

EXHIBIT A

Vickrey, Paul K

From: Yovits, Steven [YovitsS@howrey.com]
Sent: Wednesday, June 17, 2009 3:04 PM
To: Vickrey, Paul K; O'Connor, Daniel J
Cc: Mahalek, David J; Gibbons, Paul C; Niro, Raymond P
Subject: RE: Intellect Wireless, Inc. v. Kyocera Sanyo Telecom, Inc., et al., Civil Action No. 08 C 1350
Attachments: ATT216628.txt

Paul,

In response to your question, Defendants are claiming inequitable conduct only on the Goldman reference.

We do not agree that our position has been a moving target. The Goldman reference was cited in our answer and counterclaim, then again in our opposition to your summary judgment motion, and then again in Mr. Bjorge's report.

Regards,
Steve

From: Vickrey, Paul K [mailto:vickrey@nshn.com]
Sent: Wednesday, June 17, 2009 11:05 AM
To: Yovits, Steven; O'Connor, Daniel J
Cc: Mahalek, David J; Gibbons, Paul C; Niro, Raymond P
Subject: RE: Intellect Wireless, Inc. v. Kyocera Sanyo Telecom, Inc., et al., Civil Action No. 08 C 1350

Counsel,

Based on your representation that you no longer wish to take Mr. Henderson's deposition on the issue of materiality (as represented yesterday in court, he was also Intellect Wireless' Rule 30(b)(6) designee on the topic), Mr. Henderson cancelled his plans to fly to Chicago. We still need to know today the precise references on which Defendants are claiming inequitable conduct, as your position has been a moving target. Thanks

Paul Vickrey