

# EXHIBIT

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**From:** Murphy, Catherine R.  
**Sent:** Tuesday, October 11, 2011 12:22 PM  
**To:** 'Lu, Sam'; 'Somait, Lina'  
**Cc:** zzm google/skyhook (ext)  
**Subject:** Skyhook v. Google - Tutorial

**Attachments:** 10-11-10 Correspondence.pdf

Sam and Lina,

Please see attached correspondence.

Regards,

Catherine



10-11-10  
Correspondence.pdf (4

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October 11, 2011

**Via Email, Facsimile & U.S. Mail**

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Los Angeles, California 90067-4276

**Re: *Skyhook v. Google*, Case. No. 1:10-cv-11571 (D. Mass.)**

Dear Sam and Lina:

You stated in Section IV of the draft Joint Claim Construction and Pre-Hearing Statement you sent us yesterday that “Skyhook’s tutorial will be in the form of a power point presentation by one of the named inventors.” We object to any presentation to the Court by a fact witness such as the inventor of the patents-in-suit. This is contrary to the discussion that Sam and I had regarding the tutorial, in which we discussed that the tutorial would be conducted by counsel, and that experts and others would not be participating. I also believe that we discussed this with the Court at our scheduling conference on December 14, 2011 and that the expectation was that counsel would conduct the tutorials, not experts or fact witnesses.

We object to Skyhook having anyone other than counsel participate in the tutorial. Please let us know your position on this by the end of the day today. If there is a disagreement, we need to raise it with the Court immediately.

Additionally, we need to confirm exchanging written materials that each party plans to use at the tutorial. We propose that we have a concurrent exchange at 12:00 pm PT on Wednesday, October 19.

Very truly yours,

/s/ William F. Abrams

William F. Abrams

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