

## PLAINTIFF'S CORRECTED LIST OF EXHIBITS

| Pltf. No. | Def. No. | Date Offered | Marked | Admitted | Expect to/May Offer | Objection(s) | Description of Exhibit   | Bates Label(s)   |
|-----------|----------|--------------|--------|----------|---------------------|--------------|--|------------------|
| 1.        |          |              |        |          |                     |              | November 1, 2007 letter to Eric Albritton from Garret Chambers memorializing agreement between Cisco Systems, Inc. And Cisco-Linksys, LLC and ESN  | EMA 00001 -00003 |
| 2.        |          |              |        |          |                     |              | October 18, 2007 cover letter from Amie Mathis to Cisco-Linksys, LLC enclosing Plaintiff's Motion to Enjoin Defendant Cisco and Linksys from Prosecuting later-filed Parallel Litigation in Connecticut                | EMA 0004         |
| 3.        |          |              |        |          |                     |              | October 18, 2007 cover letter from Amie Mathis to James Sicilian and Michael Buccì enclosing Plaintiff's Motion to Enjoin Defendant Cisco and Linksys from Prosecuting later-filed Parallel Litigation in Connecticut  | EMA 00005        |
| 4.        |          |              |        |          |                     |              | October 19, 2007 cover letter from Amie Mathis to Cisco Systems, Inc. enclosing Plaintiff's Motion to Enjoin Defendant Cisco and Linksys from Prosecuting later-filed Parallel Litigation in Connecticut               | EMA 00006        |
| 5.        |          |              |        |          |                     |              | October 19, 2007 cover letter from Amie Mathis to Cisco-Linksys, LLC enclosing Plaintiff's Motion to Enjoin Defendant Cisco and Linksys from Prosecuting later-filed Parallel Litigation in Connecticut                | EMA 00007        |
| 6.        |          |              |        |          |                     |              | October 18, 2007 cover letter from Amie Mathis to Cisco Systems, Inc. enclosing Plaintiff's Motion to Enjoin Defendant Cisco and Linksys from Prosecuting later-filed Parallel Litigation in Connecticut               | EMA 00008        |
| 7.        |          |              |        |          |                     |              | October 19, 2007 cover letter from Amie Mathis to Director of the US Patent and Trademark Office enclosing the fully executed Report on the Filing or Determination of an Action Regarding a Patent or Trademark       | EMA 00009        |
| 8.        |          |              |        |          |                     |              | October 19, 2007 cover letter from Jennifer L. Beebe to Director of the US Patent and Trademark Office enclosing the fully executed Report on the Filing or Determination of an Action Regarding a Patent or Trademark | EMA 00010        |
| 9.        |          |              |        |          |                     |              | November 1, 2007 Correspondence from Garret Chambers to Eric Albritton memorializing agreement between Cisco Systems, Inc. and Cisco Linksys, LLC and ESN, LLC   | EMA 00011-00013  |
| 10.       |          |              |        |          |                     |              | Civil Cover Sheet; Cause No. 5:07cv156; ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC with 10/15/2007 banner   | EMA 00014        |



|     |  |  |  |  |  |  |  |  |   |                 |
|-----|--|--|--|--|--|--|--|--|---|-----------------|
| 11. |  |  |  |  |  |  |  |  | Complaint for Patent Infringement; ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 with 10/15/07 banner   | EMA 00015-00088 |
| 12. |  |  |  |  |  |  |  |  | Notice of Appearance of T. John Ward, Jr. in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter   | EMA 00089-00090 |
| 13. |  |  |  |  |  |  |  |  | Ex. A, Part 1, (DE #3) in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter (519 patent)   | EMA 00091-00140 |
| 14. |  |  |  |  |  |  |  |  | Ex. B, Parts 1 & 2, (DE #3) in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter (404 application)   | EMA 00141-00195 |
| 15. |  |  |  |  |  |  |  |  | Ex. C, (DE #3) in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter  | EMA 00196-00198 |
| 16. |  |  |  |  |  |  |  |  | Ex. D, (DE #3) in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter  | EMA 00199-00208 |
| 17. |  |  |  |  |  |  |  |  | First Amended Complaint (DE #3) filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter   | EMA 00209-00215 |
| 18. |  |  |  |  |  |  |  |  | DE #4 – Report on the Filing or Determination of an Action Regarding a Patent or Trademark filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter  | EMA 00216       |
| 19. |  |  |  |  |  |  |  |  | Notice of Electronic Filing re: Summons Issued  | EMA 00217-00218 |
| 20. |  |  |  |  |  |  |  |  | DE #6 – Plaintiff's Motion to Enjoin Defendants Cisco and Linksys From Prosecuting Later-Filed Parallel Litigation in Connecticut filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter | EMA 00219-00339 |
| 21. |  |  |  |  |  |  |  |  | DE #7 – Pro Hac Application of Thomas J. Wimbiscus of McAndrews, Held & Malloy, Ltd. filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter  | EMA 00340-00342 |
| 22. |  |  |  |  |  |  |  |  | DE #8 – Pro Hac Application of George McAndrews filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter.  | EMA 00343-00346 |
| 23. |  |  |  |  |  |  |  |  | DE #9 – Pro Hac Application of Peter McAndrews filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter  | EMA 00347-00349 |
| 24. |  |  |  |  |  |  |  |  | DE #10 – Pro Hac Application of Gerald C. Willis, Jr. filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter   | EMA 0350-0352   |
| 25. |  |  |  |  |  |  |  |  | DE #11 – Pro Hac Application of Paul McAndrews filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter  | EMA 00353-00355 |
| 26. |  |  |  |  |  |  |  |  | DE #12 – Stipulation of Dismissal Without Prejudice filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter   | EMA 00356-00359 |
| 27. |  |  |  |  |  |  |  |  | Order of Dismissal Without Prejudice filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter on November 19, 2007   | EMA 00360       |

|     |  |  |  |  |  |  |  |  |  |                 |
|-----|--|--|--|--|--|--|--|--|--|-----------------|
| 28. |  |  |  |  |  |  |  |  | 10/15/2007 Civil Cover Sheet re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC   | EMA 00361       |
| 29. |  |  |  |  |  |  |  |  | Ex. A re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156  | EMA 00362-00415 |
| 30. |  |  |  |  |  |  |  |  | Ex. B re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156  | EMA 00416-00428 |
| 31. |  |  |  |  |  |  |  |  | Complaint for Patent Infringement re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156  | EMA 00429-00489 |
| 32. |  |  |  |  |  |  |  |  | Notice of Electronic Filing of ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156, Complaint entered on 10/16/07 and filed on 10/15/07  | EMA 00490-00491 |
| 33. |  |  |  |  |  |  |  |  | List of Parties re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC  | EMA 00492       |
| 34. |  |  |  |  |  |  |  |  | Report on the Filing or Determination of an Action Regarding a Patent or Trademark 7,283,519 B2 Patent   | EMA 00493       |
| 35. |  |  |  |  |  |  |  |  | Notice of Electronic Filing of Notice of Filing of Patent/Trademark Form (DE #4) in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter   | EMA 00494       |
| 36. |  |  |  |  |  |  |  |  | Draft of First Amended Complaint for Patent Infringement re: the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter  | EMA 00495-00501 |
| 37. |  |  |  |  |  |  |  |  | First Amended Complaint for Patent Infringement re: the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter   | EMA 00502-00636 |
| 38. |  |  |  |  |  |  |  |  | Notice of Electronic Filing of Amended Complaint (DE #3) entered in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter   | EMA 00637-00638 |
| 39. |  |  |  |  |  |  |  |  | Ex. A re: the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter (*519 Patent)   | EMA 00639-00687 |
| 40. |  |  |  |  |  |  |  |  | Ex. A re: the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter (Complaint for Declaratory Judgment filed in the Cisco Systems, Inc. and Cisco-Linksys LLC v. ESN, LLC; District of Connecticut No. 3:07cv01528 matter) | EMA 00688-00694 |
| 41. |  |  |  |  |  |  |  |  | Complaint for Patent Infringement filed in the ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156 matter with 10/16/2007 banner   | EMA 00695-00700 |

|     |  |  |  |  |  |  |  |  |  |   |                 |
|-----|--|--|--|--|--|--|--|--|--|---|-----------------|
| 42. |  |  |  |  |  |  |  |  |  | Ex. C re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156 (Notice of Electronic Filing of Complaint entered on 10/16/2007 and filed on 10/15/2007)  | EMA 00701-00703 |
| 43. |  |  |  |  |  |  |  |  |  | Ex. D re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156 (Docket Report run on 10/18/2008)   | EMA 00704-00707 |
| 44. |  |  |  |  |  |  |  |  |  | Ex. E re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156 (Plaintiffs Cisco Systems, Inc. and Cisco Technology, Inc. v. Telecordia Technologies, Inc. EDTX Lufkin Division No. 9:06ev160 Complaint) | EMA 00708-00715 |
| 45. |  |  |  |  |  |  |  |  |  | Ex. F re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156 (Plaintiffs Cisco Systems, Inc. and Cisco Technology, Inc. v. Huawei Technologies, et al; EDTX Marshall Division No. 2:03ev27 Complaint)  | EMA 00716-00793 |
| 46. |  |  |  |  |  |  |  |  |  | Ex. G re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156 (U.S. District Court – Judicial Caseload Profile)   | EMA 00794-0796  |
| 47. |  |  |  |  |  |  |  |  |  | Plaintiff's Motion to Enjoin Defendants Cisco and Linksys From Prosecuting Later-Filed Parallel Litigation in Connecticut re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156                       | EMA 0797-0810   |
| 48. |  |  |  |  |  |  |  |  |  | Stipulation of Dismissal Without Prejudice re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156  | EMA 0811-0816   |
| 49. |  |  |  |  |  |  |  |  |  | Summons (Cisco Systems, Inc.) re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156   | EMA 0817-0818   |
| 50. |  |  |  |  |  |  |  |  |  | Summons (Cisco-Linksys, LLC) re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156  | EMA 0819-0820   |
| 51. |  |  |  |  |  |  |  |  |  | Summons (Cisco Systems, Inc.) re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156 (issued 10/17/07)   | EMA 0821-0822   |
| 52. |  |  |  |  |  |  |  |  |  | Summons (Cisco-Linksys, LLC) re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07ev156 (issued 10/17/07)  | EMA 0823-0824   |
| 53. |  |  |  |  |  |  |  |  |  | December 4, 2007 e-mail from Eric Albritton to Mathis and Ward re:ESN v Cisco – talked to Sam   | EMA 0825-0826   |
| 54. |  |  |  |  |  |  |  |  |  | December 13, 2007 e-mail from Eric Albritton to Ward re:ESN v Cisco – draft letter re:settlement discussions  | EMA 0827-0828   |
| 55. |  |  |  |  |  |  |  |  |  | December 19, 2007 letter from Victoria Maroulis to Peter McAndrews in response to 12/13/07 letter accusing Cisco of "non-cooperation in recent settlement negotiations." (ESN v. Cisco)                                   | EMA 0829-0830   |

|     |  |  |  |  |  |  |  |  |   |               |
|-----|--|--|--|--|--|--|--|--|---|---------------|
| 56. |  |  |  |  |  |  |  |  | December 20, 2007 (9:11am) e-mail from Eric Albritton to McAndrews re:ESN v Cisco - writing Cisco request prior art it alleges invalidates the claims             | EMA 0831      |
| 57. |  |  |  |  |  |  |  |  | December 20, 2007 (10:01am) e-mail from Eric Albritton to McAndrews re:ESN v Cisco - writing Cisco request prior art it alleges invalidates the claims            | EMA 0832-0833 |
| 58. |  |  |  |  |  |  |  |  | December 20, 2007 letter (draft) from Peter McAndrews to Victoria Maroulis re:settlement discussions (ESN v Cisco)  | EMA 0834-0836 |
| 59. |  |  |  |  |  |  |  |  | December 20, 2007 email from Eric Albritton to McAndrews re:ESN v. Cisco - response to Maroulis   | EMA 0837      |
| 60. |  |  |  |  |  |  |  |  | January 11, 2008 e-mail from Eric Albritton to Phillips re:ESN v Cisco - letter to McAndrews  | EMA 0840      |
| 61. |  |  |  |  |  |  |  |  | January 10, 2008 letter and charts from Victoria Maroulis to Peter McAndrews re:ESN v Cisco - refusal to meet and discuss merits of case and potential settlement | EMA 0841-0846 |
| 62. |  |  |  |  |  |  |  |  | Docket Sheet re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156  | EMA 0847-0850 |
| 63. |  |  |  |  |  |  |  |  | Notice of Filing Complaint re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156  | EMA 0851-0852 |
| 64. |  |  |  |  |  |  |  |  | System Transactions 1/1/1980-3/13/2008 re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDTX No. 5:07cv156  | EMA 0853-0856 |
| 65. |  |  |  |  |  |  |  |  | October 11, 2007 e-mail from Paul McAndrews to Eric Albritton re:draft of complaint   | EMA 0859      |
| 66. |  |  |  |  |  |  |  |  | October 12, 2007 e-mail from Arnie Mathis to Hollander, Albritton and McAndrews re:2007-10-12 contract  | EMA 0860-0861 |
| 67. |  |  |  |  |  |  |  |  | October 12, 2007 e-mail from Eric Albritton to Mathis re:calendar filing at 12:01 am  | EMA 0862      |
| 68. |  |  |  |  |  |  |  |  | October 15, 2007 e-mail from Pete McAndrews to Albritton, et al re:draft of complaint   | EMA 0863-0864 |
| 69. |  |  |  |  |  |  |  |  | October 15, 2007 e-mail from McAndrews to Albritton re:ESN v Cisco final complaint  | EMA 0865      |

|     |  |  |  |  |  |  |  |  |   |               |
|-----|--|--|--|--|--|--|--|--|---|---------------|
| 70. |  |  |  |  |  |  |  |  | August 11, 2006 e-mail from Hollander (member of ESN) to legal@cisco.com re: Cisco interest in business transaction                                       | EMA 0866      |
| 71. |  |  |  |  |  |  |  |  | August 11, 2006 e-mail from Hollander (member of ESN) to Proctor re: Cisco interest in business transaction   | EMA 0867      |
| 72. |  |  |  |  |  |  |  |  | June 8, 2007 letter from Peter McAndrews to Kurt Pankratz re: discussion efforts to avoid litigation  | EMA 0868-0876 |
| 73. |  |  |  |  |  |  |  |  | October 15, 2007 e-mail from McAndrews to Albritton re ESN v Cisco complaint exhibits B and C   | EMA 0877      |
| 74. |  |  |  |  |  |  |  |  | November 28, 2002 - Patent No. US 2002/0176404 A1   | EMA 0878-0930 |
| 75. |  |  |  |  |  |  |  |  | October 15, 2007 e-mail from McAndrews to Albritton re: ESN v Cisco complaint exhibit A   | EMA 0931      |
| 76. |  |  |  |  |  |  |  |  | October 15, 2007 e-mail from Mathis to McAndrews re: pro hac application and sending copy of complaint after it is filed at 12:01                         | EMA 0932      |
| 77. |  |  |  |  |  |  |  |  | Notice of Filing Complaint re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDIX No. 5:07cv156  | EMA 0933-0934 |
| 78. |  |  |  |  |  |  |  |  | October 16, 2007 e-mail from Mathis to McAndrews re: Notice of Filing Complaint re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDIX No. 5:07cv156 | EMA 0935-0937 |
| 79. |  |  |  |  |  |  |  |  | October 15, 2007 e-mail from McAndrews to Mathis re: Notice of Filing Complaint re: ESN v. Cisco Systems, Inc. and Cisco-Linksys, LLC; EDIX No. 5:07cv156 | EMA 0938-0940 |
| 80. |  |  |  |  |  |  |  |  | October 16, 2007 e-mail from McAndrews to Mathis, et al re: '519 Patent   | EMA 0941      |
| 81. |  |  |  |  |  |  |  |  | October 16, 2007 - Patent No. 7,283,519 B2  | EMA 0942-0989 |
| 82. |  |  |  |  |  |  |  |  | October 16, 2007 e-mail from Albritton to Ward re: whether to file amended complaint attaching patent   | EMA 0990      |
| 83. |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from Ward to Albritton re: whether to file amended complaint attaching patent   | EMA 0991-0992 |

|     |  |  |  |  |  |  |  |  |   |               |
|-----|--|--|--|--|--|--|--|--|---|---------------|
| 84. |  |  |  |  |  |  |  |  | First Amended Complaint for Patent Infringement (draft)   | EMA 0093-0999 |
| 85. |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from Mathis to McAndrews re: amended complaint (draft)  | EMA 1000      |
| 86. |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from Mathis to McAndrews re: amended complaint signature block  | EMA 1001-1002 |
| 87. |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from McAndrews to Mathis re: amended complaint signature block  | EMA 1003-1004 |
| 88. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from McAndrews to Albritton and Mathis re: Cisco's DJ Complaint   | EMA 1027-1029 |
| 89. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from McAndrews to Albritton and Mathis re: new draft of Motion to Enjoin Connecticut Case   | EMA 1030      |
| 90. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Saunders to Albritton re: ESN Convinces EDTX Court Clerk to Alter Documents to Try to Manufacture Subject Matter Jurisdiction Where None Existed                   | EMA 1035      |
| 91. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from McAndrews to Albritton and Saunders re: exhibits A-G   | EMA 1036      |
| 92. |  |  |  |  |  |  |  |  | October 16, 2007 – Complaint for Declaratory Judgment re: Cisco, et al v. ESN, LLC; USDC Connecticut; No. 307CV01528  | EMA 1037-1041 |
| 93. |  |  |  |  |  |  |  |  | October 16, 2007 – Complaint for Patent Infringement (with Notice of Filing) re: ESN v. Cisco; USDC Texas; No. 5:07-CV-156  | EMA 1042-1049 |
| 94. |  |  |  |  |  |  |  |  | October 18, 2007 - Docket Sheet re: ESN v. Cisco; USDC Texas; No. 5:07-CV-156   | EMA 1050-1051 |
| 95. |  |  |  |  |  |  |  |  | July 31, 2007 – Plaintiff Cisco Systems, Inc. and Cisco Technology, Inc.'s Complaint for Patent Infringement and Demand for Jury Trial re: Cisco, et al v. Telcordia; USDC Texas; No. 9:06CV160 | EMA 1052-1059 |
| 96. |  |  |  |  |  |  |  |  | January 22, 2003 – Complaint and Jury Demand re: Cisco, et al v. Huawei Technologies, et al; USDC Texas; No. 2-03CV-027   | EMA 1060-1136 |
| 97. |  |  |  |  |  |  |  |  | October 18, 2007 – U.S. District Court – Judicial Caseload Profile (Texas and Connecticut)  | EMA 1137-1138 |

|      |  |  |  |  |  |  |  |  |  |                |
|------|--|--|--|--|--|--|--|--|--|----------------|
| 98.  |  |  |  |  |  |  |  |  | October 16, 2007 – Complaint for Declaratory Judgment re: Cisco, et al v. ESN, LLC; USDC Connecticut; No. 307CV01528                                       | EMA 1139-1143  |
| 99.  |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from McAndrews to Albritton, et al re: motion enjoin Connecticut case  | EMA 1144       |
| 100. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from McAndrews to Albritton, et al re: exhibit A-G   | EMA 1145       |
| 101. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Saunders to McAndrews, et al re: red line edits   | EMA 1146       |
| 102. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Saunders to McAndrews re: edits to motion to enjoin   | EMA 1147-1148  |
| 103. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from McAndrews to Albritton, et al re: minor edits to motion to enjoin   | EMA 1149       |
| 104. |  |  |  |  |  |  |  |  | October 26, 2007 e-mail from Maroulis to Albritton re: request for extension of time to respond to motion for injunction and complaint                     | EMA 1152       |
| 105. |  |  |  |  |  |  |  |  | October 29, 2007 e-mail from McAndrews to Albritton re: telephonic hearing in Connecticut case, pro hac vice applications and extensions of time           | EMA 1153-1155  |
| 106. |  |  |  |  |  |  |  |  | October 29, 2007 e-mail from Eric Albritton to PMC Andrews re: request for extension of time   | EMA 1156- 1158 |
| 107. |  |  |  |  |  |  |  |  | October 29, 2007 email from Victoria Maroulis to Eric Albritton re: request for extension of time  | EMA 1159-1161  |
| 108. |  |  |  |  |  |  |  |  | October 30, 2007 email from Eric Albritton to Peter J. McAndrews, T. John Ward, and Eric Albritton re: request for extension of time                       | EMA 1162       |
| 109. |  |  |  |  |  |  |  |  | October 30, 2007 email from PMC Andrews to Eric Albritton and John T. Ward re: request for extension of time   | EMA 1163-1165  |
| 110. |  |  |  |  |  |  |  |  | November 1, 2007 email from PMC Andrews to Eric Albritton re: Stipulation of Dismissal w/ attachment- Stipulation and Order of Dismissal Without Prejudice | EMA 1166-1171  |
| 111. |  |  |  |  |  |  |  |  | November 1, 2007 email from PMC Andrews to Eric Albritton, GMC Andrews, TWIMBISCUS re: stipulation of dismissal  | EMA 1172       |



|      |  |  |  |  |  |  |  |  |   |               |
|------|--|--|--|--|--|--|--|--|---|---------------|
| 112. |  |  |  |  |  |  |  |  | November 1, 2007 email from PMC Andrews to Eric Albritton re: stipulation of dismissal  | EMA 1173-1174 |
| 113. |  |  |  |  |  |  |  |  | November 1, 2007 email from PMC Andrews to Eric Albritton re: stipulation of dismissal  | EMA 1175-1177 |
| 114. |  |  |  |  |  |  |  |  | November 1, 2007 email from gchambers to Eric Albritton, GMC Andrews, and TWIMBISCUS re: stipulation of dismissal   | EMA 1178-1179 |
| 115. |  |  |  |  |  |  |  |  | November 1, 2007 email from PMC Andrews to Eric Albritton re: stipulation of dismissal  | EMA 1180-1183 |
| 116. |  |  |  |  |  |  |  |  | November 1, 2007 email from PMC Andrews to Eric Albritton re: stipulation of dismissal  | EMA 1184-1187 |
| 117. |  |  |  |  |  |  |  |  | November 1, 2007 email from gchambers to Eric Albritton, PMC Andrews re: revised drafts   | EMA 1188      |
| 118. |  |  |  |  |  |  |  |  | November 1, 2007 email from Eric Albritton to gchambers and PMC Andrews re: Revised drafts  | EMA 1189-1190 |
| 119. |  |  |  |  |  |  |  |  | November 1, 2007 email from PMC Andrews to Eric Albritton and gchambers re: Revised Drafts  | EMA 1191-1192 |
| 120. |  |  |  |  |  |  |  |  | November 1, 2007 email from gchambers to Eric Albritton and PMC Andrews re: Revised Drafts  | EMA 1193-1194 |
| 121. |  |  |  |  |  |  |  |  | November 2, 2007 email from PMC Andrews to gchambers re: Revised Drafts   | EMA 1195-1196 |
| 122. |  |  |  |  |  |  |  |  | November 2, 2007 email from gchambers to Eric Albritton re: attachments Stipulation of Texas dismissal, Proposed Order, Stipulation of Conn dismissal, and Proposed Order | EMA 1197      |
| 123. |  |  |  |  |  |  |  |  | November 2, 2007 email from PMC Andrews to Eric Albritton re: stipulation of dismissal  | EMA 1198-1199 |
| 124. |  |  |  |  |  |  |  |  | November 2, 2007 email from Amie J. Mathis to gchambers re: ESN v. Cisco letter to Eric Albritton from Garret Chambers  | EMA 1200      |
| 125. |  |  |  |  |  |  |  |  | November 2, 2007 email from Garret Chambers to Eric Albritton re: filing dismissal  | EMA 1201      |

|      |  |  |  |  |  |  |  |  |  |  |               |
|------|--|--|--|--|--|--|--|--|--|--|---------------|
| 126. |  |  |  |  |  |  |  |  |  | November 2, 2007 email from Garret Chambers to Eric Albritton re: stipulation of dismissal   | EMA 1202      |
| 127. |  |  |  |  |  |  |  |  |  | November 2, 2007 email from PMC Andrews to Eric Albritton re: stipulation of dismissal   | EMA 1203-1204 |
| 128. |  |  |  |  |  |  |  |  |  | November 2, 2007 email from Garret Chambers to Eric Albritton re: MTD in Conn  | EMA 1205      |
| 129. |  |  |  |  |  |  |  |  |  | November 2, 2007 email from Amie J. Mathis to Garret Chambers re: stipulation of dismissal and text of proposed order                          | EMA 1206      |
| 130. |  |  |  |  |  |  |  |  |  | November 7, 2007 email from PMC Andrews to Eric Albritton re: any contact with McKool re Cisco case  | EMA 1207      |
| 131. |  |  |  |  |  |  |  |  |  | December 19, 2007 email from Katherine Bennett to pmcandrews, gmcandrews and Eric Albritton re: ESN v. Cisco w/attachment- Letter to McAndrews | EMA 1208      |
| 132. |  |  |  |  |  |  |  |  |  | December 20, 2007 email from PMC Andrews to Eric Albritton re: ESN v. Cisco  | EMA 1209-1210 |
| 133. |  |  |  |  |  |  |  |  |  | December 20, 2007 email from PMC Andrews to Eric Albritton re: Response to Maroulis  | EMA 1211      |
| 134. |  |  |  |  |  |  |  |  |  | December 20, 2007 email from PMC Andrews to Eric Albritton re: Response to Maroulis  | EMA 1212-1213 |
| 135. |  |  |  |  |  |  |  |  |  | December 20, 2007 email from Johnny Ward to Eric Albritton and PMC Andrews re: Response to Maroulis  | EMA 1214-1215 |
| 136. |  |  |  |  |  |  |  |  |  | December 20, 2007 email from PMC Andrews to Victoria Maroulis and Eric Albritton re: letter from Victoria Maroulis to McAndrews                | EMA 1216      |
| 137. |  |  |  |  |  |  |  |  |  | December 21, 2007 email from Katherine Bennett to Peter McAndrews, G McAndrews and Eric Albritton re: Letter to McAndrews                      | EMA1218       |
| 138. |  |  |  |  |  |  |  |  |  | December 21, 2007 email from Katherine Bennett to Peter McAndrews, G McAndrews and Eric Albritton re: Corrected Version of letter              | EMA 1219      |
| 139. |  |  |  |  |  |  |  |  |  | January 10, 2008 email from Sayuri Sharper to Peter McAndrews, G McAndrews, and Eric Albritton re: Letter to McAndrews                         | EMA1220       |

|      |  |  |  |  |  |  |  |  |   |               |
|------|--|--|--|--|--|--|--|--|---|---------------|
| 140. |  |  |  |  |  |  |  |  | January 28, 2008 email from Sayuri Sharper to Peter McAndrews, G McAndrews and Eric Albritton re: Letter to McAndrews   | EMA 1221      |
| 141. |  |  |  |  |  |  |  |  | January 31, 2008 email from Peter McAndrews to Eric Albritton and Amie J. Mathis re: Complaint  | EMA 1223      |
| 142. |  |  |  |  |  |  |  |  | January 31, 2008 email from Amie J. Mathis to Peter McAndrews and Eric Albritton re: Complaint  | EMA 1224-1225 |
| 143. |  |  |  |  |  |  |  |  | January 31, 2008 email from Peter McAndrews to Amie J. Mathis and Eric Albritton re: Complaint  | EMA 1226-1227 |
| 144. |  |  |  |  |  |  |  |  | January 31, 2008 File Marked copy of Complaint  | EMA 1228-1358 |
| 145. |  |  |  |  |  |  |  |  | January 31, 2008 email from Amie J. Mathis to Peter McAndrews re: Complaint   | EMA 1359-1362 |
| 146. |  |  |  |  |  |  |  |  | March 14, 2008 email from IP Law360 to Eric Albritton re: IP Law360; Litigation, Policy & People News   | EMA 1368-1370 |
| 147. |  |  |  |  |  |  |  |  | March 17, 2008 email from Texas Lawyer to Eric Albritton re: Daily News and Case Alert: March 17, 2008  | EMA1373-1375  |
| 148. |  |  |  |  |  |  |  |  | March 28, 2008 email from Johnny Ward to Eric Albritton re: Business Week Article   | EMA 1376      |
| 149. |  |  |  |  |  |  |  |  | April 7, 2008 Letter to Mark Chandler from George McAndrews   | EMA 1386-1395 |
| 150. |  |  |  |  |  |  |  |  | April 11, 2008 Letter to George McAndrews from Charles Babcock  | EMA 1403      |
| 151. |  |  |  |  |  |  |  |  | October 15, 2007 email from Amie J. Mathis to <a href="mailto:newcasetxxk@txedcourts.gov">newcasetxxk@txedcourts.gov</a> re: List of Parties and Civil Coversheet | EMA 1407      |
| 152. |  |  |  |  |  |  |  |  | October 15, 2007 email from Amie J. Mathis to Peter McAndrews re: Application for Pro Hac Vice  | EMA 1408      |
| 153. |  |  |  |  |  |  |  |  | October 16, 2007 email from Amie J. Mathis to Peter McAndrews re: Complaint   | EMA 1409-1411 |

|      |  |  |  |  |  |  |  |  |  |               |
|------|--|--|--|--|--|--|--|--|--|---------------|
| 154. |  |  |  |  |  |  |  |  | October 17, 2007 email from Amie J. Mathis to Peter McAndrews re: Amended Complaint  | EMA 1412      |
| 155. |  |  |  |  |  |  |  |  | October 17, 2007 email from Amie J. Mathis to Amie J. Mathis and Peter McAndrews re: signature block                                     | EMA 1413-1414 |
| 156. |  |  |  |  |  |  |  |  | October 17, 2007 email from Amie J. Mathis to Peter McAndrews re: Pro Hac Vice   | EMA 1415-1417 |
| 157. |  |  |  |  |  |  |  |  | October 17, 2007 email from Amie J. Mathis to Rhonda Lafitte re: Summons for Cisco   | EMA 1418-1420 |
| 158. |  |  |  |  |  |  |  |  | November 2, 2007 email from Amie J. Mathis to Garret Chambers re: Letter to Eric Albritton from Garret Chambers                          | EMA 1425      |
| 159. |  |  |  |  |  |  |  |  | November 2, 2007 email from Amie J. Mathis to Garret Chambers re: Stipulation of Dismissal Without Prejudice and Text of Proposed Order  | EMA 1426      |
| 160. |  |  |  |  |  |  |  |  | January 31, 2008 email from Amie J. Mathis to Peter McAndrews re: Complaint  | EMA 1427-1428 |
| 161. |  |  |  |  |  |  |  |  | January 31, 2008 email from Amie J. Mathis to <a href="mailto:newcaseskk@txed.uscourts.gov">newcaseskk@txed.uscourts.gov</a> re: summons | EMA 1429      |
| 162. |  |  |  |  |  |  |  |  | January 31, 2008 email from Amie J. Mathis to Peter McAndrews re: Complaint  | EMA 1430-1432 |
| 163. |  |  |  |  |  |  |  |  | January 31, 2008 email from Amie J. Mathis to Shelley Moore re: summons  | EMA 1433-1434 |
| 164. |  |  |  |  |  |  |  |  | March 9, 2008 email from Amie J. Mathis to T. John Ward, Jr. re: Notice of electronic filing   | EMA 1435      |
| 165. |  |  |  |  |  |  |  |  | December 20, 2007 email from Eric Albritton to Peter McAndrews re: 12.19.07 Letter to McAndrews  | EMA 1436      |
| 166. |  |  |  |  |  |  |  |  | December 20, 2008 email from Peter McAndrews to Eric Albritton re: ESN v. Cisco  | EMA 1437-1438 |
| 167. |  |  |  |  |  |  |  |  | December 20, 2007 email from Eric Albritton to Peter McAndrews re: ESN v. Cisco  | EMA 1439-1440 |

|      |  |  |  |  |  |  |  |  |  |               |
|------|--|--|--|--|--|--|--|--|--|---------------|
| 168. |  |  |  |  |  |  |  |  | December 20, 2007 email from Eric Albritton to Peter McAndrews re: Response to Maroulis  | EMA 1441      |
| 169. |  |  |  |  |  |  |  |  | December 20, 2007 email from Peter McAndrews to Eric Albritton re: Resopnse to Maroulis  | EMA 1442-1443 |
| 170. |  |  |  |  |  |  |  |  | December 20, 2007 email from Johnny Ward to Eric Albritton and Peter McAndrews re: Response to Maroulis                        | EMA 1444-1445 |
| 171. |  |  |  |  |  |  |  |  | January 31, 2008 email from Peter McAndrews to Eric Albritton and Amie J. Mathis re: Complaint                                 | EMA 1446-1447 |
| 172. |  |  |  |  |  |  |  |  | January 31, 2008 email from Peter McAndrews to Amie J. Mathis and Eric Albritton re: Complaint                                 | EMA 1448-1449 |
| 173. |  |  |  |  |  |  |  |  | January 31, 2008 Notice of Electronic Filing   | EMA 1450-1451 |
| 174. |  |  |  |  |  |  |  |  | January 31, 2008 email from <a href="mailto:txcdCM@txcd.uscourts.gov">txcdCM@txcd.uscourts.gov</a> Notice of Electronic Filing | EMA 1452      |
| 175. |  |  |  |  |  |  |  |  | January 31, 2008 email from Peter McAndrews to Amie J. Mathis re: Complaint and Notice of Electronic Filing                    | EMA 1453-1458 |
| 176. |  |  |  |  |  |  |  |  | March 3, 2008 file marked copy of Plaintiff's Original Complaint   | EMA 1460-1468 |
| 177. |  |  |  |  |  |  |  |  | April 7, 2008 Letter to Mark Chandler from George McAndrews  | EMA 1469-1478 |
| 178. |  |  |  |  |  |  |  |  | October 12, 2007 e-mail from Eric Albritton to Amie J. Mathis  | EMA 1490      |
| 179. |  |  |  |  |  |  |  |  | October 15, 2007 email from Eric Albritton to Amie J. Mathis re: Complaint final   | EMA 1491      |
| 180. |  |  |  |  |  |  |  |  | October 15, 2007 email from Rhonda Lafitte to Amie J. Mathis re: List of Parties and Civil Coversheet                          | EMA 1492-1493 |
| 181. |  |  |  |  |  |  |  |  | October 15, 2007 email from Eric Albritton to Amie J. Mathis re: Complaint exhibit b and exhibit c                             | EMA 1494-1495 |

|      |  |  |  |  |  |  |  |  |  |  |               |
|------|--|--|--|--|--|--|--|--|--|--|---------------|
| 182. |  |  |  |  |  |  |  |  |  | October 15, 2007 email from Albritton to Amie J. Mathis re: Complaint Exhibit A  | EMA 1496-1497 |
| 183. |  |  |  |  |  |  |  |  |  | October 16, 2007 email from <a href="mailto:txedCM@txed.uscourts.gov">txedCM@txed.uscourts.gov</a> Notice of Electronic Filing Complaint | EMA 1498-1499 |
| 184. |  |  |  |  |  |  |  |  |  | October 16, 2007 email from P McAndrews to Amie J. Mathis re: Complaint  | EMA 1500-1502 |
| 185. |  |  |  |  |  |  |  |  |  | October 16, 2007 email from Albritton to Mathis re: Complaint  | EMA 1503      |
| 186. |  |  |  |  |  |  |  |  |  | October 16, 2007 Notice of Electronic filing Notice of Attorney Appearance   | EMA 1504      |
| 187. |  |  |  |  |  |  |  |  |  | October 17, 2007 email from Mathis to Peter McAndrews  | EMA 1505-1506 |
| 188. |  |  |  |  |  |  |  |  |  | October 17, 2007 email from P McAndrews to Mathis re: Amended Complaint_v1   | EMA 1507-1508 |
| 189. |  |  |  |  |  |  |  |  |  | October 17, 2007 Notice of Electronic filing Amended Complaint   | EMA 1509-1510 |
| 190. |  |  |  |  |  |  |  |  |  | October 17, 2007 Notice of Electronic Filing Notice of Filing Patent/Trademark Form  | EMA 1511      |
| 191. |  |  |  |  |  |  |  |  |  | October 17, 2007 Notice of Electronic Filing Summons Issued  | EMA 1512      |
| 192. |  |  |  |  |  |  |  |  |  | October 17, 2007 email from Rhonda Lafitte to Mathis re: Summons   | EMA 1513      |
| 193. |  |  |  |  |  |  |  |  |  | October 18, 2007 email from Peter McAndrews to Albritton and Mathis re: Motion to Enjoin Connecticut case                                | EMA 1520      |
| 194. |  |  |  |  |  |  |  |  |  | October 18, 2007 email from Peter McAndrews to Albritton, Jason Saunders re: Exhibit A   | EMA 1525      |
| 195. |  |  |  |  |  |  |  |  |  | October 18, 2007 email from Jason Saunders to Peter McAndrews and Albritton re: Exhibits A-G   | EMA 1526      |

|      |  |  |  |  |  |  |  |  |  |               |
|------|--|--|--|--|--|--|--|--|--|---------------|
| 196. |  |  |  |  |  |  |  |  | October 18, 2007 email from Jason A. Saunders to Peter McAndrews, Albritton re: Motion to Enjoin Connecticut case                              | EMA 1527-1528 |
| 197. |  |  |  |  |  |  |  |  | October 18, 2007 Notice of Electronic filing Motion for Miscellaneous Relief   | EMA 1529-1530 |
| 198. |  |  |  |  |  |  |  |  | October 18, 2007 Notice of Electronic Filing Order Referring Case to Magistrate Judge  | EMA 1531      |
| 199. |  |  |  |  |  |  |  |  | October 26, 2007 email from Victoria Maroulis to Albritton re: request for extension of time   | EMA 1532      |
| 200. |  |  |  |  |  |  |  |  | October 26, 2007 email from Albritton to Maroulis re: request for extension of time  | EMA 1533-1534 |
| 201. |  |  |  |  |  |  |  |  | October 29, 2007 email from Maroulis to Albritton re: request for extension of time  | EMA 1535-1537 |
| 202. |  |  |  |  |  |  |  |  | October 30, 2007 email from Albritton to Maroulis re: request for extension of time  | EMA 1538-1540 |
| 203. |  |  |  |  |  |  |  |  | November 1, 2007 email from Albritton to Peter McAndrews re: stipulation of dismissal  | EMA 1541-1542 |
| 204. |  |  |  |  |  |  |  |  | November 1, 2007 email from Albritton to Peter McAndrews re: stipulation of dismissal  | EMA 1543-1545 |
| 205. |  |  |  |  |  |  |  |  | November 2, 2007 Notice of Electronic filing Stipulation of Dismissal DE#12  | EMA 1546-1547 |
| 206. |  |  |  |  |  |  |  |  | November 20, 2007 Notice of Electronic filing Order Dismissing Case DE#13  | EMA 1548-1549 |
| 207. |  |  |  |  |  |  |  |  | ESN LLC v. Cisco Systems, Inc. Docket Report   | EMA 1552-1560 |
| 208. |  |  |  |  |  |  |  |  | October 16, 2007 e-mail from <a href="mailto:paygovadmin@mail.doc.twai.gov">paygovadmin@mail.doc.twai.gov</a> confirming payment of filing fee | EMA 1564      |
| 209. |  |  |  |  |  |  |  |  | 2007 Transaction log of Eric M. Albritton indicating 10/16/07 filing fees  | EMA 1565      |

|      |  |  |  |  |  |  |  |  |   |                 |
|------|--|--|--|--|--|--|--|--|---|-----------------|
| 210. |  |  |  |  |  |  |  |  | December 5, 2006 Correspondence from Robert M. Parker to Eric Albritton acknowledging Eric's contribution for the Law School Foundation set up in Robert Parker's name and praising Eric in general   | EMA 1566        |
| 211. |  |  |  |  |  |  |  |  | February 25, 2008 e-mail from Ed Goldstein to T. John Ward, Jr., Goldstein, Faucett & Preberg, Melissa Smith, Edwin Wong, Ernest Bodner and Gabe Wong re: meeting Frenkel at a seminar and continuation of e-mail thread re: unmasking of Frenkel | EMA 1567 - 1569 |
| 212. |  |  |  |  |  |  |  |  | February 25, 2008 e-mail from akbruster@nixlawfirm to Eric Albritton and T. John Ward, Jr. alerting that the Troll Tracker had identified himself.  | EMA 1570        |
| 213. |  |  |  |  |  |  |  |  | Legal Pad 12/8/08 Post – Cisco: Troll Tracker Had It Right  | EMA 1574 – 1575 |
| 214. |  |  |  |  |  |  |  |  | Original October 18, 2007 blog "ESN Convinces EDTX Court Clerk to Alter Documents to Try to Manufacture Subject Matter Jurisdiction Where None Existed"   | EMA 1576        |
| 215. |  |  |  |  |  |  |  |  | Expert Report of Professor Charles Silver   | EMA 1577 - 1600 |
| 216. |  |  |  |  |  |  |  |  | Eastern District of Texas Local Rules as of February 12, 2007   | EMA 1601 - 1632 |
| 217. |  |  |  |  |  |  |  |  | Federal Rule of Civil Procedure 4   | EMA 1633 - 1639 |
| 218. |  |  |  |  |  |  |  |  | Cisco Privilege Log   | EMA 1640 – 1660 |
| 219. |  |  |  |  |  |  |  |  | Plaintiff's Subpoena Served on Kurt Pankratz, Baker Botts, LLP, 2001 Ross Avenue, Dallas, Texas   | EMA 1661 - 1662 |
| 220. |  |  |  |  |  |  |  |  | Plaintiff's Subpoena Served on Bart Showalter, Baker Botts, LLP, 2001 Ross Avenue, Dallas, Texas  | EMA 1663 - 1664 |
| 221. |  |  |  |  |  |  |  |  | Plaintiff's Subpoena Served on Kevin Meeks, Baker Botts, LLP, 2001 Ross Avenue, Dallas, Texas   | EMA 1665 - 1666 |
| 222. |  |  |  |  |  |  |  |  | Plaintiff's Subpoena Served on Jillian Powell, Baker Botts, LLP, 2001 Ross Avenue, Dallas, Texas  | EMA 1667 - 1668 |
| 223. |  |  |  |  |  |  |  |  | Plaintiff's Subpoena Served on Douglas Kubehl, Baker Botts, LLP, 2001 Ross Avenue, Dallas, Texas  | EMA 1669 - 1670 |



|      |  |  |  |  |  |  |  |  |   |                 |
|------|--|--|--|--|--|--|--|--|---|-----------------|
| 224. |  |  |  |  |  |  |  |  | Docket of the <i>EchoStar Technologies Corporation v. TiVo Inc., et al</i> ;<br>EDTX No. 5:05cv81 matter  | EMA 1671 - 1691 |
| 225. |  |  |  |  |  |  |  |  | Motion to Correct Docket MA filing 1:07cv11793 (Ex. 34 to Plaintiff's<br>Corrected Response to Defendants' Motion for Summary Judgment)             | EMA 1693 - 1702 |
| 226. |  |  |  |  |  |  |  |  | Texas Penal Code (Ex. 37 to Pltff's Corrected Response to Defendants'<br>Motion for Summary Judgment)   | EMA 1703 - 1704 |
| 227. |  |  |  |  |  |  |  |  | Complaint filed in Cisco Systems, Inc. et al v. Huawei Technologies, et<br>al; EDTX Cause No. 2:03cv27  | EMA 1705 -1729  |
| 228. |  |  |  |  |  |  |  |  | Complaint filed in Cisco Systems, Inc. et al v. Alcatel USA Inc.; EDTX<br>Cause No. 4:03cv176   | EMA 1730 - 1786 |
| 229. |  |  |  |  |  |  |  |  | Complaint filed Cisco Systems, Inc. et al v. Telcordia Technologies,<br>Inc.; EDTX Cause No. 9:06cv160  | EMA 1787 -1794  |
| 230. |  |  |  |  |  |  |  |  | Cover letter, Summons and Complaint – <i>Advanced Scientific<br/>Applications, Inc. v. Cisco Systems, Inc.</i> , OCSC Case No. 30-2008-<br>00111935 | EMA 1795 -1824  |
| 231. |  |  |  |  |  |  |  |  | Summons and Complaint – <i>Anoop Rajkumar v. Cisco Systems, Inc.</i> ,<br>USDC, Northern District of California No. C:08 01600                      | EMA 1825 -1845  |
| 232. |  |  |  |  |  |  |  |  | Summons and Complaint – <i>Twelve Inches Around Corp. v. Cisco<br/>Systems, Inc., et al</i> ; USDC Southern District of New York,<br>No. 08cv6896   | EMA 1846 - 1864 |
| 233. |  |  |  |  |  |  |  |  | Richard Frenkel's Application to Appear Pro Hac Vice in <i>EchoStar<br/>Technologies Corporation v. TiVo Inc., et al</i> ; EDTX No. 5:05cv81        | EMA 1865 - 1866 |
| 234. |  |  |  |  |  |  |  |  | Ex 3 (Baker Botts Privilege Log) to Douglas Kubehl's November 11,<br>2008 deposition  | EMA 1867 - 1868 |
| 235. |  |  |  |  |  |  |  |  | Notice of Electronic Filing – Defendant's Motion for Entry of Non-<br>Waiver Order  | EMA 1869 - 1870 |
| 236. |  |  |  |  |  |  |  |  | Homepage for the Eastern District of Texas,<br><a href="http://www.txed.uscourts.gov/default.htm">http://www.txed.uscourts.gov/default.htm</a>      | EMA 1871 - 1872 |

|      |  |  |  |  |  |  |  |  |   |                                   |
|------|--|--|--|--|--|--|--|--|---|-----------------------------------|
| 237. |  |  |  |  |  |  |  |  | Electronic Frontier Foundation – Legal Guide for Bloggers   | 01567 – 01604                     |
| 238. |  |  |  |  |  |  |  |  | United States Securities and Exchange Commission Form 10-Q for the quarterly period ending October 27, 2007                           | CISCOFIN 001-092                  |
| 239. |  |  |  |  |  |  |  |  | United States Securities and Exchange Commission Form 10-Q for the quarterly period ending January 26, 2008                           | CISCOFIN 093-193                  |
| 240. |  |  |  |  |  |  |  |  | United States Securities and Exchange Commission Form 10-Q for the quarterly period ending April 26, 2008                             | CISCOFIN 194-291                  |
| 241. |  |  |  |  |  |  |  |  | United States Securities and Exchange Commission Form 10-Q for the quarterly period ending October 25, 2008                           | CISCOFIN 292-397                  |
| 242. |  |  |  |  |  |  |  |  | October 22, 2007 e-mail from Kurt Pankratz to Jillian Powell re ESN original complaint  | BB_0001-0006<br>Privileged (HC)   |
| 243. |  |  |  |  |  |  |  |  | October 22, 2007 e-mail from Jillian Powell to Steve Schortgen re conversation with QC Clerk at USDC Tx                               | BB_0007-0009<br>Privileged (HC)   |
| 244. |  |  |  |  |  |  |  |  | October 22, 2007 email from Kurt Pankratz to Jillian Powell and Steve Schortgen re Kevin Meek with Johnny Ward at time of call        | BB_0010-0012<br>Privileged (HC)   |
| 245. |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from Rick Frenkel to Beckwith, Yen, Ritter, Michels, Showalter, Pankratz and Corcoran                         | BB_0013-0016<br>Privileged (HC)   |
| 246. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Pankratz to Frenkel, Showalter, Beckwith, Michels, Yen and Ritter  | BB_0017<br>Privileged (HC)        |
| 247. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Pankratz to Frenkel, Showalter, Beckwith, Michels, Yen and Ritter  | BB_0018 - 0023<br>Privileged (HC) |
| 248. |  |  |  |  |  |  |  |  | October 16, 2007 e-mail from Bart Showalter to Frenkel, Pankratz, Beckwith, Ritter and Yen re 154(d)                                  | BB_0024-0026                      |
| 249. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Kurt Pankratz to Frenkel, Showalter, Beckwith, Michels, Yen and Ritter re original complaint - version 2 | BB_0027-0028                      |
| 250. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Rick Frenkel to John Noh and Mallun Yen  | CISCO.000001                      |

|      |  |  |  |  |  |  |  |  |   |                                    |
|------|--|--|--|--|--|--|--|--|---|------------------------------------|
| 251. |  |  |  |  |  |  |  |  | Original October 18, 2007 blog "ESN Convinces EDTX Court Clerk to Alter Documents to Try to Manufacture Subject Matter Jurisdiction Where None Existed"   | CISCO.000001.1 –<br>CISCO.000001.2 |
| 252. |  |  |  |  |  |  |  |  | Notice of Electronic Filing of Complaint in the matter of <i>ESN v. Cisco Systems, Inc.</i> ; EDTX Cause No. 5:07cv156  | CISCO.000088 –<br>CISCO.000089     |
| 253. |  |  |  |  |  |  |  |  | Civil Cover Sheet in the matter of <i>ESN v. Cisco Systems, Inc.</i> ; EDTX Cause No. 5:07cv156   | CISCO.000090                       |
| 254. |  |  |  |  |  |  |  |  | Complaint for Patent Infringement and Civil Cover Sheet in the matter of <i>ESN v. Cisco Systems, Inc.</i> ; EDTX Cause No. 5:07cv156   | CISCO.000165 –<br>CISCO.000239     |
| 255. |  |  |  |  |  |  |  |  | Docket Report for the <i>ESN v. Cisco Systems, Inc.</i> ; EDTX Cause No. 5:07cv156 matter   | CISCO.000240 –<br>CISCO.000243     |
| 256. |  |  |  |  |  |  |  |  | First Amended Complaint in the matter of <i>ESN v. Cisco Systems, Inc.</i> ; EDTX Cause No. 5:07cv156   | CISCO.000244 –<br>CISCO.000250     |
| 257. |  |  |  |  |  |  |  |  | EDTexweblog.com Post - "They did WHAT with my filing?"  | CISCO.000251 –<br>CISCO.000252     |
| 258. |  |  |  |  |  |  |  |  | August 26, 2007 e-mail from Patent Troll to John Noh and Mallun Yen   | CISCO.000253                       |
| 259. |  |  |  |  |  |  |  |  | December 11, 2007 e-mail from Rick Frenkel to John Noh  | CISCO.000254 -<br>000258           |
| 260. |  |  |  |  |  |  |  |  | December 10, 2007 e-mail from Rick Frenkel to John Noh  | CISCO.000259 –<br>CISCO.000264     |
| 261. |  |  |  |  |  |  |  |  | January 25, 2008 e-mail from Rick Frenkel to Mallun Yen   | CISCO.000265 –<br>CISCO.000271     |
| 262. |  |  |  |  |  |  |  |  | Memorandum in Support of Defendant's Motion to Stay in the matter of <i>Cisco Systems, et al v. ESN, LLC</i> ; United States District Court for the Court of Connecticut; No. 3:07cv1528                | CISCO.000272 –<br>CISCO.000277     |
| 263. |  |  |  |  |  |  |  |  | Plaintiff's Motion to Enjoin Defendants Cisco and Linksys From Prosecuting Later-Filed Parallel Litigation in Connecticut in the matter of <i>ESN v. Cisco Systems, Inc.</i> ; EDTX Cause No. 5:07cv156 | CISCO.000278 –<br>CISCO.000288     |
| 264. |  |  |  |  |  |  |  |  | Complaint for Declaratory Judgment in the matter of <i>Cisco Systems, et al v. ESN, LLC</i> ; United States District Court for the Court of Connecticut; No. 3:07cv1528                                 | CISCO.000289 –<br>CISCO.000293     |

|      |  |  |  |  |  |  |  |  |  |                               |
|------|--|--|--|--|--|--|--|--|--|-------------------------------|
| 265. |  |  |  |  |  |  |  |  | Complaint for Patent Infringement in the matter of <i>ESN v. Cisco Systems, Inc.</i> ; EDTX Cause No. 5:07ev156  | CISCO.000294 – CISCO.000299   |
| 266. |  |  |  |  |  |  |  |  | February 25, 2008 e-mail from Rick Frenkel to Mallun Yen, ip-team  | CISCO.000374 – CISCO.000379   |
| 267. |  |  |  |  |  |  |  |  | EDTexweblog.com Post – “TrollTracker defamation case”  | CISCO.000380 - 000381         |
| 268. |  |  |  |  |  |  |  |  | The Platform Blog Post – “Lessons Learned. . . Cisco Updates Policy on Employee Blogging   | CISCO.000382 – CISCO.000386   |
| 269. |  |  |  |  |  |  |  |  | The Platform Blog Post – “Cisco’s Internet Postings Policy”  | CISCO.000387 – CISCO.000389   |
| 270. |  |  |  |  |  |  |  |  | March 4, 2008 e-mail from Rick Frenkel to Mallun Yen   | CISCO.000390 – CISCO.000391   |
| 271. |  |  |  |  |  |  |  |  | Motion to Correct Docket in the matter of <i>The Hertz Corporation and TSD Rental, LLC v. Enterprise Rent-A-Car Company and The Crawford Group, Inc.</i> ; USDC, District of MA, No. 1:07ev11793 | CISCO2.00001 – CISCO2.000131  |
| 272. |  |  |  |  |  |  |  |  | August 26, 2007 e-mail from Patent Troll to John Noh and Mallun Yen  | CISCO2.000135                 |
| 273. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mallun Yen to Matthew Tanielian   | CISCO2.000137                 |
| 274. |  |  |  |  |  |  |  |  | Cisco Systems, Inc. Internet Postings Policy (Created March 2007) (Ex. 27 to Mark Chandler Deposition)   | CISCO3.000001 – CISCO3.000009 |
| 275. |  |  |  |  |  |  |  |  | September 24, 2008 Advanced Scientific Applications Inc. v. Cisco Systems, Inc. 30-2008-00111935 (defamation suit against Cisco)   | CISCO3.000001 – CISCO3.000030 |
| 276. |  |  |  |  |  |  |  |  | August 1, 2008 Twelve Inches Around Corp. v. Cisco Systems, Inc. 08cv6896 (defamation suit against Cisco)  | CISCO3.000031 – CISCO3.000049 |
| 277. |  |  |  |  |  |  |  |  | March 24, 2008 Anoop Rajkumar v. Cisco Systems, Inc. C08-01600 (defamation suit against Cisco)   | CISCO3.000050 – CISCO3.000070 |
| 278. |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from Rick Frenkel to Beckwith, Yen, Ritter, Michels, Showalter, Panktraz and Corcoran re amended ESN complaint   | Cisco Privileged .000001 (HC) |

|      |  |  |  |  |  |  |  |  |  |  |
|------|--|--|--|--|--|--|--|--|--|--|
| 279. |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from Marta Beckwith to Frenkel, Pankratz, Ritter, Michels and Showalter re lying to patent office                                      | Cisco Privileged<br>.000002-000003<br>(HC)   |
| 280. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Rick Frenkel to Showalter, Pankratz, Beckwith, Michels, Yen and Ritter re court clerk changed docket to reflect 10/16 filing date | Cisco Privileged<br>.000004<br>(HC)          |
| 281. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Kurt Pankratz to Frenkel, Showalter, Beckwith, Michels, Yen and Ritter re Albritton claims the filing date was an error           | Cisco Privileged<br>.000005-000005.2<br>(HC) |
| 282. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Kurt Pankratz to Frenkel, Showalter, Beckwith, Michels, Yen and Ritter re complaint with revised banner                           | Cisco Privileged<br>.000006<br>(HC)          |
| 283. |  |  |  |  |  |  |  |  | October 22, 2007 e-mail from Kurt Pankratz to Powell re ESN original complaint (with 10/15 banner)   | Cisco Privileged<br>.000007-000008<br>(HC)   |
| 284. |  |  |  |  |  |  |  |  | October 22, 2007 e-mail from Jillian Powell to Schortgen re QC Clerk at the USDC Tx  | Cisco Privileged<br>.000009<br>(HC)          |
| 285. |  |  |  |  |  |  |  |  | October 22, 2007 e-mail from Kurt Pankratz to Powell and Schortgen re Kevin Meeks with Johnny Ward when he was making call                                     | Cisco Privileged<br>.000010<br>(HC)          |
| 286. |  |  |  |  |  |  |  |  | October 18, 2008 e-mail from Rick Frenkel to Noh and Yen re lawsuit filed before patent issued   | Cisco Privileged<br>.000014-000016<br>(HC)   |
| 287. |  |  |  |  |  |  |  |  | October 15, 2007 e-mail from Rick Frenkel to Pankratz, Showalter, Beckwith, Ritter and Yen re Complaint just put online  | Cisco Privileged<br>.000019-000026<br>(HC)   |
| 288. |  |  |  |  |  |  |  |  | October 15, 2007 e-mail from Rick Frenkel to Yen, Beckwith, Ritter and Michels re we were just sued by ESN, LLC  | Cisco Privileged<br>.000027-000028<br>(HC)   |
| 289. |  |  |  |  |  |  |  |  | October 22, 2007 e-mail from Marta Beckwith to Reines, Powers, Maroulis, et al re in case you haven't seen this about your DJ case in ESN                      | Cisco Privileged<br>.000037-000041<br>(HC)   |
| 290. |  |  |  |  |  |  |  |  | February 25, 2008 e-mail from Marta Beckwith to Maroulis re Frenkel unmasked as the blogger known as trolltracker  | Cisco Privileged<br>.000043<br>(HC)          |
| 291. |  |  |  |  |  |  |  |  | October 27, 2007 e-mail from Bart Showalter to Beckwith re Michael in cahoots with Johnny and Eric and was asked to post                                       | Cisco Privileged<br>.000044-000048.3<br>(HC) |
| 292. |  |  |  |  |  |  |  |  | February 25, 2008 e-mail from Marta Beckwith to Bhavsar re Rick still handling his responsibilities at Cisco   | Cisco Privileged<br>.000087<br>(HC)          |

|      |  |  |  |  |  |  |  |   |  |
|------|--|--|--|--|--|--|--|---|--|
| 293. |  |  |  |  |  |  |  | February 25, 2008 e-mail from Marta Beckwith to Showalter re Frenkel unmasked as the blogger known as the trolltracker                  | Cisco Privileged<br>.000089<br>(HC)          |
| 294. |  |  |  |  |  |  |  | November 25, 2007 e-mail from Marta Beckwith to Chambers re EDTx amending local rules   | Cisco Privileged<br>.000094<br>(HC)          |
| 295. |  |  |  |  |  |  |  | October 18, 2007 e-mail from Marta Beckwith to Yen, Ritter and Frenkel re ask Tony for docs and who is best local counsel for Texarkana | Cisco Privileged<br>.000103-000105.1<br>(HC) |
| 296. |  |  |  |  |  |  |  | February 25, 2008 e-mail from Mark Chandler to Yen re ESN and blog  | Cisco Privileged<br>.000109-000111<br>(HC)   |
| 297. |  |  |  |  |  |  |  | February 25, 2008 e-mail from Mark Chandler to Yen re wasn't on this thread   | Cisco Privileged<br>.000112-000115<br>(HC)   |
| 298. |  |  |  |  |  |  |  | February 25, 2008 e-mail from Mallun Yen to Chandler re closest we came to talking about a topic before it was actually posted          | Cisco Privileged<br>.000116-000118.1<br>(HC) |
| 299. |  |  |  |  |  |  |  | February 25, 2008 e-mail from Mallun Yen to Chandler re want you to be aware of the full facts  | Cisco Privileged<br>.000122-000125.1<br>(HC) |
| 300. |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mark Chandler to Tanielian re Yen calling Dan Webb   | Cisco Privileged<br>.000126<br>(HC)          |
| 301. |  |  |  |  |  |  |  | October 17, 2007 e-mail from John Corcoran to Frenkel re having way too much fun  | Cisco Privileged<br>.000134-000135.1<br>(HC) |
| 302. |  |  |  |  |  |  |  | October 17, 2007 e-mail from Rick Frenkel to Corcoran re trolls are driving me batty  | Cisco Privileged<br>.000136-00137<br>(HC)    |
| 303. |  |  |  |  |  |  |  | October 19, 2007 e-mail from Rick Frenkel to Tanielian re fair comparison of patent litigation statistics                               | Cisco Privileged<br>.000138-000140<br>(HC)   |
| 304. |  |  |  |  |  |  |  | February 25, 2008 e-mail from Mallun Yen to Frenkel re content of post was all Frenkel  | Cisco Privileged<br>.000141-000144.1<br>(HC) |
| 305. |  |  |  |  |  |  |  | February 25, 2008 e-mail from Rick Frenkel to Yen re content of post all mine   | Cisco Privileged<br>.000146-000149<br>(HC)   |
| 306. |  |  |  |  |  |  |  | October 19, 2007 e-mail from Matthew Tanielian to Frenkel and Chandler re fair comparison of patent litigation statistics               | Cisco Privileged<br>.000154-000156.1<br>(HC) |

|      |  |  |  |  |  |  |  |  |   |  |
|------|--|--|--|--|--|--|--|--|---|--|
| 307. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mallun Yen to Frenkel, Pankratz, et al re this happened in Enterprise case   | Cisco Privileged<br>.000167-000168.1<br>(HC) |
| 308. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Pankratz to Frenkel, Pankratz, et al re new version of complaint with revised banner showing 10/16   | Cisco Privileged<br>.000169-000169.3<br>(HC) |
| 309. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Michael Ritter to Yen, Beckwith, et al re should talk to local counsel in EDTx to get their views  | Cisco Privileged<br>.000192-000194<br>(HC)   |
| 310. |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from Gail Zahner to Pankratz, Beckwith, et al re papers served on ESN LLC   | Cisco Privileged<br>.000204-000204.2<br>(HC) |
| 311. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Marta Beckwith to Yen, Ritter, et al re motion to correct docket   | Cisco Privileged<br>.000212-000212.1<br>(HC) |
| 312. |  |  |  |  |  |  |  |  | October 19, 2007 e-mail from Rich Renfree to Michels, Kubehl, et al re ESN's amended complaint  | Cisco Privileged<br>.000227-000228.1<br>(HC) |
| 313. |  |  |  |  |  |  |  |  | November 1, 2007 e-mail from Michael Ritter to Maroulis re response to ESN's motion   | Cisco Privileged<br>.000231-000233<br>(HC)   |
| 314. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Marta Beckwith to Yen, Frenkel, et al re Enterprise case hearing where judge expressed significant doubt as to Goodwin's position and they anticipate losing | Cisco Privileged<br>.000234-000237.1<br>(HC) |
| 315. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mallun Yen to Beckwith, Frenkel, et al re Enterprise case  | Cisco Privileged<br>.000250-000251<br>(HC)   |
| 316. |  |  |  |  |  |  |  |  | October 19, 2007 e-mail from Mallun Yen to Beckwith, Frenkel, et al re finalize counsel   | Cisco Privileged<br>.000254-000254.1<br>(HC) |
| 317. |  |  |  |  |  |  |  |  | November 25, 2007 e-mail from Marta Beckwith to ip-disputes-team re amending local rules according to Smith's blog  | Cisco Privileged<br>.000255-000255.2<br>(HC) |
| 318. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mallun Yen to Chandler and Noh re clerk changed the docket and all documents to reflect 10/16  | Cisco Privileged<br>.000256<br>(HC)          |
| 319. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Rick Frenkel to Beckwith, Yen, et al re Hertz_Enterprise_MistakeMotion   | Cisco Privileged<br>.000257-000260.1<br>(HC) |
| 320. |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from Kurt Pankratz to Frenkel, Beckwith, et al re ESN amended complaint and patent trademark form   | Cisco Privileged<br>.000261-000261.3<br>(HC) |

|       |  |  |  |  |  |  |  |  |   |  |
|-------|--|--|--|--|--|--|--|--|---|--|
| 321.  |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mallun Yen to Chandler, Tanielian, et al re court clerk persuaded to change filing date                                    | Cisco Privileged<br>.000264-000265<br>(HC)   |
| 322.  |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mallun Yen to Frenkel, Beckwith, et al re Enterprise case more of making the other side jump through hoops and spend money | Cisco Privileged<br>.000269-000272<br>(HC)   |
| 323.  |  |  |  |  |  |  |  |  | October 16, 2007 e-mail from Bart Showalter to Frenkel, Pankratz, et al re 154(d), filing complaint before patent issues                                | Cisco Privileged<br>.000276-000277.3<br>(HC) |
| 324.  |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mallun Yen to Beckwith, Frenkel, et al re Enterprise may not oppose on these grounds                                       | Cisco Privileged<br>.000278-000281<br>(HC)   |
| 325.  |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mallun Yen to Noh re new version of complaint with revised banner  | Cisco Privileged<br>.000287<br>(HC)          |
| 326.  |  |  |  |  |  |  |  |  | October 17, 2007 e-mail from Mallun Yen to Noh re amended complaint   | Cisco Privileged<br>.000324<br>(HC)          |
| 327.  |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Rick Frenkel to Yen, Beckwith, et al re if venue reform passes, the case shall be transferred out of Texas anyway          | Cisco Privileged<br>.000327-000331<br>(HC)   |
| 327a. |  |  |  |  |  |  |  |  | October 19, 2007- Email to Rick Frenkel from Michael Smith re: Patent wins at trial stats   | FRENKEL.000003-<br>FRENKEL.000004            |
| 328.  |  |  |  |  |  |  |  |  | October 19, 2007- Blog posted Michael Smith re: Eastern District of Texas Federal Court Practice, They did WHAT with my filing?                         | FRENKEL.000007-<br>FRENKEL.000008            |
| 329.  |  |  |  |  |  |  |  |  | Graph stating visits and page visits from Mar07- Mar08 to Trolltracker  | FRENKEL.000009                               |
| 330.  |  |  |  |  |  |  |  |  | October 19, 2007- Email to Rick Frenkel and Dennis Crouch from Michael Barclay re: Docket alteration in ESN v. Cisco                                    | FRENKEL.0000010                              |
| 331.  |  |  |  |  |  |  |  |  | October 19, 2007- Email to Rick Frenkel from Michael Barclay re: Docket alteration in ESN v. Cisco  | FRENKEL.0000011                              |
| 332.  |  |  |  |  |  |  |  |  | October 18, 2007- Email to Rick Frenkel from Michael Barclay re: Docket alteration in ESN v. Cisco  | FRENKEL.0000012                              |
| 333.  |  |  |  |  |  |  |  |  | October 18, 2007- Email to Rick Frenkel from Michael Barclay re: Docket alteration in ESN v. Cisco  | FRENKEL.0000040                              |



|      |  |  |  |  |  |  |   |                                     |
|------|--|--|--|--|--|--|---|-------------------------------------|
| 334. |  |  |  |  |  |  | Google search- Eric Albritton   | FRENKEL.0000050-<br>FRENKEL.0000052 |
| 335. |  |  |  |  |  |  | Revised October 18, 2007 Post   | FRENKEL.0000053-<br>FRENKEL.0000054 |
| 336. |  |  |  |  |  |  | February 23, 2008- Patent Troll Tracker: Blogger Revealed   | FRENKEL.0000062-<br>FRENKEL.0000064 |
| 337. |  |  |  |  |  |  | October 19, 2007 e-mail from Patent Troll to Michael Smith  | FRENKEL2.000004                     |
| 338. |  |  |  |  |  |  | October 19, 2007- Email to Rick Frenkel from Michael Smith re: Patent win at trial stats  | FRENKEL2.000005-<br>FRENKEL2.000006 |
| 339. |  |  |  |  |  |  | October 18, 2007- CM/ECF LIVE- U.S. District Court:txed- Docket Report for Case #: 5:07-cv-00156-DF-CMC ESN LLC v. Cisco  | FRENKEL2.000032-<br>FRENKEL2.000035 |
| 340. |  |  |  |  |  |  | October 18, 2007- Exhibit A to Document 6-3 (ESN v. Cisco 5:07-cv-00156)  | FRENKEL2.000036-<br>FRENKEL2.000041 |
| 341. |  |  |  |  |  |  | October 18, 2007- Exhibit C to Document 6-3 (ESN v. Cisco 5:07-cv-00156)  | FRENKEL2.000042-<br>FRENKEL2.000044 |
| 342. |  |  |  |  |  |  | October 18, 2007- Plaintiff's Motion to Enjoin Defendants Cisco and Linsys From Prosecuting Later-Filed Parallel Litigation in Connecticut (ESN v. Cisco, 5:07-cv-00156) Document 6-1 | FRENKEL2.000045-<br>FRENKEL2.000055 |
| 343. |  |  |  |  |  |  | October 13, 2008 (sitemeter) Troll Tracker- Last Year's Visits by Month   | FRENKEL2.000059                     |
| 344. |  |  |  |  |  |  | October 13, 2008 (sitemeter) Troll Tracker- Last Year's Visits and Page Views by Month  | FRENKEL2.000061                     |
| 345. |  |  |  |  |  |  | February 19, 2008 Patent Troll Tracker Blog Post  | FRENKEL2.000077-<br>FRENKEL2.000078 |
| 346. |  |  |  |  |  |  | February 13, 2008 Patent Troll Tracker Blog Post.   | FRENKEL2.000091-<br>FRENKEL2.000092 |
| 347. |  |  |  |  |  |  | January 31, 2008 Patent Troll Tracker Blog Post   | FRENKEL2.000115                     |

|      |  |  |  |  |  |  |  |  |   |                                     |
|------|--|--|--|--|--|--|--|--|---|-------------------------------------|
| 348. |  |  |  |  |  |  |  |  | January 30, 2008 Patent Troll Tracker Blog Post     | FRENKEL2.000116                     |
| 349. |  |  |  |  |  |  |  |  | Patent Troll Tracker Blog Post                      | FRENKEL2.000120                     |
| 350. |  |  |  |  |  |  |  |  | January 22, 2008 Patent Troll Tracker Blog Post     | FRENKEL2.000134-<br>FRENKEL2.000135 |
| 351. |  |  |  |  |  |  |  |  | Patent Troll Tracker Blog Post                      | FRENKEL2.000142-<br>FRENKEL2.000143 |
| 352. |  |  |  |  |  |  |  |  | December 18, 2007 Patent Troll Tracker Blog         | FRENKEL2.000204                     |
| 353. |  |  |  |  |  |  |  |  | Patent Troll Tracker Blog Post                      | FRENKEL2.000225                     |
| 354. |  |  |  |  |  |  |  |  | Troll Tracker Blog Post                             | FRENKEL2.000254                     |
| 355. |  |  |  |  |  |  |  |  | Troll Tracker Blog Post                             | FRENKEL2.000259                     |
| 356. |  |  |  |  |  |  |  |  | Saturday, October 20, 2007 Troll Tracker Blog Post  | FRENKEL2.000282                     |
| 357. |  |  |  |  |  |  |  |  | Thursday, October 18, 2007 Troll Tracker Blog Post  | FRENKEL2.000286-<br>FRENKEL2.000287 |
| 358. |  |  |  |  |  |  |  |  | Wednesday, October 17, 2007 Troll Tracker Blog Post | FRENKEL2.000287-<br>FRENKEL2.000288 |
| 359. |  |  |  |  |  |  |  |  | Saturday, October 20, 2007 Troll Tracker Blog Post  | FRENKEL2.000294                     |
| 360. |  |  |  |  |  |  |  |  | Thursday, October 18, 2007 Troll Tracker Blog Post  | FRENKEL2.000298-<br>FRENKEL2.000299 |
| 361. |  |  |  |  |  |  |  |  | Wednesday, October 17, 2007 Troll Tracker Blog Post | FRENKEL2.000299-<br>FRENKEL2.000300 |

|      |  |  |  |  |  |  |  |  |  |                                     |
|------|--|--|--|--|--|--|--|--|--|-------------------------------------|
| 362. |  |  |  |  |  |  |  |  | Troll Tracker Blog Post  | FRENKEL2.000320                     |
| 363. |  |  |  |  |  |  |  |  | Troll Tracker Blog Post  | FRENKEL2.000329                     |
| 364. |  |  |  |  |  |  |  |  | Troll Tracker Blog Post  | FRENKEL2.000354                     |
| 365. |  |  |  |  |  |  |  |  | Troll Tracker Blog Post  | FRENKEL2.000370                     |
| 366. |  |  |  |  |  |  |  |  | Troll Tracker Blog Post  | FRENKEL2.000390                     |
| 367. |  |  |  |  |  |  |  |  | Law360- Cisco, Linksys Sued Over VoIP Patent   | FRENKEL2.000452-<br>FRENKEL2.000456 |
| 368. |  |  |  |  |  |  |  |  | March 11, 2008—Article on Legal Pad “Cisco: Nothin’ to Say. Except, Don’t Blame Us.  | JW.000065                           |
| 369. |  |  |  |  |  |  |  |  | March 11, 2008- Article on Forbes.com “ Shut up Already!”  | JW.000066-000068                    |
| 370. |  |  |  |  |  |  |  |  | trolltracker.blogspot.com invitation page from website   | JW.000234                           |
| 371. |  |  |  |  |  |  |  |  | Electronic Case Files CM/ECF User Manual Eastern District of Texas   | JW2.000001-<br>JW2.000058           |
| 372. |  |  |  |  |  |  |  |  | January 22, 2008- Article on ABA Journal.com “Partner Offers \$10K Bounty for Blogger’s Identity”                            | JW2.000171-000172                   |
| 373. |  |  |  |  |  |  |  |  | September 30, 2008- Civil Docket Sheet for Case #5:08cv00020 ESN, LLC v. Cisco Systems Inc. (DE#1-DE#43)                     | JW2.000637-000645                   |
| 374. |  |  |  |  |  |  |  |  | September 30, 2008- Civil Docket Sheet for Case 5:07cv00156 ESN, LLC v. Cisco Systems, Inc. and Cisco-Linksys, LLC (DE#1-13) | JW2000751-000754                    |
| 375. |  |  |  |  |  |  |  |  | First Amended Complaint for Patent Infringement- ESN v. Cisco, et al No. 5:07cv156   | JW2.000755-000761                   |

|      |  |  |  |  |  |  |  |  |   |                       |
|------|--|--|--|--|--|--|--|--|---|-----------------------|
| 376. |  |  |  |  |  |  |  |  | October 13, 2008- MassLawBlog.com "Ray Niro Offers \$5,000 for Identity of Author of "Troll Tracker" Blog   | JW2.001259-001260     |
| 377. |  |  |  |  |  |  |  |  | Ex 21A (Notice of deposition) to Eric Albritton's October 27, 2008 deposition   | EMA 2390 - 2391       |
| 378. |  |  |  |  |  |  |  |  | Ex 22 (Patently-O; Patent Law Blog) to Eric Albritton's October 27, 2008 deposition   | CISCO.000002 - 000087 |
| 379. |  |  |  |  |  |  |  |  | Ex 23 (Law 360 the newswire for business lawyers) to Eric Albritton's October 27, 2008 deposition   | FRENKEL2.000452-456   |
| 380. |  |  |  |  |  |  |  |  | Ex 26 (E-mail from Mr. Albritton to John Ward, dated 10/16/07) to Eric Albritton's October 27, 2008 deposition  | EMA 0990              |
| 381. |  |  |  |  |  |  |  |  | Ex 28 (Series of E-mails between Johnny Ward and Mr. Albritton dated 10/17/07) to Eric Albritton's October 27, 2008 deposition  | EMA 0991-0992         |
| 382. |  |  |  |  |  |  |  |  | Ex 31 (Two articles that are the subject of the lawsuit) to Eric Albritton's October 27, 2008 deposition  | CISCO.000001.1 - 1.2  |
| 383. |  |  |  |  |  |  |  |  | Ex 32 (Memorandum in Support of Defendant's Motion to Stay) to Eric Albritton's October 27, 2008 deposition   | CISCO.000272-293      |
| 384. |  |  |  |  |  |  |  |  | Ex 36 (Draft of this plaintiff's motion to enjoin sent to Mr. Albritton by Mr. McAndrews on October 17 <sup>th</sup> at 8:01) to Eric Albritton's October 27, 2008 deposition | EMA 1012 - 1019       |
| 385. |  |  |  |  |  |  |  |  | Ex 39 (E-mail from Peter McAndrews to Mr. Albritton and John Ward) to Eric Albritton's October 27, 2008 deposition  | EMA 1365              |
| 386. |  |  |  |  |  |  |  |  | Ex 47 (Letter to Mr. Albritton from Jason Saunders dated 10/18/07) to Eric Albritton's October 27, 2008 deposition  | EMA 1035              |
| 387. |  |  |  |  |  |  |  |  | Ex 49 (E-mail from Jamie Holmes to Michael Smith dated 3/14/08) to Eric Albritton's October 27, 2008 deposition   | EMA 1572              |
| 388. |  |  |  |  |  |  |  |  | Ex 62 (Printout of the Albritton Law Firm Web site in 2007) to Eric Albritton's October 27, 2008 deposition   | JW.000129 - 135       |
| 389. |  |  |  |  |  |  |  |  | Ex 63 (Printout from lawyers.com) to Eric Albritton's October 27, 2008 deposition   | JW.000136-137         |

|      |  |  |  |  |  |  |  |  |  |   |
|------|--|--|--|--|--|--|--|--|--|---|
| 390. |  |  |  |  |  |  |  |  | Ex 12 (pages 3 – 11) (David Maland's memo) to Eric Albritton's October 27, 2008 deposition (previously marked exhibit)   | EMA 0848 - 0855                             |
| 391. |  |  |  |  |  |  |  |  | Ex 14 (Three E-mails between Mr. Mathis and Mr. Albritton on March 14 <sup>th</sup> of 2008) to Eric Albritton's October 27, 2008 deposition (previously marked exhibit)   | EMA 0857 - 0858                             |
| 392. |  |  |  |  |  |  |  |  | Ex. 18 E-mails, 1/31/2008, Amie J. Mathis and Shelley Moore  | EMA 1433 - 1434                             |
| 393. |  |  |  |  |  |  |  |  | Ex 19 (Civil cover sheet on the ESN vs. Cisco Case) to Eric Albritton's October 27, 2008 deposition (previously marked exhibit)  | EMA 0014                                    |
| 394. |  |  |  |  |  |  |  |  | Ex 1 (E-mail string, most recent date being October 18, 2007, Cisco Privileged 000269 through 000272, 4 pages) to Marta Beckwith's November 19, 2008 deposition  | Cisco Privileged<br>.000269-000272<br>(HC)  |
| 395. |  |  |  |  |  |  |  |  | Ex 2 (E-mail to Mallun Yen, et al., from Rich Fenner, dated October 15, 2007, Cisco Privileged 000027, 1 page ) to Marta Beckwith's November 19, 2008 deposition   | Cisco Privileged<br>.000027<br>(HC)         |
| 396. |  |  |  |  |  |  |  |  | Ex 3 (E-mail to Kurt Pankratz, et al., from Rick Frenkel, dated October 15, 2007, Cisco Privileged 000019 through 000020, 2 pages) to Marta Beckwith's November 19, 2008 deposition                              | Cisco Privileged<br>000019 - 000020<br>(HC) |
| 397. |  |  |  |  |  |  |  |  | Ex 4 (E-mail to Marta Beckwith, et al., from Rick Frenkel, dated October 17, 2007, and attached E-mail string, Cisco Privileged 000001 through 000003, 3 pages) to Marta Beckwith's November 19, 2008 deposition | Cisco Privileged<br>000001 - 000003<br>(HC) |
| 398. |  |  |  |  |  |  |  |  | Ex 5 (E-mail and attachment, dated October 22, 2007 from Marta Beckwith, Cisco Privileged 000037 through 000041, 5 pages) to Marta Beckwith's November 19, 2008 deposition                                       | Cisco Privileged<br>000037 - 000041<br>(HC) |
| 399. |  |  |  |  |  |  |  |  | Ex 6 (E-mail to Garret Chambers from Marta Beckwith, dated November 25, 2007, Cisco Privileged 000094, 1 page) to Marta Beckwith's November 19, 2008 deposition  | Cisco Privileged<br>000094<br>(HC)          |
| 400. |  |  |  |  |  |  |  |  | Ex 7 (E-mail string, most recent date being December 11, 2007, Cisco 000254 through 000258, 5 pages) to Marta Beckwith's November 19, 2008 deposition  | Cisco 000254 -<br>000258                    |
| 401. |  |  |  |  |  |  |  |  | Ex 1 (Patent Troll Tracker blog; 2 pages) to Mark Chandler's November 18, 2008 deposition  | EMA 1873 - 1874                             |
| 402. |  |  |  |  |  |  |  |  | Ex 2 (U.S. District Court for the Eastern District of Texas Local Rules and Appendixes Table of Contents; 5 pages) to Mark Chandler's November 18, 2008 deposition   | EMA 1875 - 1879                             |
| 403. |  |  |  |  |  |  |  |  | Ex 3 ("Complaints and Other Initiating Documents" ESN LLC v. Cisco Systems; Nos. CISCO.000088-90) to Mark Chandler's November 18, 2008 deposition  | CISCO.000088-90                             |

|      |  |  |  |  |  |  |  |  |  |   |   |
|------|--|--|--|--|--|--|--|--|--|---|---|
| 404. |  |  |  |  |  |  |  |  |  | Ex 4 (Federal Rules of Civil Procedure Commencement of Action; 1 page) to Mark Chandler's November 18, 2008 deposition  | EMA 1880  |
| 405. |  |  |  |  |  |  |  |  |  | Ex 5 ("The Platform Opinions and Insights from Cisco"; Nos. CISCO.000382-386) to Mark Chandler's November 18, 2008 deposition                                 | CISCO.000382-386                                |
| 406. |  |  |  |  |  |  |  |  |  | Ex 6 (BusinessWeek article "Busting a Rogue Blogger"; 2 pages) to Mark Chandler's November 18, 2008 deposition  | EMA 1881 - 1882                                 |
| 407. |  |  |  |  |  |  |  |  |  | Ex 7 (Document "Cisco Systems, Inc., Internet Posting Policy Created March 2007"; Nos. CISCO3.000001-08) to Mark Chandler's November 18, 2008 deposition      | CISCO3.000001-08                                |
| 408. |  |  |  |  |  |  |  |  |  | Ex 8 (E-mail thread dated 12/10/07 from Rick Frenkel; Nos. CISCO.000259-261) to Mark Chandler's November 18, 2008 deposition                                  | CISCO.000259-261                                |
| 409. |  |  |  |  |  |  |  |  |  | Ex 9 (E-mail thread dated 2/25/08 from Mallun Yen; Nos. CISCO PRIVILEGED 000122-125) to Mark Chandler's November 18, 2008 deposition                          | Cisco Privileged 000122-125 (HC)                |
| 410. |  |  |  |  |  |  |  |  |  | Ex 10 (E-mail thread dated 10/18/07 from Mark Chandler; No. CISCO PRIVILEGED 000126) to Mark Chandler's November 18, 2008 deposition                          | Cisco Privileged 000126 (HC)                    |
| 411. |  |  |  |  |  |  |  |  |  | Ex 11 (Article "Cisco Systems Opens Government-Affairs Office in Washington"; 2 pages) to Mark Chandler's November 18, 2008 deposition                        | EMA 1883 - 1884                                 |
| 412. |  |  |  |  |  |  |  |  |  | Ex 12 (Article "Cisco digs Deep to Sway Lawmakers"; 2 pages) to Mark Chandler's November 18, 2008 deposition  | EMA 1885- 1886                                  |
| 413. |  |  |  |  |  |  |  |  |  | Ex 13 (Excerpt of Deposition of Peter McAndrews; 7 pages) to Mark Chandler's November 18, 2008 deposition   | EMA 1887 - 1893                                 |
| 414. |  |  |  |  |  |  |  |  |  | Ex 1 (Compilation of documents) to Douglas Kubehl's November 11, 2008 deposition  | Cisco Privileged 000033-331 & FRENKLE2.00059-62 |
| 415. |  |  |  |  |  |  |  |  |  | Ex 114 (E-mails, 10/15/2007, Amie J. Mathis and Rhonda Lafite, attached List of Parties and Civil Cover Sheet) to Rhonda Lafite's November 3, 2008 deposition | EMA 1894 - 1897                                 |
| 416. |  |  |  |  |  |  |  |  |  | Ex 10 (E-mail, 10/16/2007, From pay.gov to Amie Mathis) to Rhonda Lafite's November 3, 2008 deposition (previously marked exhibit)                            | EMA 1564  |
| 417. |  |  |  |  |  |  |  |  |  | Ex 75 (Cisco Systems, Inc.'s Notice of Amended Subpoena of Rhonda Lafite) to Rhonda Lafite's November 3, 2008 deposition (previously marked exhibit)          | EMA 1898 - 1903                                 |

|      |  |  |  |  |  |  |  |  |  |   |                            |
|------|--|--|--|--|--|--|--|--|--|---|----------------------------|
| 418. |  |  |  |  |  |  |  |  |  | Ex 1 (Patent Troll Tracker blog; Nos. FRENKEL.000053-54) to Richard G. Frenkel's November 18, 2008 deposition   | FRENKEL.000053-54          |
| 419. |  |  |  |  |  |  |  |  |  | Ex 2 (Patent Troll Tracker blog; 2 pages) ) to Richard G. Frenkel's November 18, 2008 deposition  | EMA 1904 -1905             |
| 420. |  |  |  |  |  |  |  |  |  | Ex 3 (U.S. District Court for the Eastern District of Texas Local Rules and Appendixes Table of Contents; 7 pages) ) to Richard G. Frenkel's November 18, 2008 deposition | EMA 1906 - 1912            |
| 421. |  |  |  |  |  |  |  |  |  | Ex 4 (Complaints and Other Initiating Documents; 2 pages) to Richard G. Frenkel's November 18, 2008 deposition  | EMA 1913 - 1914            |
| 422. |  |  |  |  |  |  |  |  |  | Ex 5 ( E-mail thread dated 10/18/07 from Kurt Pankratz; No. CISCO PRIVILEGED 000005 ) to Richard G. Frenkel's November 18, 2008 deposition                                | Cisco Privileged 000005    |
| 423. |  |  |  |  |  |  |  |  |  | Ex 6 (E-mail thread dated 10/18/07 from Rick Frenkel; Nos. CISCO PRIVILEGED 000014-16 ) to Richard G. Frenkel's November 18, 2008 deposition                              | Cisco Privileged 000014-16 |
| 424. |  |  |  |  |  |  |  |  |  | Ex 74 (Cisco Systems, Inc.'s Notice of Amended Subpoena of David Maland) to David Maland's November 3, 2008 deposition  | EMA 1915-1920              |
| 425. |  |  |  |  |  |  |  |  |  | Ex 75 (Cisco Systems, Inc.'s Notice of Amended Subpoena of Rhonda Lafitte) to David Maland's November 3, 2008 deposition  | EMA 1921 - 1926            |
| 426. |  |  |  |  |  |  |  |  |  | Ex 76 (Cisco Systems, Inc.'s Notice of Amended Subpoena of Shelley Moore) to David Maland's November 3, 2008 deposition   | EMA 1927 - 1932            |
| 427. |  |  |  |  |  |  |  |  |  | Ex 77 (Cisco Systems, Inc.'s Notice of Amended Subpoena of Peggy Thompson) to David Maland's November 3, 2008 deposition  | EMA 1933 - 1938            |
| 428. |  |  |  |  |  |  |  |  |  | Ex 78 (Cisco Systems, Inc.'s Notice of Amended Subpoena of David Provines) to David Maland's November 3, 2008 deposition  | EMA 1939 - 1944            |
| 429. |  |  |  |  |  |  |  |  |  | Ex 79 (Cisco Systems, Inc.'s Notice of Amended Subpoena of Rachel Wilson) to David Maland's November 3, 2008 deposition   | EMA 1945 - 1950            |
| 430. |  |  |  |  |  |  |  |  |  | Ex 81 (Texas Lawyer "Patent Attorneys Sue Cisco Systems, Blogger, Alleging Defamation" March 17, 2008) to David Maland's November 3, 2008 deposition                      | JW.000049 - 51             |
| 431. |  |  |  |  |  |  |  |  |  | Ex 85 (E-mails, 10/15/07, Amic J. Mathis and Rhonda Lafite, attached List of Parties and Civil Cover Sheet) to David Maland's November 3, 2008 deposition                 | EMA 1951 - 1954            |

|      |  |  |  |  |  |  |  |  |  |                  |
|------|--|--|--|--|--|--|--|--|--|------------------|
| 432. |  |  |  |  |  |  |  |  | Ex 87 (Pages 3 – 11) (E-mail, 3/14/2007 From David Maland to Ann McMillan, Brenda Jeffreys, et al. 3 attachments) to David Maland's November 3, 2008 deposition  | EMA 2171 - 2179  |
| 433. |  |  |  |  |  |  |  |  | Ex 96 (How to Electronically File a New Case in effect 10/07) to David Maland's November 3, 2008 deposition  | EMA 2180 - 2182  |
| 434. |  |  |  |  |  |  |  |  | Ex 98 (Pay.gov receipt 10/16/2007) to David Maland's November 3, 2008 deposition   | EMA 1955 – 1956  |
| 435. |  |  |  |  |  |  |  |  | Ex 101 (Local Rule CV-5 (a) (3) Significance of Electronic Filing) to David Maland's November 3, 2008 deposition   | EMA 1957 - 1958  |
| 436. |  |  |  |  |  |  |  |  | Ex 102 (System Transactions Log 10/1/2008' Fed.R.Civ.P 5(d) (2) (A) CM/ECF User Manual on TXED website pages 22-23; How to Electronically File a New Case as of 10/07) to David Maland's November 3, 2008 deposition | EMA 1959 - 1969  |
| 437. |  |  |  |  |  |  |  |  | Ex 103 (General Order 07/9 entered 11/19/2007) to David Maland's November 3, 2008 deposition   | EMA 1970 - 2028  |
| 438. |  |  |  |  |  |  |  |  | Ex 104 (Eastern District of Texas Local Rules and Appendixes as of May 9, 2008) to David Maland's November 3, 2008 deposition  | EMA 2029 - 2064  |
| 439. |  |  |  |  |  |  |  |  | Ex 105 (The Attorney's "How To" Guide for Civil Case Opening, Texas Eastern District 1/11/2008) to David Maland's November 3, 2008 deposition  | EMA 2065 - 2084  |
| 440. |  |  |  |  |  |  |  |  | Ex 106 (Fed.R.Civ.P 5(d) (2) (A) to David Maland's November 3, 2008 deposition   | EMA 2183 - 2185  |
| 441. |  |  |  |  |  |  |  |  | Ex 107 (E-mail, 10/15/2007, from David Maland to Donna Blair, Linda Byrd, et al.) to David Maland's November 3, 2008 deposition  | EMA 2085 - 2128  |
| 442. |  |  |  |  |  |  |  |  | Ex 108 (Photographs, after hours depository) to David Maland's November 3, 2008 deposition   | EMA 2129         |
| 443. |  |  |  |  |  |  |  |  | Ex 109 (Model Local District Court Rules for Electronic Case Filing in Civil Cases Judicial Conference of the United States September 2006) to David Maland's November 3, 2008 deposition                            | EMA 2130 - 2147  |
| 444. |  |  |  |  |  |  |  |  | Ex 110 (CM/ECF User Manual on TXED website Pages 22-23) to David Maland's November 3, 2008 deposition  | EMA 2148 - 2149  |
| 445. |  |  |  |  |  |  |  |  | Ex 111 (Civil docket for 5:07-cv-00156-DF-CMC ESN LLC v. Cisco Systems Inc. et al Retrieved 10/16/2007) to David Maland's November 3, 2008 deposition  | CISCO.000240-241 |



|      |  |  |  |  |  |  |  |  |  |                      |
|------|--|--|--|--|--|--|--|--|--|----------------------|
| 446. |  |  |  |  |  |  |  |  | Ex 10 (E-mail, 10/16/2007, from pay.gov to Amie Mathis) to David Maland's November 3, 2008 deposition (previously marked exhibit)  | EMA 1564             |
| 447. |  |  |  |  |  |  |  |  | Ex 18 (E-mails, 1/31/2008, Amie J. Mathis and Shelley Moore) to David Maland's November 3, 2008 deposition (previously marked exhibit)   | EMA 1433 - 1434      |
| 448. |  |  |  |  |  |  |  |  | Ex 21 (Complaints and Other Initiating Documents for CA# 5:07-cv-00156-DF-CMC) to David Maland's November 3, 2008 deposition (previously marked exhibit)   | CISCO.000088-000241  |
| 449. |  |  |  |  |  |  |  |  | Ex 24 (Complaint for Patent Infringement CA# 5:07-cv-156-DF-CMC) to David Maland's November 3, 2008 deposition (previously marked exhibit)   | CISCO.000165-243     |
| 450. |  |  |  |  |  |  |  |  | Ex 29 (E-mail, 10/17/2007, from Amie Mathis to Eric M. Albritton) to David Maland's November 3, 2008 deposition (previously marked exhibit)  | EMA 1005             |
| 451. |  |  |  |  |  |  |  |  | Ex 31 (Patent Troll Tracker blog October 2007) to David Maland's November 3, 2008 deposition (previously marked exhibit)   | CISCO.000001.1 - 1.2 |
| 452. |  |  |  |  |  |  |  |  | Ex 6 (E-mail to Ms. Mathis from Rhonda Lafitte dated October 15 at 4:22) ) to Amie Mathis' October 27, 2008 deposition   | EMA 1492 - 1493      |
| 453. |  |  |  |  |  |  |  |  | Ex 7 (E-mail Ms. Mathis sent to P. McAndrews dated October 15, 2007 at 4:54 p.m.) ) to Amie Mathis' October 27, 2008 deposition  | EMA 1408             |
| 454. |  |  |  |  |  |  |  |  | Ex 8 (E-mail from Ms. Mathis to <a href="mailto:newcasetxk@txed.uscourts.gov">newcasetxk@txed.uscourts.gov</a> dated Monday October 15, 2007 at 3:39 p.m.) ) to Amie Mathis' October 27, 2008 deposition | EMA 1407             |
| 455. |  |  |  |  |  |  |  |  | Ex 10 (E-mail to Ms. Mathis received at midnight on October 16, 2007, Pay.Gov Payment Confirmation) ) to Amie Mathis' October 27, 2008 deposition  | EMA 1564             |
| 456. |  |  |  |  |  |  |  |  | Ex 13 (E-mail to Mr. McAndrews from Ms. Mathis on October 16 at 12:05 a.m.) to Amie Mathis' October 27, 2008 deposition  | EMA 1409 - 1411      |
| 457. |  |  |  |  |  |  |  |  | Ex 19 (Civil cover sheet on the ESN vs. Cisco case) to Amie Mathis' October 27, 2008 deposition  | EMA 0014             |
| 458. |  |  |  |  |  |  |  |  | Ex 21 (Series of documents, which include the civil cover sheet and the complaint for patent infringement) to Amie Mathis' October 27, 2008 deposition   | CISCO.000088 - 241   |
| 459. |  |  |  |  |  |  |  |  | Ex 24 (Same documents as Exhibit 21, but now bearing the filing date of October 16) ) to Amie Mathis' October 27, 2008 deposition  | CISCO.000165-243     |

|      |  |  |  |  |  |  |  |  |  |  |                 |
|------|--|--|--|--|--|--|--|--|--|--|-----------------|
| 460. |  |  |  |  |  |  |  |  |  | Ex 25 (E-mail from Paul McAndrews to Ms. Mathis and Eric Albritton and some other people, subject: 519 Patent attached, dated October 16, 2007 at 7:30 a.m.) ) to Amie Mathis' October 27, 2008 deposition | EMA 0941        |
| 461. |  |  |  |  |  |  |  |  |  | Ex 29 (E-mail from Ms. Mathis to Eric reporting on a conversation with Peter McAndrews on the ESN case ) to Amie Mathis' October 27, 2008 deposition   | EMA 1005        |
| 462. |  |  |  |  |  |  |  |  |  | Ex 30 (10/17/07 E-mail from pmcandrews to Eric M. Albritton EMA 1006-1007) to Peter J. McAndrews November 7, 2008 deposition (previously marked)   | EMA 1006 - 1007 |
| 463. |  |  |  |  |  |  |  |  |  | Ex 37 (2/25/08 e-mail from pmcandrews to Eric M. Albritton; Subject: Troll Tracker exposed; EMA 1363) to Peter J. McAndrews November 7, 2008 deposition (previously marked)                                | EMA 1363        |
| 464. |  |  |  |  |  |  |  |  |  | Ex 122 (4/11/08 letter from Charles L. Babcock to George P. McAndrews, 1 page) to Peter J. McAndrews November 7, 2008 deposition   | EMA 2150        |
| 465. |  |  |  |  |  |  |  |  |  | Ex 123 (4/7/08 letter from George P. McAndrews to Mark Chandler, 10 pages) to Peter J. McAndrews November 7, 2008 deposition   | EMA 2151 - 2160 |
| 466. |  |  |  |  |  |  |  |  |  | Ex 124 (E-mail string; subject: Draft of Complaint; EMA 0863-0865) to Peter J. McAndrews November 7, 2008 deposition   | EMA 0863 -0864  |
| 467. |  |  |  |  |  |  |  |  |  | Ex 125 (10/15/07 e-mail from pmcandrews to Eric M. Albritton; subject: ESN vs. Cisco Complaint; EMA 0865) to Peter J. McAndrews November 7, 2008 deposition  | EMA 0865        |
| 468. |  |  |  |  |  |  |  |  |  | Ex 126 (E-mail string; subject: activity in ESN v. Cisco; EMA 0938-0940) to Peter J. McAndrews November 7, 2008 deposition   | EMA 0938 - 0940 |
| 469. |  |  |  |  |  |  |  |  |  | Ex 127 (E-mail string; subject: ESN-Battle of Complaints; EMA 1010-1011) to Peter J. McAndrews November 7, 2008 deposition   | EMA 1010-1011   |
| 470. |  |  |  |  |  |  |  |  |  | Ex 128 (E-mail string; subject: ESN v. Cisco; EMA 1023-1024) to Peter J. McAndrews November 7, 2008 deposition   | EMA 1023 - 1024 |
| 471. |  |  |  |  |  |  |  |  |  | Ex 130 (E-mail string: Lawsuit against Frenkel; EMA 1365) to Peter J. McAndrews November 7, 2008 deposition  | EMA 1365        |
| 472. |  |  |  |  |  |  |  |  |  | Ex 131 (E-mail string; Subject: ENS-Battle of Complaints; EMA 1516-1517) to Peter J. McAndrews November 7, 2008 deposition   | EMA 1516 - 1517 |
| 473. |  |  |  |  |  |  |  |  |  | Ex 1 (Law.com article "Troll Tracker tracked to Cisco IP Team; 2 pages) to John Noh's November 17, 2008 deposition   | EMA 2161 - 2162 |

|      |  |  |  |  |  |  |  |  |   |  |
|------|--|--|--|--|--|--|--|--|---|--|
| 474. |  |  |  |  |  |  |  |  | Ex 2 (IPBIZ article "WSJ on Troll Tracker Frenkel"; 3 pages) to John Noh's November 17, 2008 deposition   | EMA 2163 - 2165                        |
| 475. |  |  |  |  |  |  |  |  | Ex 3 (Law.com article "Cisco Blogger to Wilson Sonsini"; 2 pages) to John Noh's November 17, 2008 deposition                                    | EMA 2166 - 2167                        |
| 476. |  |  |  |  |  |  |  |  | Ex 4 (Network World article "Cisco execs deny directing Patent Troll Tracker Blog"; 3 pages) to John Noh's November 17, 2008 deposition         | EMA 2168 - 2170                        |
| 477. |  |  |  |  |  |  |  |  | Ex 5 (The Prior Art article "Troll Tracker lays low"; 3 pages) to John Noh's November 17, 2008 deposition                                       | EMA - 2186 - 2188                      |
| 478. |  |  |  |  |  |  |  |  | Ex 6 (ADNet Government article "Intel,Cisco. HP tackle patent reform"; 1 page) to John Noh's November 17, 2008 deposition                       | EMA 2189                               |
| 479. |  |  |  |  |  |  |  |  | Ex 7 (CNET News article "Tech Firms to lobby for Patent Litigation Reform"; 2 pages) to John Noh's November 17, 2008 deposition                 | EMA 2190 - 2191                        |
| 480. |  |  |  |  |  |  |  |  | Ex 8 (Coalition for Patent Fairness Who We Are; 2 pages) to John Noh's November 17, 2008 deposition   | EMA 2192 - 2193                        |
| 481. |  |  |  |  |  |  |  |  | Ex 9 (Article "Cisco spent \$300,000 in Q2 lobby gov't on patent reform and other efforts."; 1 page) to John Noh's November 17, 2008 deposition | EMA 2194                               |
| 482. |  |  |  |  |  |  |  |  | Ex 10 (Media Relations Contacts-News @ Cisco; 4 pages) to John Noh's November 17, 2008 deposition   | EMA 2195 - 2198                        |
| 483. |  |  |  |  |  |  |  |  | Ex 11 (Article "Brocade ex-CEO gets 21 months in prison for stock options scheme"; 3 pages) to John Noh's November 17, 2008 deposition          | EMA 2199 - 2201                        |
| 484. |  |  |  |  |  |  |  |  | Ex 12 (Patent Troll Tracker blog; 2 pages) to John Noh's November 17, 2008 deposition   | EMA 2202 - 2203                        |
| 485. |  |  |  |  |  |  |  |  | Ex 13 (Legal Pad "Cisco: Nothin' to Say. Except, Don't Blame Us"; 1 page) to John Noh's November 17, 2008 deposition                            | EMA 2204                               |
| 486. |  |  |  |  |  |  |  |  | Ex 14 (E-mail thread dated 8/26/07 from Patent Troll; No. CISCO.000253) to John Noh's November 17, 2008 deposition                              | CISCO.000253                           |
| 487. |  |  |  |  |  |  |  |  | Ex 15 (Email thread dated 10/18/07 from Mallun Yen; Nos. CISCO PRIVILEGED 000015 AND 000012) to John Noh's November 17, 2008 deposition         | CISCO<br>PRIVILEGED<br>000015 & 000012 |

|      |  |  |  |  |  |  |  |  |  |  |                            |
|------|--|--|--|--|--|--|--|--|--|--|----------------------------|
| 488. |  |  |  |  |  |  |  |  |  | Ex 16 (Email thread dated 10/18/07 from Rick Frenkel; Nos. CISCO PRIVILEGED 000014-16) to John Noh's November 17, 2008 deposition  | CISCO PRIVILEGED 000014-16 |
| 489. |  |  |  |  |  |  |  |  |  | Ex 17 (Email thread dated 2/25/08 from Mallun Yen; Nos. CISCO PRIVILEGED 000011-13) to John Noh's November 17, 2008 deposition   | CISCO PRIVILEGED 000011-13 |
| 490. |  |  |  |  |  |  |  |  |  | Ex 18 (Email thread from Rick Frenkel dated 3/4/08; No. CISCO.000390) to John Noh's November 17, 2008 deposition   | CISCO.000390               |
| 491. |  |  |  |  |  |  |  |  |  | Ex 19 (Email thread from Rick Frenkel dated 12/10/07; Nos. CISCO 000259-264) to John Noh's November 17, 2008 deposition  | CISCO 000259-264           |
| 492. |  |  |  |  |  |  |  |  |  | Ex 20 (Email thread from Rick Frenkel dated 12/11/07; Nos. CISCO 000254-258) to John Noh's November 17, 2008 deposition  | CISCO 000254-258           |
| 493. |  |  |  |  |  |  |  |  |  | Ex 10 (E-mail, 10/16/2007, from pay.gov to Amie Mathis) to Cynthia Paar's November 3, 2008 deposition  | EMA 1564                   |
| 494. |  |  |  |  |  |  |  |  |  | Ex 31 (Patent Troll Tracker blog October 2007) to Cynthia Paar's November 3, 2008 deposition   | CISCO.000001.1-1.2         |
| 495. |  |  |  |  |  |  |  |  |  | Ex 1 (Compilation of documents) to Kurt Pankratz's November 24, 2008 deposition  | EMA 2205 - 2314            |
| 496. |  |  |  |  |  |  |  |  |  | Ex 10 (Email, 10/16/2007, from pay.gov to Amie Mathis) to David Provines' November 3, 2008 deposition (previously marked exhibit)  | EMA 1564                   |
| 497. |  |  |  |  |  |  |  |  |  | Ex 101 (Local Rule CV-5(a) (3) Significance of Electronic Filing) to David Provines' November 3, 2008 deposition (previously marked exhibit)                                       | EMA 2315 - 2316            |
| 498. |  |  |  |  |  |  |  |  |  | Ex 111 (Civil docket for 5:07-cv-00156-DF-MC ESN LLC v. Cisco systems Inc. et al; Retrieved 10/16/2007) to David Provines' November 3, 2008 deposition (previously marked exhibit) | CISCO.000240               |
| 499. |  |  |  |  |  |  |  |  |  | Ex 139 (Excerpt from O'Connor's Texas Causes of Action) to Michael Smith's November 24, 2008 deposition  | EMA 2317 - 2319            |
| 500. |  |  |  |  |  |  |  |  |  | Ex 143 (10/19/07 email, Mr. Smith to Mr. Frenkel) to Michael Smith's November 24, 2008 deposition  | FRENKEL2.000005-000006     |
| 501. |  |  |  |  |  |  |  |  |  | Ex 145 (10/19/07 email, Mr. Smith from Mr. Frankel) to Michael Smith's November 24, 2008 deposition  | FRENKEL2.000001-000002     |

|      |  |  |  |  |  |  |  |  |   |                 |
|------|--|--|--|--|--|--|--|--|---|-----------------|
| 502. |  |  |  |  |  |  |  |  | Ex 149 (Blog entitled Troll Tracker Defamation Case) to Michael Smith's November 24, 2008 deposition    | CISCO.000380    |
| 503. |  |  |  |  |  |  |  |  | Ex 159 (Documents produced by Mr. Siebman) to Michael Smith's November 24, 2008 deposition              | EMA 2320 - 2321 |
| 504. |  |  |  |  |  |  |  |  | Ex 159A (3/14/08 email, Mr. Holmes to Mr. Smith) to Michael Smith's November 24, 2008 deposition        | EMA 2322 - 2331 |
| 505. |  |  |  |  |  |  |  |  | Ex 159B (3/14/08 email, Mr. Smith and Mr. Holmes) to Michael Smith's November 24, 2008 deposition       | EMA 2332        |
| 506. |  |  |  |  |  |  |  |  | Ex 159C (Blog entitled Troll Tracker defamation case to Michael Smith's November 24, 2008 deposition)   | EMA 2333 - 2334 |
| 507. |  |  |  |  |  |  |  |  | Ex 159D (3/13/08 email, Mr. Smith and Mr. Barclay) to Michael Smith's November 24, 2008 deposition      | EMA 2335 2338   |
| 508. |  |  |  |  |  |  |  |  | Ex 159E (3/13/08 email, Mr. Smith and Mr. Barclay) to Michael Smith's November 24, 2008 deposition      | EMA 2339 - 2340 |
| 509. |  |  |  |  |  |  |  |  | Ex 159F (2/14/08 email, Mr. Smith and Troll Tracker) to Michael Smith's November 24, 2008 deposition    | EMA 2341 - 2342 |
| 510. |  |  |  |  |  |  |  |  | Ex 159G (3/13/08 email, Mr. Smith and Mr. Barclay) to Michael Smith's November 24, 2008 deposition      | EMA 2343 - 2346 |
| 511. |  |  |  |  |  |  |  |  | Ex 159H (3/13/08 email, Mr. Smith and Mr. Ward) to Michael Smith's November 24, 2008 deposition         | EMA 2347 - 2348 |
| 512. |  |  |  |  |  |  |  |  | Ex 159I (3/13/08 email from Mr. Smith to Mr. Maland) to Michael Smith's November 24, 2008 deposition    | EMA 2349 - 2351 |
| 513. |  |  |  |  |  |  |  |  | Ex 159J (3/17/08 email, Mr. Smith and Mr. Maland) to Michael Smith's November 24, 2008 deposition       | EMA 2352 - 2354 |
| 514. |  |  |  |  |  |  |  |  | Ex 159K (3/13/08 email, Mr. Smith re: ESN versus Cisco) to Michael Smith's November 24, 2008 deposition | EMA 2355 - 2356 |
| 515. |  |  |  |  |  |  |  |  | Ex 159L (3/13/08 email from Mr. Smith to Mr. Ward) to Michael Smith's November 24, 2008 deposition      | EMA 2357 - 2358 |

|      |  |  |  |  |  |  |  |  |   |                           |
|------|--|--|--|--|--|--|--|--|---|---------------------------|
| 516. |  |  |  |  |  |  |  |  | Ex 159M (3/14/08 email, Mr. Smith to Mr. Ward) to Michael Smith's November 24, 2008 deposition  | EMA 2359 - 2368           |
| 517. |  |  |  |  |  |  |  |  | Ex 159N (10/12/08 email from Mr. Holmes to Mr. Smith) to Michael Smith's November 24, 2008 deposition   | EMA 2369 - 2371           |
| 518. |  |  |  |  |  |  |  |  | Ex 160 (blog posting) to Michael Smith's November 24, 2008 deposition   | EMA 2374                  |
| 519. |  |  |  |  |  |  |  |  | Ex 161 (blog posting) to Michael Smith's November 24, 2008 deposition   | FRENKEL.000053 - 000054   |
| 520. |  |  |  |  |  |  |  |  | Ex 31 (Patent Troll Tracker blog October 2007) to Faye Thompson's November 3, 2008 deposition   | CISCO000001.1 -- 000001.2 |
| 521. |  |  |  |  |  |  |  |  | Ex 10 (E-mail, 10/16/2007, from pay.gov to Amie Mathis) to Peggy Thompson's November 3, 2008 deposition   | EMA 1564                  |
| 522. |  |  |  |  |  |  |  |  | Ex 31 (Patent Troll Tracker blog October 2007) to Peggy Thompson's November 3, 2008 deposition  | CISCO000001.1 -- 000001.2 |
| 523. |  |  |  |  |  |  |  |  | Ex 1 (Article titled "Patent Troll Tracker" dated 10/18/2007; 2 pages) to Mallun Yen's November 17, 2008 deposition   | EMA 2377 - 2378           |
| 524. |  |  |  |  |  |  |  |  | Ex 2 (Document titled "Complaints and Other Initiating Documents"; Nos. CISCO.000088-90) to Mallun Yen's November 17, 2008 deposition   | CISCO.000088              |
| 525. |  |  |  |  |  |  |  |  | Ex 3 (U.S. District Court for the Eastern District of Texas Local Rules and Appendixes as of February 12, 2007 Table of Contents; 5 pages) to Mallun Yen's November 17, 2008 deposition | EMA 2379 - 2383           |
| 526. |  |  |  |  |  |  |  |  | Ex 4 (Federal Rules of Civil Procedure II. Commencement of Action; 1 page) to Mallun Yen's November 17, 2008 deposition) to Mallun Yen's November 17, 2008 deposition                   | EMA 2384                  |
| 527. |  |  |  |  |  |  |  |  | Ex 5 (United States District Court Eastern District of Texas web page; 1 page) to Mallun Yen's November 17, 2008 deposition   | EMA 2385                  |
| 528. |  |  |  |  |  |  |  |  | Ex 6 (LEXSTAT 18 USCS 1512; 3 pages) to Mallun Yen's November 17, 2008 deposition   | EMA 2386 - 2388           |
| 529. |  |  |  |  |  |  |  |  | Ex 7 (Email thread dated 8/26/07 from Patent Troll "Subject: Fwd: Thomas John Ward Jr."; No. CISCO 00025) to Mallun Yen's November 17, 2008 deposition                                  | CISCO 000253              |

|      |  |  |  |  |  |  |  |  |   |                                   |
|------|--|--|--|--|--|--|--|--|---|-----------------------------------|
| 530. |  |  |  |  |  |  |  |  | Ex 8 (Email dated 11/15/07 from Rick Frenkel "Subject: Urgent-please read-ESN"; Nos. CISCO PRIVILEGED 000019-20) to Mallun Yen's November 17, 2008 deposition | CISCO<br>PRIVILEGED<br>000019-20  |
| 531. |  |  |  |  |  |  |  |  | Ex 9 (Email thread dated 10/18/07 from Kurt Pankratz "Subject: Re: ESN"; No. CISCO PRIVILEGED 000005) to Mallun Yen's November 17, 2008 deposition            | CISCO<br>PRIVILEGED<br>000005     |
| 532. |  |  |  |  |  |  |  |  | Ex 10 (Email thread dated 11/18/08 from Mallun Yen "Subject: FW: ESN"; No. CISCO PRIVILEGED 000012) to Mallun Yen's November 17, 2008 deposition              | CISCO<br>PRIVILEGED<br>000012     |
| 533. |  |  |  |  |  |  |  |  | Ex 11 (Email thread dated 10/18/07 from Rick Frenkel "Subject: Re: ESN"; CISCO PRIVILEGED 000014-16) to Mallun Yen's November 17, 2008 deposition             | CISCO<br>PRIVILEGED<br>000014-16  |
| 534. |  |  |  |  |  |  |  |  | Ex 12 (Email thread dated 3/4/08 from Rick Frenkel "Subject: FW"; Nos. CISCO 000390-91) to Mallun Yen's November 17, 2008 deposition                          | CISCO 000390-91                   |
| 535. |  |  |  |  |  |  |  |  | Ex 13 (Email thread dated 2/25/08) from Mallun Yen "Subject: Re: ESN"; Nos. CISCO PRIVILEGED 000122-125) to Mallun Yen's November 17, 2008 deposition         | CISCO<br>PRIVILEGED<br>000122-125 |
| 536. |  |  |  |  |  |  |  |  | Ex 14 (Email thread dated 2/25/08 from Rick Frenkel "Subject: Re: ESN"; Nos. CISCO PRIVILEGED 000146-149) to Mallun Yen's November 17, 2008 deposition        | CISCO<br>PRIVILEGED<br>000146-149 |
| 537. |  |  |  |  |  |  |  |  | Ex 15 (Email thread dated 10/18/07 from Mark Chandler "Subject: FW: ESN"; No. CISCO PRIVILEGED 000126) to Mallun Yen's November 17, 2008 deposition           | CISCO<br>PRIVILEGED<br>000126     |
| 538. |  |  |  |  |  |  |  |  | Ex 16 (Email thread dated 2/25/08 from Rick Frenkel "Subject: Re: Trolltracker"; No. CISCO 000374-379) to Mallun Yen's November 17, 2008 deposition           | CISCO 000374-379                  |
| 539. |  |  |  |  |  |  |  |  | Ex 17 (Article "Cisco Employees deny directing 'troll' blog; 1 page) to Mallun Yen's November 17, 2008 deposition   | EMA 2389                          |
| 540. |  |  |  |  |  |  |  |  | Ex 18 (Email thread dated 10/18/07 from Mallun Yen "Subject: Re: ESN"; Nos. CISCO PRIVILEGED 000269-272) to Mallun Yen's November 17, 2008 deposition         | CISCO<br>PRIVILEGED<br>000269-272 |
| 541. |  |  |  |  |  |  |  |  | October 18, 2007 e-mail from Mallun Yen to Rick Frenkel, Kurt Pankratz, Bart Showalter, Marta Beckwith, Michels, Mark; Ritter, Michael                        | BB 0029 - BB 0033                 |
| 542. |  |  |  |  |  |  |  |  | Ex 1590 (3/17/08 e-mail from Mr. Smith to Mr. Barclay) to Michael Smith's November 24, 2008 deposition  | EMA 2372 - 2373                   |