

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

EMG TECHNOLOGY, LLC,

Plaintiff,

v.

APPLE INC.,  
AMERICAN AIRLINES, INC.,  
DELL, INC.,  
HYATT CORPORATION,  
MARRIOTT INTERNATIONAL, INC., &  
BARNES & NOBLE, INC.,

Defendants.

CASE NO. 6:08 CV 447 (LED)

JURY TRIAL DEMANDED

**DEFENDANT APPLE INC.'S NOTICE OF DISCLOSURE**

Pursuant to the Federal Rules of Civil Procedure, the Local Rules of the Eastern District of Texas, and the Court's Order dated December 9, 2009 (Dkt. #192), Defendant Apple Inc. hereby files this Notice of Disclosure. On December 18, 2009, Defendant Apple Inc. served its P.R. 3-3 invalidity contentions and P.R. 3-4(b) document production on all parties. On December 18, 2009, Defendant Apple Inc. also served the non-confidential<sup>1</sup> portion of its P.R. 3-4(a) document production on Plaintiff EMG Technology, LLC.

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<sup>1</sup> For the reasons that Apple Inc. did not serve the confidential portion of its P.R. 3-4(a) production on Plaintiff EMG Technology, LLC, please refer to pages 2-3 of Apple Inc.'s Motion to Vacate the Deadlines in the Docket Control and Discovery Orders and for a Case Management Conference, filed on December 18, 2009 (Dkt.# 199).

Dated: December 19, 2009

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ John R. Lane

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ATTORNEYS FOR DEFENDANT  
APPLE INC.

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 19th day of December, 2009.

/s/ Jason Bonilla  
Jason Bonilla