from Firm counsel relaying the substance of privileged conversations conducted in order to render legal advice. Communication renders legal advice to Firm management and was made in anticipation of litigation. Contains mental impressions of communication with S. Harris. Regards Firm client, name known to S. Harris. References provision of employment agreement. Addresses Doc. #54. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.	Attorney-Client Communication; Attorney Work Product
56	3/20/2007	EMAIL	LUTTON, KATHERINE KELLY	STEELE, JOHN CC: DEVLIN, PETER J; ANDERSON, RICHARD J; LUTTON, KATHERINE KELLY	Communication from K. Lutton supplying information to Firm counsel for purposes of Firm counsel rendering legal advice. Requests information and legal advice from Firm counsel. Information supplied and requests made in anticipation of litigation. Regards Firm client, name known to S. Harris. Regards proposed course of action in dealing with S. Harris and raises questions for Firm counsel regarding same. Addresses Doc. #55. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.	Attorney-Client Communication; Attorney Work Product
57	3/20/2007	EMAIL	DEVLIN, PETER J	LUTTON, KATHERINE KELLY; STEELE, JOHN CC: ANDERSON, RICHARD J	Communication from P. Devlin requesting legal advice from Firm counsel regarding S. Harris. Communication made in anticipation of litigation. Regards Firm client, name known to S. Harris. Seeks legal advice regarding proposed course of action.	Attorney-Client Communication; Attorney Work Product

**FISH & RICHARDSON PRIVILEGED DOCUMENT LOG --  
RE: EXPEDITED DISCOVERY REQUEST #3  
Case No. 07-CV-5081**

Priv Doc #	DATE	DOC TYPE	AUTHOR	RECIPIENT	DESCRIPTION	BASIS/ COMMENTS
58	3/22/2007	EMAIL	STEELE, JOHN	DEVLIN, PETER J; LUTTON, KATHERINE KELLY; ANDERSON, RICHARD J; STEELE, JOHN  CC: BARKAN, DAVID	Discusses obligations of employment agreement. Addresses Doc. #56. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.  Communication from Firm counsel rendering legal advice regarding S. Harris. Summarizes legal principles. Communication made in anticipation of litigation. Regards a Firm client, name known to S. Harris. Contains mental impressions of communication with S. Harris, legal analysis, references to employment agreement provision, and expected course of conduct for S. Harris. Evidences intent to be "privileged." Part of privileged e-mail dialogue, comprising Docs. #42, 58-63.	Attorney-Client Communication; Attorney Work Product
59	3/22/2007	EMAIL	DEVLIN, PETER J	STEELE, JOHN; LUTTON, KATHERINE KELLY; ANDERSON, RICHARD J  CC: BARKAN, DAVID	Communication from P. Devlin with Firm counsel responding to rendered legal advice and requesting further legal advice. Communication made in anticipation of litigation. Regards Firm client, name known to S. Harris. Regards course of action in dealing with Firm client and with S. Harris. Addresses Doc. #58. Part of privileged e-mail dialogue, comprising Docs. #42, 58-63.	Attorney-Client Communication; Attorney Work Product
60	3/22/2007	EMAIL	BARKAN, DAVID	DEVLIN, PETER J; STEELE, JOHN; LUTTON, KATHERINE KELLY; ANDERSON, RICHARD J	Communication from D. Barkan with Firm counsel, responding to privileged communication from P. Devlin. Communicates D. Barkan's legal opinion and information to Firm counsel. Communication made in order to aid Firm counsel in rendering legal advice. Communication made in anticipation of litigation. Contains analysis of S. Harris conduct. Addresses Doc. #59. Part of privileged e-mail dialogue, comprising Docs. #42, 58-63.	Attorney-Client Communication; Attorney Work Product

**FISH & RICHARDSON PRIVILEGED DOCUMENT LOG --  
RE: EXPEDITED DISCOVERY REQUEST #3**

Case No. 07-CV-5081

Priv Doc #	DATE	DOC TYPE	AUTHOR	RECIPIENT	DESCRIPTION	BASIS/ COMMENTS
61	3/22/2007	EMAIL	STEELE, JOHN	BARKAN, DAVID; DEVLIN, PETER J; LUTTON, KATHERINE KELLY; ANDERSON, RICHARD J	Communication from counsel for purposes of rendering legal advice. Addresses Doc. #60, and the analysis in that document. Part of privileged e-mail dialogue, comprising Docs. #42, 58-63.	Attorney-Client Communication; Attorney Work Product
62	3/22/2007	EMAIL	STEELE, JOHN	STEELE, JOHN; BARKAN, DAVID; DEVLIN, PETER J; LUTTON, KATHERINE KELLY; ANDERSON, RICHARD J	Communication from Firm counsel responding to D. Barkan's legal opinion and supplying legal advice. Communication made in anticipation of litigation. Contains report of communication with S. Harris to address analysis raised in Docs. #59 and 60. Part of privileged e-mail dialogue, comprising Docs. #42, 58-63.	Attorney-Client Communication; Attorney Work Product
63	3/22/2007	EMAIL	DEVLIN, PETER J	STEELE, JOHN; BARKAN, DAVID; LUTTON, KATHERINE KELLY; ANDERSON, RICHARD J	Communication from P. Devlin responding to Firm counsel's legal opinion and advice. Communication made in anticipation of litigation. Addresses Doc. #62. Part of privileged e-mail dialogue, comprising Docs. #42, 58-63.	Attorney-Client Communication; Attorney Work Product
64	4/10/2007	EMAIL	LUTTON, KATHERINE KELLY	LUTTON, KATHERINE KELLY; STEELE, JOHN  CC: DEVLIN, PETER J; ANDERSON, RICHARD J	Communication from K. Lutton requesting further legal advice from Firm counsel. Regards Firm client, name known to S. Harris. Communication made in anticipation of litigation. Regards request regarding communication with Firm client. Addresses Doc. #56. Part of privileged e-mail dialogue, comprising Docs. #48-57 and 64.	Attorney-Client Communication; Attorney Work Product
65	4/10/2007	EMAIL	STEELE, JOHN	LUTTON, KATHERINE KELLY	Communication from Firm counsel responding to K. Lutton's request for legal advice. Regards Firm client, name known to S. Harris. Communication made in anticipation of litigation. Regards mental impressions of communication with S. Harris. Reflects an intent not to share content with S. Harris. Addresses Doc. #22.	Attorney-Client Communication; Attorney Work Product

**FISH & RICHARDSON PRIVILEGED DOCUMENT LOG --  
RE: EXPEDITED DISCOVERY REQUEST #3**

Case No. 07-CV-5081

Priv Doc #	DATE	DOC TYPE	AUTHOR	RECIPIENT	DESCRIPTION	BASIS/ COMMENTS
66	4/19/2007	EMAIL	STEELE, JOHN	LUTTON, KATHERINE KELLY; DEVLIN, PETER J; ANDERSON, RICHARD J	Communication from Firm counsel responding to K. Lutton's request for legal advice. Communication made in anticipation of litigation. Contains report on communications with S. Harris and analysis of legal issue. Addresses Doc. #43.	Attorney-Client Communication; Attorney Work Product
67	3/14/2007	EMAILS	HIEKEN, CHARLES  STODGHILL, STEVEN	STODGHILL, STEVEN  HEIKEN, CHARLES  CC: MCNABNAY, NEIL J	E-mail dialogue that raises and responds to factual and legal questions, including questions regarding S. Harris. Communication among counsel re: privileged and confidential information of a Firm client. (Client name known to S. Harris.)	Attorney-Client Communication
68	3/18/2007	EMAILS	MCNABNAY, NEIL J	ALBRIGHT, ALAN D; LUTTON, KATHERINE KELLY; MUSSELMAN, WES  CC: MELSHEIMER, THOMAS; STODGILL, STEVEN H; MCNABNAY, NEIL J  MCNABNAY, NEIL J; ALBRIGHT, ALAN D; LUTTON, KATHERINE KELLY; MUSSELMAN, WES  CC: MELSHEIMER, THOMAS; STODGILL, STEVEN H; MCNABNAY,	E-mail dialogue that reports on S. Harris conduct, case against Firm client, and N. McNabnay's prior communication with S. Harris. Responds to same. Regards Firm client, name known to S. Harris. Communication regarding seeking legal advice from Firm counsel on how to proceed re: S. Harris issue. Communication made in anticipation of litigation. FR 00097-98.	Attorney-Client Communication; Attorney Work Product

7



**FISH & RICHARDSON PRIVILEGED DOCUMENT LOG --  
RE: EXPEDITED DISCOVERY REQUEST #3**

Case No. 07-CV-5081

Priv Doc #	DATE	DOC TYPE	AUTHOR	RECIPIENT	DESCRIPTION	BASIS/ COMMENTS
			LUTTON, KATHERINE KELLY	NEIL J  MCNABNAY, NEIL J; ALBRIGHT, ALAN D; MUSSELMAN, WES  CC: MELSHEIMER, THOMAS		