

Exhibit E

From: Hansen, Shawn [SHansen@manatt.com]
Sent: Monday, January 04, 2010 7:52 PM
To: christopher.carraway@klarquist.com; rxm@klarquist.com; salumeh.loesch@klarquist.com; todd.siegel@klarquist.com; trey@yw-lawfirm.com; jschwent@thompsoncoburn.com; jhowell@thompsoncoburn.com; pmiller@thompsoncoburn.com; Thomas (Tom) Douglass; David Healey; Garland Stephens; John Lane; cboland@nixonpeabody.com; rgenet@nixonpeabody.com; dmckone@nixonpeabody.com; ccapshaw@capshawlaw.com; jrambin@capshawlaw.com; ederieux@capshawlaw.com; jhannah@capshawlaw.com; rrochford@nixonpeabody.com; john.guaragna@dlapiper.com; Neil McNabnay; Chad Walker; mikejones@potterminton.com; CNyarady@paulweiss.com; jnathan@paulweiss.com; ddacus@rameyflock.com; anthony.fenwick@davispolk.com; jesse.dyer@davispolk.com; jill.zimmerman@davispolk.com
Cc: Becker, Robert; Robert Parker; charley@pbatyler.com; Chris Bunt; smg@jmbm.com
Subject: RE: EMG v. Apple et al. / EMG v. Microsoft et al.
Attachments: EMG_s proposed form of protective order.DOC

Dear All,

I have received confirmation from some of you regarding the meet and confer I proposed for tomorrow, January 5, 2010, at 11:00 am Pacific Time, 1:00 pm Central Time, 2:00 pm Eastern Time. I have not heard from all parties, however.

In the interest of advancing the process, I propose that we proceed with the call tomorrow with those who can participate. Please dial: (866) 922-3257 ; Guest Entry Code: 21990029#.

Among other things, EMG would like to discuss the protective order, which we already have been discussing with counsel for Apple. Attached for purposes of discussion is a copy of EMG's current proposed form of protective order. Obviously, some of the introductory language needs to be updated, but this shows the substantive provisions we are proposing.

Thank you,

Shawn G. Hansen
Partner
manatt | phelps | phillips
650.812.1367 - direct
650.814.1607 - mobile

Please conserve resources by not printing this email unnecessarily.

From: Hansen, Shawn
Sent: Tuesday, December 22, 2009 3:12 PM
To: 'christopher.carraway@klarquist.com'; 'rxm@klarquist.com'; 'salumeh.loesch@klarquist.com'; 'todd.siegel@klarquist.com'; 'trey@yw-lawfirm.com'; 'jschwent@thompsoncoburn.com'; 'jhowell@thompsoncoburn.com'; 'pmiller@thompsoncoburn.com'; 'tdouglass@thompsoncoburn.com'; 'healey@fr.com'; 'stephens@fr.com'; 'jlane@fr.com'; 'cboland@nixonpeabody.com'; 'rgenet@nixonpeabody.com'; 'dmckone@nixonpeabody.com'; 'ccapshaw@capshawlaw.com'; 'jrambin@capshawlaw.com'; 'ederieux@capshawlaw.com'; 'jhannah@capshawlaw.com'; 'rrochford@nixonpeabody.com'; 'John.Guaragna@dlapiper.com'; 'mcnabnay@fr.com'; 'CBWalker@fr.com'; 'mikejones@potterminton.com'; 'CNyarady@paulweiss.com'; 'jnathan@paulweiss.com'; 'ddacus@rameyflock.com';

'anthony.fenwick@davispolk.com'; 'jesse.dyer@davispolk.com'; 'jill.zimmerman@davispolk.com'
Cc: Becker, Robert; 'rmparker@pbatyler.com'; 'charley@pbatyler.com'; 'rcbunt@pbatyler.com'; 'smg@jmbm.com'
Subject: EMG v. Apple et al. / EMG v. Microsoft et al.

Dear Counsel,

I write in response to the Orders issued by the Court in EMG v. Apple et al. and EMG v. Microsoft et al. regarding the status conference set for January 4, 2010, and the joint status report due by December 31, 2009.

I had a telephone discussion this morning with Microsoft's counsel, Chris Carraway, regarding these issues. Given that we are amid the holidays, and obtaining all necessary client approvals may be difficult if not impossible during this time, counsel for Microsoft suggested that the parties agree to reschedule the status conference currently set for January 4, 2010, to a later date that will allow sufficient time for the parties to meet and confer as required to prepare the joint status report regarding the disputed issues that need to be discussed at the status conference and each party's position on consolidation. EMG agrees with Microsoft's suggestion.

EMG proposes that the parties agree to reschedule the status conference to February 15, 2009, or the next date available on the Court's calendar, and that the parties agree to conduct an initial meet and confer regarding the joint status report on January 5, 2010, at 11:00 am Pacific Time, 1:00 pm Central Time, 2:00 pm Eastern Time.

Please let me know whether your respective clients agree with EMG's proposal. Please call me at 650.812.1367 or email me if you would like to discuss.

I would appreciate hearing from all parties on this proposal before the Christmas holiday.

Thank you,

Shawn G. Hansen

Partner

manatt | phelps | phillips

1001 Page Mill Road, Building 2

Palo Alto, CA 94304

650.812.1367 - direct

650.812.1300 - main

650.814.1607 - mobile

650.213.0291 - direct fax

Albany | Los Angeles | New York | Orange County | Palo Alto | Sacramento | San Francisco | Washington, D.C.

[Click here to see my profile](#)

Please conserve resources by not printing this email unnecessarily.

CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it, may contain confidential information that is legally privileged. The information herein may also be protected by the Electronic Communications Privacy Act, 18 USC Sections 2510-2521. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this message is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail or by telephone at (650) 812-1300, and destroy the original transmission and its attachments without reading them or saving them to disk. Thank you.

IRS CIRCULAR 230 DISCLOSURE: To comply with requirements imposed by recently issued treasury regulations, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written by us, and cannot be used by you, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another person any transaction or matter addressed herein. For information about this legend,

go to <http://www.manatt.com/circ230>
