

EXHIBIT

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From: Justin A. Nelson
Sent: Thursday, October 30, 2014 3:58 PM
To: 'David Perlson'; Andy Tindel; Antonio Sistos; Carl Anderson; Charles K Verhoeven; Erik C. Olson; Eugene Mar; Gregory Blake Thompson; James Mark Mann; Michelle Ernst; QE-Google-Rockstar; Robert Wilson; Roderick Thompson; Sam Stake; Sean Pak
Cc: Alexander L. Kaplan; Amanda Bonn; Bryce T. Barcelo; Cyndi Obuz; John Dolan; John Lahad; Max L. Tribble; Meng Xi; Parker Folse; Shawn Blackburn; Stacy Schulze; Tammie J. DeNio
Subject: RE: Upcoming Rockstar/Google motions and proposed hearing date

Ok. We will leave it up to the Court to set a hearing date and not suggest a date. Our motion to extend fact discovery is about a page and a half of text, plus an illustrative proposed schedule of a little more than a page and a half. Even with the proposed schedule, it goes to the top of page 4.

Justin A. Nelson
Susman Godfrey
1201 Third Avenue
Suite 3800
Seattle, WA 98101
206-516-3867

This message is intended only for the people to whom it is addressed and is intended to be a confidential attorney-client communication. If this message is not addressed to you, please delete it and notify me.

From: David Perlson [<mailto:davidperlson@quinnemanuel.com>]
Sent: Thursday, October 30, 2014 3:50 PM
To: Justin A. Nelson; Andy Tindel; Antonio Sistos; Carl Anderson; Charles K Verhoeven; Erik C. Olson; Eugene Mar; Gregory Blake Thompson; James Mark Mann; Michelle Ernst; QE-Google-Rockstar; Robert Wilson; Roderick Thompson; Sam Stake; Sean Pak
Cc: Alexander L. Kaplan; Amanda Bonn; Bryce T. Barcelo; Cyndi Obuz; John Dolan; John Lahad; Max L. Tribble; Meng Xi; Parker Folse; Shawn Blackburn; Stacy Schulze; Tammie J. DeNio
Subject: RE: Upcoming Rockstar/Google motions and proposed hearing date

Justin, it looks like presently our team does not have a conflict on November 21, although that can change. I don't think the previous week (11/10) would work for us. In all events, your other suggestion of not noting a particular date might make most sense if Rockstar is going to request a hearing date. Then if either party has a conflict with the date that is set, we can address it at that time.

As for Rockstar's motion to extend fact discovery, can you let us know how long Rockstar's brief will be?

From: Justin A. Nelson [<mailto:jnelson@SusmanGodfrey.com>]
Sent: Thursday, October 30, 2014 10:32 AM

To: David Perlson; Andy Tindel; Antonio Sistos; Carl Anderson; Charles K Verhoeven; Erik C. Olson; Eugene Mar; Gregory Blake Thompson; James Mark Mann; Michelle Ernst; QE-Google-Rockstar; Robert Wilson; Roderick Thompson; Sam Stake; Sean Pak
Cc: Alexander L. Kaplan; Amanda Bonn; Bryce T. Barcelo; Cyndi Obuz; John Dolan; John Lahad; Max L. Tribble; Meng Xi; Parker Folse; Shawn Blackburn; Stacy Schulze; Tammie J. DeNio
Subject: RE: Upcoming Rockstar/Google motions and proposed hearing date

Ok. The other alternative is not to request a date and let the Court pick one but seems like we should suggest one that works for both of us is possible.

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From: David Perlson [<mailto:davidperlson@quinnemanuel.com>]
Sent: Thursday, October 30, 2014 10:29 AM
To: Justin A. Nelson; Andy Tindel; Antonio Sistos; Carl Anderson; Charles K Verhoeven; Erik C. Olson; Eugene Mar; Gregory Blake Thompson; James Mark Mann; Michelle Ernst; QE-Google-Rockstar; Robert Wilson; Roderick Thompson; Sam Stake; Sean Pak
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Subject: RE: Upcoming Rockstar/Google motions and proposed hearing date

Ok, as you can understand, I will need to discuss with members on the team. Not sure I will be able to do that in a couple hours but we will get back to you today.

From: Justin A. Nelson [<mailto:jnelson@SusmanGodfrey.com>]
Sent: Thursday, October 30, 2014 10:24 AM
To: David Perlson; Andy Tindel; Antonio Sistos; Carl Anderson; Charles K Verhoeven; Erik C. Olson; Eugene Mar; Gregory Blake Thompson; James Mark Mann; Michelle Ernst; QE-Google-Rockstar; Robert Wilson; Roderick Thompson; Sam Stake; Sean Pak
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Subject: RE: Upcoming Rockstar/Google motions and proposed hearing date

Ok. Please let us know shortly because we would like to file the request for a hearing in a couple hours. Also let us know if other dates the week of the 10th work.

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From: David Perlson [<mailto:davidperlson@quinnemanuel.com>]

Sent: Thursday, October 30, 2014 10:20 AM

To: Justin A. Nelson; Andy Tindel; Antonio Sistos; Carl Anderson; Charles K Verhoeven; Erik C. Olson; Eugene Mar; Gregory Blake Thompson; James Mark Mann; Michelle Ernst; QE-Google-Rockstar; Robert Wilson; Roderick Thompson; Sam Stake; Sean Pak

Cc: Alexander L. Kaplan; Amanda Bonn; Bryce T. Barcelo; Cyndi Obuz; John Dolan; John Lahad; Max L. Tribble; Meng Xi; Parker Folse; Shawn Blackburn; Stacy Schulze; Tammie J. DeNio

Subject: RE: Upcoming Rockstar/Google motions and proposed hearing date

Justin, sorry if it appeared otherwise, but I did not mean to suggest we were available on both November 14 and 21. I was just indicating we did not oppose a request for hearing. I know November 14 wont work. I will need to check on the other date. We will get back to you today. We will also get back to you today on your request for an expedited schedule, although I am not sure the issue is necessarily as straightforward as you suggest.

From: Justin A. Nelson [<mailto:jnelson@SusmanGodfrey.com>]

Sent: Thursday, October 30, 2014 10:07 AM

To: David Perlson; Andy Tindel; Antonio Sistos; Carl Anderson; Charles K Verhoeven; Erik C. Olson; Eugene Mar; Gregory Blake Thompson; James Mark Mann; Michelle Ernst; QE-Google-Rockstar; Robert Wilson; Roderick Thompson; Sam Stake; Sean Pak

Cc: Alexander L. Kaplan; Amanda Bonn; Bryce T. Barcelo; Cyndi Obuz; John Dolan; John Lahad; Max L. Tribble; Meng Xi; Parker Folse; Shawn Blackburn; Stacy Schulze; Tammie J. DeNio

Subject: RE: Upcoming Rockstar/Google motions and proposed hearing date

David – November 5 is fine for the responses. Your suggestion on deferring the issue of replies/surreplies is fine. Your proposal for the schedule on the motion to amend the invalidity contentions also is fine, with the caveat that if the hearing we request is after the 14th, we may ask for additional time until early the following week. My suggestion is that we deal with that eventuality if we need another day or two on the surreply. With respect to the motion for hearing, we will mark you down as unopposed to the request and available on both the 14th and the 21st. Understood that you oppose the motion to extend fact discovery. Would you agree on an expedited schedule for this? The issue is straightforward. We would file by today. Your response would be due on the 6th. Any reply would be due on the 10th, and any surreply on the 14th.

Best Regards,

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From: David Perlson [mailto:davidperlson@quinnemanuel.com]

Sent: Wednesday, October 29, 2014 4:15 PM

To: Justin A. Nelson; Andy Tindel; Antonio Sistos; Carl Anderson; Charles K Verhoeven; Erik C. Olson; Eugene Mar; Gregory Blake Thompson; James Mark Mann; Michelle Ernst; QE-Google-Rockstar; Robert Wilson; Roderick Thompson; Sam Stake; Sean Pak

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Subject: RE: Upcoming Rockstar/Google motions and proposed hearing date

Justin,

We agree to an expedited briefing schedule for the motions filed on Friday. Although you and I discussed a November 4 deadline for responses, I've discussed with my team further and we propose November 5. Unfortunately, we have some scheduling issues (including some medical appointments I was not aware of) that make November 4 difficult. Hopefully, this additional day should not be an issue. We do not believe we need to include in this schedule replies or surreplies for these briefs, as we had originally discussed. If either party feels it necessary having an additional brief I think we can discuss it at that time. As for a hearing, we would not oppose a request for a hearing, but do not intend to affirmatively request one.

Regarding briefing on the motion for leave to amend invalidity contentions, we propose:

- Response due Nov. 5
- Reply due Nov. 10
- Sur-reply due Nov. 14

As for Rockstar's planned motion to extend the fact discovery deadline, we will oppose such a request that does not also include a corresponding extension of the trial date. As we've explained before, moving the fact discovery deadline without moving the trial date will compress the later dates in the schedule, including summary judgment, which is unfairly prejudicial to us.

David

From: Justin A. Nelson [mailto:jnelson@SusmanGodfrey.com]

Sent: Wednesday, October 29, 2014 2:08 PM

To: Andy Tindel; Antonio Sistos; Carl Anderson; Charles K Verhoeven; David Perlson; Erik C. Olson; Eugene Mar; Gregory Blake Thompson; James Mark Mann; Michelle Ernst; QE-Google-Rockstar; Robert Wilson; Roderick Thompson; Sam Stake; Sean Pak

Cc: Alexander L. Kaplan; Amanda Bonn; Bryce T. Barcelo; Cyndi Obuz; John Dolan; John Lahad; Justin A. Nelson; Max L. Tribble; Meng Xi; Parker Folse; Shawn Blackburn; Stacy Schulze; Tammie J. DeNio

Subject: Upcoming Rockstar/Google motions and proposed hearing date

David – I hope you and your team had safe travels home. We plan on filing a couple motions tomorrow which we hope will be unopposed. The first is setting an expedited briefing schedule for the issues we filed on last Friday. We agreed to a response on Tuesday the 4th. We would also want to agree on a briefing schedule for any replies or surreplies, or to waive them. Relatedly, as part of the same motion, we propose a hearing date on these issues next month. We would suggest either November 14 or 21 as an agreed date. Separately, we intend to file a motion to extend fact discovery by one month and keep the trial date the same. Please let us know whether you oppose. Hopefully you are not opposed, but if you are, we'd like to make sure the issue is addressed at the hearing we propose. Finally, as discussed before, we are

amenable on a briefing schedule that makes sure your motion to amend the invalidity contentions is ripe for the hearing as well.

Best Regards,

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