

# **EXHIBIT P**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

SPRINT COMMUNICATIONS COMPANY L.P.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 05-2433-JWL-DJW
	)	
VONAGE HOLDINGS CORP.,	)	
VONAGE AMERICA, INC.	)	
	)	
	)	
Defendants.	)	
	)	

**SPRINT COMMUNICATIONS COMPANY L.P.'S SECOND SUPPLEMENTAL  
INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(a)(1)**

Plaintiff Sprint Communications Company L.P. ("Sprint"), pursuant to Rules 26(a)(1) and 26(e) of the Federal Rules of Civil Procedure, hereby submits its Second Supplemental Initial Disclosures, based on the information reasonably available to Sprint, and relating to the information that it may use to support its claims or defenses (unless solely for impeachment).

**Introductory Statement**

The following disclosures are made based on the information reasonably available to Sprint as of this date, and Sprint hereby reserves the right to supplement this list after further investigation and discovery. By making these disclosures, Sprint does not represent that it is identifying every witness, document, or tangible thing possibly relevant to this lawsuit. Nor does Sprint waive its rights to object to the production of any document or tangible thing disclosed herein on the basis of the attorney-client privilege, the work-product doctrine, relevancy, undue

burden, or any other valid objection. Rather, Sprint's disclosures represent a good faith effort to identify information that it reasonably believes may support its claims or defenses as required by Rule 26(a)(1).

Sprint's disclosures are made, moreover, without waiving: (1) the right to object to the use of any such information on the grounds of competency, privilege, relevancy and materiality, hearsay, or any other ground, for any purpose, in whole or in part, in this action or any other action; or (2) the right to object on any and all grounds, at any time, to any other discovery request or proceeding involving or relating to the subject matter of these disclosures.

Finally, Sprint provides these disclosures subject to those objections and qualifications, and designates all information contained herein as "Outside Trial Counsel Only" as per the January 19, 2006 agreement among the parties.

**A. Individuals Likely to Have Discoverable Information**

Pursuant to Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure, Sprint identifies the following individuals likely to have discoverable information (NOTE – each individual identified below is represented by counsel and all inquiries must be directed to counsel of record):

1. Terry Yake, 8904 W 116th Terrace, Overland Park, Kansas 66210, (913) 451-8904 – Mr. Yake may have discoverable information regarding the project underlying the inventions disclosed and claimed in Sprint's asserted patents.

2. Tracy Nelson, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Nelson may have discoverable information regarding the project underlying the inventions disclosed and

claimed in Sprint's asserted patents.

3. Michael Setter, Setter Roche LLP, 470 Briggs St., Suite 105, Erie, CO 80516, (720) 562-2280 - Mr. Setter was formerly employed by Sprint and may have discoverable information relating to the conception and reduction to practice of the inventions of the patents in suit. Mr. Setter may also have discoverable information relating to the preparation and prosecution of the patent applications that matured into the patents in suit. Mr. Setter may also have discoverable information regarding the project underlying the inventions disclosed and claimed in Sprint's asserted patents.

4. Harley Ball, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Ball is an employee of Sprint and may have discoverable information relating to the conception and reduction to practice of the inventions of the patents in suit. Mr. Ball may also have discoverable information relating to Sprint's policies and procedures relating to the protection of Sprint intellectual property. Mr. Ball may also have discoverable information regarding the project underlying the inventions disclosed and claimed in Sprint's asserted patents.

5. Albert DuRee, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Duree was formerly employed by Sprint and may have discoverable information regarding the project underlying the inventions disclosed and claimed in Sprint's asserted patents.

6. Don Lewis, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Lewis was formerly employed by Sprint and may have discoverable information regarding the project

underlying the inventions disclosed and claimed in Sprint's asserted patents. Mr. Lewis may also have discoverable information concerning conception of the inventions of the asserted patents.

7. Joe Gardner, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Gardner was formerly employed by Sprint and may have discoverable information regarding the project underlying the inventions disclosed and claimed in Sprint's asserted patents. Mr. Gardner may also have discoverable information concerning conception and reduction to practice of the inventions of the asserted patents.

8. Steve Wicker, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Wicker is a technical expert engaged by Sprint to provided analysis and testimony relating to infringement and validity in connection with the patents in suit.

9. Gerald Mossinghoff, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Mossinghoff is a patent law expert engaged by Sprint to provide analysis and testimony concerning issues bearing upon patent law and procedures.

10. Raymond Sims, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Sims is an accounting and financial expert engaged by Sprint to provide analysis and testimony relating to damages resulting from infringement of the patents in suit.

11. Benedict Occhiogrosso, upon information and belief can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-

1608, (202) 776-7800. Mr. Occhiogrosso is a technical expert for Vonage in the litigation styled *Verizon v. Vonage* and has provided analysis and testimony concerning the operation of Vonage's system.

12. Joel Halpern, 309 Chaucer Place NE, Leesburg, VA 22075, (703) 771-8954 - Mr. Halpern is a technical expert for Vonage in the litigation styled *Verizon v. Vonage* and has provided analysis and testimony concerning the operation of Vonage's system.

13. David Wu, 46 Golden Eye Lane, Port Monmouth, NJ 07758. Mr. Wu is Senior Vice President of Corporate Development at Vonage and will have financial information relevant to Vonage as well as other information relevant to this lawsuit.

14. John Jarosz, upon information and belief can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Jarosz is a financial expert for Vonage in the litigation styled *Verizon v. Vonage* and has provided testimony concerning Vonage's sales, marketing, and financial information.

15. Frank Koperda, upon information and belief can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Koperda is a technical expert for Vonage in the litigation styled *Verizon v. Vonage* and has provided analysis and testimony concerning the operation of Vonage's system.

16. Allyn Strickland, can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800 - Mr. Strickland has been identified as a financial expert for Vonage in this litigation and will have information concerning Sprint's damages.

17. Scott Bradner, can be contacted through counsel for Vonage at Duane

Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Bradner has been identified as a technical expert for Vonage in this litigation and will have information concerning Vonage's infringement.

18. Glen Eisen, can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Eisen is Senior Vice President of Marketing for Vonage and will have information relating to Vonage's sales, marketing, and financial information.

19. Ed Mulligan, 238 Sycamore Street, 15 Staten Island, NY, 10312. Mr. Mulligan is Vice President of Carrier Operations at Vonage and will have information concerning the operation of Vonage's system, as well as Vonage's sales, marketing, and financial information.

20. Jose Martinez, can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Martinez is the Director of Production Support at Vonage and will have information concerning the operation of Vonage's system.

21. Chakrapani Gorrepati, can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Gorrepati is Senior Network Architect at Vonage and will have information concerning the operation of Vonage's system.

22. Peter Miron, can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Miron is Vice President of Product Development at Vonage and will have information concerning the

operation of Vonage's system, as well as information relating to Vonage's business.

23. Rohan Dwharka, can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Dwharka is Director of Network Engineering at Vonage and will have information concerning the operation of Vonage's system as well as information relating to Vonage's business.

24. Louis Mamakos, 5 Bennington Drive, Lawrenceville, NJ 08648. Mr. Mamakos is Chief Technological Officer of Vonage and will have information concerning the operation of Vonage's system as well as information relating to Vonage's business.

25. Jeffrey Citron, can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Citron is founder and former Chief Executive Officer of Vonage and will have information concerning the operation of Vonage's system, Vonage's sales, marketing, and financial information, Vonage's business operations, and other information relevant to this lawsuit.

26. John Rego, 7 Lost Trail, Lawrenceville, NJ 08648. Mr. Rego is Chief Financial Officer and Executive Vice-President of Vonage Holdings Corporation and will have knowledge relating to Vonage's sales, marketing, and financial information, Vonage's business operations, and other information relevant to this lawsuit.

27. Daniel Smires, can be contacted through counsel for Vonage at Duane Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Smires is Senior Vice President of Engineering for Device Development and Certification at Vonage and will have information concerning the operation of Vonage's system.

28. Michael Tribolet, can be contacted through counsel for Vonage at Duane



Morris LLP, 1667 K. Street N.W., Washington, DC 20006-1608, (202) 776-7800. Mr. Tribolet is President of Vonage America and will information concerning the operation of Vonage's system, Vonage's sales, marketing, and financial information, Vonage's business operations, and other information relevant to this lawsuit.

29. Manu (a.k.a. "Bobby") Bahl, teleSys Software, Inc. 1900 South Norfolk, San Mateo, CA 94403 – Mr. Bahl formerly worked for Sprint and may have discoverable information relating to the reduction to practice of the inventions disclosed in the patents-in-suit, as well as Masoud Kamali's involvement with Sprint.

30. Mike Cordes, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Cordes is employed by Sprint and may have discoverable information regarding the project underlying the inventions disclosed and claimed in Sprint's asserted patents. Mr. Cordes may also have discoverable information concerning financial issues relating to the project.

31. Jim Patterson, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Patterson is employed by Sprint and may have discoverable information regarding the project underlying the inventions disclosed and claimed in Sprint's asserted patents. Mr. Patterson may also have discoverable information concerning financial issues relating to the project.

32. John Garcia, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Garcia is employed by Sprint and may have discoverable information regarding Sprint's business operations.

33. Ben Vos, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Vos is employed by Sprint and may have discoverable information regarding Sprint's research and development operations.

34. Sarah Shepard, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Ms. Shepard is employed by Sprint and may have discoverable information relating to Masoud Kamali's involvement with Sprint.

35. Terry Kero, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Kero was formerly employed by Sprint and may have discoverable information relating to Masoud Kamali's involvement with Sprint.

36. Art Chaykin, can be contacted through counsel for plaintiff at Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, MO 64108, (816) 474-6550 - Mr. Chaykin was formerly employed by Sprint and may have discoverable information relating to Masoud Kamali's involvement with Sprint.

37. As of yet unknown representatives of third parties.

38. As of yet unidentified witnesses of Vonage.

39. Any witnesses necessary for rebuttal.

**B. Potentially Relevant Documents and Things**

Pursuant to Rule 26(a)(1)(B) of the Federal Rules of Civil Procedure, Sprint hereby identifies the following categories of documents, data compilations, and tangible things

that are in Sprint's possession, custody, or control and that it may use to support its claims or defenses.

1. U.S. Patent No. 6,304,572 ("the '572 Patent") and its prosecution history.
2. U.S. Patent No. 6,633,561 ("the '561 Patent") and its prosecution history.
3. U.S. Patent No. 6,463,052 ("the '052 Patent") and its prosecution history.
4. U.S. Patent No. 6,452,932 ("the '932 Patent") and its prosecution history.
5. U.S. Patent No. 6,473,429 ("the '429 Patent") and its prosecution history.
6. U.S. Patent No. 6,298,064 ("the '064 Patent") and its prosecution history.
7. U.S. Patent No. 6,665,294 ("the '294 Patent") and its prosecution history.
8. U.S. Patent No. 5,991,301 ("the '301 Patent") and its prosecution history.
9. U.S. Patent No. 6,452,928 ("the '928 Patent") and its prosecution history.
10. U.S. Patent No. 6,104,718 ("the '718 Patent") and its prosecution history.
11. U.S. Patent No. 5,825,780 ("the '780 Patent") and its prosecution history.
12. U.S. Patent Application No. 08/238,605 ("the '605 Application").
13. Documents and things relating to Sprint's Asserted Patents, including, but not limited to, correspondence between the parties and/or their counsel, as well as documents relating to the conception and reduction to practice of the inventions disclosed and/or claimed in the Asserted Patents.
14. Pleadings, motions, and other documents filed in the instant case.
15. Documents identified and relied upon in the expert reports of Raymond Sims, Stephen Wicker, and Gerald Mossinghoff.
16. Documents regarding the operation of Vonage's system.

17. Documents produced by Vonage in response to discovery.

18. Documents produced by Vonage in connection with other litigation, including litigation between Vonage and Verizon.

19. Documents identified and relied upon in the expert reports of Scott Bradner, Frank Koperda, Benedict Occhiogrosso, Joel Halpern, John Jarosz, Allyn Strickland and any documents relied upon by an as of yet unidentified expert for Vonage.

Sprint states that the above listed categories of documents, data compilations, and tangible things are located at the Kansas City office of Shook, Hardy & Bacon L.L.P. and/or are in the possession, custody, or control of Vonage.

**C. Computation of Any Category of Damages**

Sprint has provided a computation of damages in the expert report of Raymond Sims. When Defendants provide additional information, and pursuant to Fed.R.Civ.P. 26(a)(2), Sprint will provide a supplemental computation of the damages it has suffered.

**D. Insurance Agreements**

Pursuant to Rule 26(a)(1)(D), Sprint states that no insurance agreements exist whereby Sprint will be indemnified or reimbursed to satisfy part or all of any judgment that may be entered against it in this lawsuit.

Dated: March 8, 2007

/s/ Adam P. Seitz

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L.P.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 8th day of March, 2007, a true and accurate copy of the above and foregoing PLAINTIFF SPRINT COMMUNICATIONS COMPANY L.P.'S SECOND SUPPLEMENTAL INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(a)(1) were sent via e-mail to:

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