

# Exhibit 3

---

**From:** Solo, Alex  
**Sent:** Tuesday, August 24, 2010 11:53 AM  
**To:** Mirror Worlds  
**Cc:** MW\_v\_Apple  
**Subject:** RE: Mirror Worlds v. Apple: Follow-up Issues regarding resolution of parties' invalidity positions

Christian,

While we agree with that the parties may rely upon the declarations submitted in connection with the summary judgment motions, we also need to, and will be submitting, a supplemental expert report of Dr. Levy addressing issues not raised in those declarations. With respect to Apple's alleged prior art, Dr. Levy's declaration in connection with Apple's motion for summary judgment of invalidity addressed exclusively issues raised by Apple in its moving papers. In contrast, the late produced prior art addressed in Dr. Feiner's report on invalidity, which was the subject of Mirror Worlds' motion to preclude Apple from amending its invalidity contentions and to strike portions of Feiner's report, is much broader. As part of our agreement to withdraw the pending motions, Dr. Levy is entitled to submit an expert report that addresses the full scope of Dr. Feiner's report with respect to the late-produced alleged prior art (including, for example, the SDMS references, Memoirs, Lucas/Workscape, as well as the 10 background references identified by Apple. We also note that Dr. Levy has the right to address the Court's final claim construction order.

If Apple disagrees with Mirror Worlds' position, please let me know if you are available later today to meet and confer.

Regards,

Alex

---

**From:** Platt, Christian [mailto:christianplatt@paulhastings.com]  
**Sent:** Friday, August 20, 2010 1:28 PM  
**To:** Solo, Alex; Mirror Worlds  
**Cc:** MW\_v\_Apple  
**Subject:** RE: Mirror Worlds v. Apple: Follow-up Issues regarding resolution of parties' invalidity positions

Alex-

Can you let us know what your position is? As mentioned previously, we believe such an agreement is in line with the parties' global resolution of the invalidity contentions. We also think it makes sense to avoid unnecessary motion practice on these issues.

-Christian

---

**From:** Solo, Alex [mailto:asolo@stroock.com]  
**Sent:** Thursday, August 19, 2010 6:12 PM  
**To:** Mirror Worlds  
**Cc:** MW\_v\_Apple  
**Subject:** RE: Mirror Worlds v. Apple: Follow-up Issues regarding resolution of parties' invalidity positions

Christian,

We are looking into the issue and will give you our response by tomorrow morning.

Regards,

Alex

---

Alexander Solo  
Stroock & Stroock & Lavan LLP  
180 Maiden Lane  
New York, NY 10038

Tel: (212) 806 - 6031  
Fax: (212) 806 - 9031

---

This e-mail is intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected from disclosure. Dissemination, distribution or copying of this e-mail or the information herein by anyone other than the intended recipient is prohibited. If you have received this e-mail in error, please: (1) reply to the sender; (2) destroy this communication, including deletion of all associated files from all individual and network storage devices; and (3) refrain from copying or disseminating this communication by any means whatsoever.

---

**From:** Platt, Christian [mailto:christianplatt@paulhastings.com]  
**Sent:** Thursday, August 19, 2010 9:06 PM  
**To:** Platt, Christian; Solo, Alex  
**Cc:** MW\_v\_Apple; Mirror Worlds  
**Subject:** RE: Mirror Worlds v. Apple: Follow-up Issues regarding resolution of parties' invalidity positions

Alex-

Can you let us know your position on the issue below?

Thanks  
Christian

---

**From:** Platt, Christian  
**Sent:** Wednesday, August 18, 2010 10:24 AM  
**To:** Solo, Alex  
**Cc:** MW\_v\_Apple; Mirror Worlds  
**Subject:** Mirror Worlds v. Apple: Follow-up Issues regarding resolution of parties' invalidity positions

Alex-

We write to follow-up on the parties' global resolution of each side's invalidity contentions. In light of the parties' agreement to allow Mirror Worlds Technologies to amend its answer to include an invalidity defense to the Piles countersuit and to serve invalidity contentions regarding the Piles patent, we propose that the parties be allowed to rely on the expert declarations of Drs. Levy and Feiner, submitted in connection with MWT's motion for summary judgment of invalidity, at trial as part of their expert disclosures under Rule 26. Similarly, in light of the parties' agreement to allow Apple to supplement its invalidity contentions, we propose that Mirror Worlds be allowed to rely at trial on Dr. Levy's supplemental expert declaration on the validity of Mirror Worlds' patents, which was submitted in opposition to Apple's motion for summary judgment of invalidity.

We believe this approach is consistent with the parties' global resolution of validity issues and will avoid unnecessary motion practice. Please let us know if you agree and we will circulate an unopposed motion for leave of court along these lines.

Best regards,  
Christian

---

**S. Christian Platt, Partner** | Paul, Hastings, Janofsky & Walker LLP | 4747 Executive Drive, 12th Floor, San Diego, CA 92121 | direct: 858 458 3034 | direct fax: 858 458 3134 | main: 858 458 3000 | main fax: 858 458 3005 | christianplatt@paulhastings.com | [www.paulhastings.com](http://www.paulhastings.com)

---

\*\*\*\*\*  
IRS Circular 230 Disclosure: As required by U.S. Treasury Regulations governing tax practice, you are hereby advised that any written tax advice contained herein was not written or intended to be used (and cannot be used) by any taxpayer for the purpose of avoiding penalties that may be imposed under the U.S. Internal Revenue Code.  
\*\*\*\*\*

This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

For additional information, please visit our website at [www.paulhastings.com](http://www.paulhastings.com).

=====  
=====  
IRS Circular 230  
Disclosure: To ensure compliance with requirements imposed by the IRS in Circular 230, we inform you that any tax advice contained in this communication (including any attachment that does not explicitly state otherwise) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.  
=====  
=====

---

\*\*\*\*\*  
IRS Circular 230 Disclosure: As required by U.S. Treasury Regulations governing tax practice, you are hereby advised that any written tax advice contained herein was not written or intended to be used (and cannot be used) by any taxpayer for the purpose of avoiding penalties that may be imposed under the U.S. Internal

Revenue Code.

\*\*\*\*\*

This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

For additional information, please visit our website at [www.paulhastings.com](http://www.paulhastings.com).