

# EXHIBIT A

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**From:** Bradford, David J  
**Sent:** Tuesday, April 29, 2008 9:47 PM  
**To:** vickrey@nshn.com; kblouin@nshn.com  
**Cc:** Truax, Terrence J; Sacks, Eric A; Cebula, Michael L; Morse, Rachel S.; Kachingwe, Wendy T  
**Subject:** your letter of today

Dear Paul:

In response to your letter of this afternoon, the information I requested earlier today is directly relevant to the issues that will be discussed with Judge Pallmeyer on Friday, May 2. Contrary to the statement in your letter, my questions do not constitute new interrogatories, and instead seek clarification of prior responses that ICR and Harris provided. Since you have clarified that you were not representing Mr. Harris or ICR or any of the other entities in negotiations regarding the transfer of any of Mr. Harris's patents, please advise us promptly who was representing those entities and Mr. Harris and the scope of their respective representations. At a minimum, we believe that ICR's and Mr. Harris's earlier interrogatory responses should be corrected to reflect the clarification and identify the other counsel involved. This information has direct bearing on the scope of waiver that is at issue in the hearing before Judge Pallmeyer on Friday.

In terms of the issues regarding Fish & Richardson's assertion of privilege, we are prepared to discuss that with you. We are reviewing again the documents that have been withheld on grounds of privilege, and expect that shortly we will be withdrawing our assertion of privilege as to some of the materials that have been withheld, although I anticipate that we will have an issue regarding the scope of privilege at some point. I do not believe, however, that the issue is sufficiently framed just yet to merit briefing (particularly since we have never met and conferred on the issue). Nevertheless, you seem intent on filing yet another motion before we have conferred in any detail about any particular documents that you believe have been improperly withheld on privilege grounds. We remain of the view that a meet and confer on the issue is the more appropriate way to tackle that issue. We also owe you an updated privilege log to account for the more recent production of documents, and I expect we are about a week away from completing that updated log.

If you would like to discuss this, let us know when you are available on Wednesday. Thanks.

David

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