

Exhibit K

From: Valek, Michael [mailto:mvalek@velaw.com]
Sent: Tuesday, April 05, 2011 10:32 PM
To: Ruffin Cordell; Jason Wolff; Jennifer P. Ainsworth
Cc: Northeastern External
Subject: RE: NU v. Google - your voicemail

Ruffin,

Neither Mustang, nor Index Server, are accused of infringement. Plaintiffs stipulated in Court that we are not asserting that Index Server infringes any of the claims. And, as you know, Mustang has never been accused of infringement.

As we said below, Plaintiffs see no need for a *Super Sack* letter and we haven't promised one. If Google wishes to pursue non-infringement counterclaims for systems that are not accused of infringement, we will ask the Court to decline to exercise its discretion to hear those non-infringement counterclaims. Regardless, in light of Plaintiffs' stipulation regarding the Index Server system, the Court has already ordered that Google may not refer to Plaintiffs' prior infringement contentions, including those directed to Index Server.

Thanks,

Michael A. Valek

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mvalek@velaw.com

From: Ruffin Cordell [mailto:RBC@fr.com]
Sent: Monday, April 04, 2011 9:18 PM
To: Valek, Michael; Jason Wolff; Ainsworth, Jennifer (Wilson Law Firm)
Cc: Northeastern External
Subject: RE: NU v. Google - your voicemail

Michael,

Just checking on your progress. Can we expect your Supersack letter tomorrow? Looks like both corporate representatives are here in Marshall to sign the letter.

Thanks,

Ruffin

From: Ruffin Cordell
Sent: Friday, April 01, 2011 12:14 AM
To: 'Valek, Michael'; Jason Wolff; Jennifer P. Ainsworth
Cc: Northeastern External
Subject: RE: NU v. Google - your voicemail

Michael,

My understanding was that you were going to include Index Server and Mustang as part of your Supersack letter for all claims of the patent. I believe the Court invited us to re-raise this issue if no such letter was forthcoming. Have plaintiffs changed their minds on this?

Ruffin

From: Valek, Michael [mailto:mvalek@velaw.com]
Sent: Friday, April 01, 2011 12:11 AM
To: Jason Wolff; Ruffin Cordell; Jennifer P. Ainsworth
Cc: Northeastern External
Subject: NU v. Google - your voicemail

Jason,

I got your voicemail. Plaintiffs represented in front of the Court on Tuesday that we are not accusing Index Server of infringement. That representation is binding on our clients, so there is no need for a follow up letter saying the same thing. I don't understand your concern about waiving your non-infringement counterclaim as there is no infringement claim that remains with respect to Index Server.

It seems the issue has already been put to bed.

Regards,

Michael A. Valek

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