

# **EXHIBIT L**

## Fax Cover Sheet

To: Bob Steinberg

From: Anthony Angotti

Date: June 16, 2004

Number of pages including this cover page: 3

AFFIDAVIT

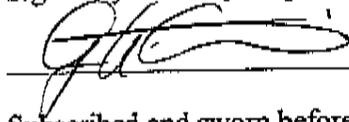
State of New York            )  
 County of Onondaga        )

Anthony Angotti, being first duly sworn, deposes and says:

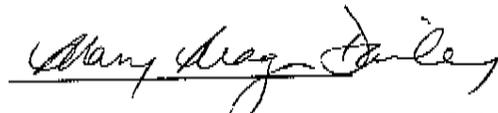
1. My name is Anthony Angotti, and I reside at 44 South Street Marcellus, New York. I am an information technologist with over twenty five years of professional experience in the medical, energy and financial services industries. I am currently a Managing Partner of Nexsched, LLC, a healthcare technology company that I co-founded in the Fall of 2001.
2. I am not a representative of nor am I engaged by Latham & Watkins, Firepond, Inc., Brightware, Inc., Orion IP Holdings, LLC, Chase, or Chemical Bank. Therefore, I am not speaking for any of those entities.
3. On December 18, 2003, and then on February 11, 2004, I executed two separate affidavits concerning the development of certain software known as the EZ Reader System. The purpose of this affidavit is to respond to a request from Latham & Watkins to further clarify a few of the statements I made in those prior affidavits.
4. Mr. Fred R. Cohen, an attorney for Chase, interviewed both Rosanna Piccolo and me to determine inventorship contribution, and to obtain facts surrounding the subject matter of the U.S. Patent No. 6,182,059 ("059" patent). I do not recall that Mr. Cohen was involved in any collaborative team effort or contributed in any way to the concept, design or development of the subject matter claimed in U.S. Patent No. 6,411,947 ("947" patent). Mr. Cohen was not a member of the team that developed the EZ Reader System.
5. I was the project leader at Chase for the EZ Reader System up to the time when Chemical Bank and Chase merged. After the merger was completed, Chemical Bank's IT Department took over the project. After the merger, my role at Chase quickly transitioned to other projects until I was no longer involved with the EZ Reader System project. After my involvement with the EZ Reader project concluded, I do not know what happened to the project.
6. Prior to the merger, Rosanna Piccolo and I worked with Amy Rice and Julie Hsu in coming up with certain aspects of the system configuration and implementation details of the EZ Reader System. Having now had an opportunity to more fully review the claims of the '059 and the '947 patents, it is my recollection that Rosanna Piccolo and I contributed to the prioritization and sub-categorization of incoming emails and the system-level architecture disclosed in the '059 and the '947 patents. In particular, I recall being involved in the collaborative efforts surrounding the inventions claimed in claims 4-6 and 41-51 of the '947 patent.

- 7. I have been asked by Latham & Watkins to also consider the status of the EZ Reader System during the first quarter of 1996. As I had previously indicated, the EZ Reader System was not widely deployed at Chase. Even though the AAAI article indicates that the EZ Reader System was deployed in the first quarter of 1996 and handled up to 80% of incoming email automatically, I recall that the volume was very low. I also recall that the system was being operated on a "controlled" basis in order to ensure that it met with our technical approval. In fact, it is possible that the system was deployed in such a manner that all email responses could be carefully monitored by human operators to determine whether they were appropriate and that the system was working in a manner consistent with Chase's technical and commercial objectives. Since the merger with Chemical Bank was imminent at that time, it is quite possible that the decision to go forward with the EZ Reader System on a full production basis had not yet been made.
  
- 8. Thus, it is quite possible that the EZ Reader System was determined to be in an experimental/test state as of the time Chemical Bank's IT Department took over the EZ Reader System project. While there may have been a limited deployment, revisions were being made continuously to the EZ Reader's case and rule based knowledge engine in order to obtain proper, appropriate and legally sound responses to customers. Accordingly, it is quite possible that the management team of the merged entities also considered the EZ Reader System to be in an experimental state.

Signed by Anthony Angotti



Subscribed and sworn before me this 15<sup>th</sup> day of June, 2004.



Notary Public for the State of New York  
Residing in Saratoga NY  
My commission expires 4-13-2006

MARY R. DAILEY  
Notary Public in the State of New York  
Qualified in Onon. Co. No. 4994663  
My Commission Expires 4-13-2006