EXHIBIT 1

McTague, Alexandra

From: Hutchins, Kate
Sent: Wednesday, June 16, 2010 11:39 PM
To: 'Josh Budwin'
Cc: 'Eolas'; Matuschak, Mark
Subject: RE: Eolas -- deposition notices
Attachments: RE: Eolas v. Adobe et al. - Staples Venue-Related Discovery

Josh --

I haven't received a response to my inquiry regarding the purpose for these depositions. As reflected in the attached correspondence, we have provided Eolas with the venue-related discovery it claimed that it needed to address all issues related to Staples in the motion to transfer. Indeed, the entire reason for the declarations Staples provided to you in May was an explicit agreement between us that Staples would not be subject to venue-related discovery (and, in fact, that all such discovery would be withdrawn) if Staples provided a declaration in the form you suggested, and that was acceptable to you, on venue-related issues. Staples worked with you and inconvenienced three witnesses to obtain their voluntary declarations of precisely the information you requested. Having failed to ask anything about Staples' connections with California, you then misrepresented what those connections are to the Court in your opposition. We felt obligated at that time to correct the record so that the Court had an accurate understanding of Staples' connections to California. There is no basis for further inquiry into this matter, since you agreed you would not subject Staples to any venue-related discovery if it provided the information your requested. Staples did so. That agreement was not conditioned on anything other than providing the declarations that you requested.

We will not agree to permit Eolas to make and break its own agreements regarding discovery, particularly when – despite my inquiries – you refuse even to discuss how you could possibly have served these notices in light of the parties' agreement about venue-related discovery.

Nevertheless, if there is particular information from the declarations filed on Monday by Staples that you would like clarified, or other information that you believe you need despite our earlier agreement, then please let us know promptly. We'll try to work with you in good faith despite the effort to abrogate unilaterally our agreement on jurisdictional discovery.

Kate

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Wednesday, June 16, 2010 4:40 PM
To: Hutchins, Kate
Cc: Eolas; Matuschak, Mark
Subject: RE: Eolas -- deposition notices

Hi Kate -

What's the status of these depositions?

From: Josh Budwin
Sent: Monday, June 14, 2010 6:39 PM
To: 'Hutchins, Kate'
Cc: Eolas; 'Matuschak, Mark'
Subject: RE: Eolas -- deposition notices

*deposition

From: Josh Budwin
Sent: Monday, June 14, 2010 6:38 PM
To: 'Hutchins, Kate'
Cc: Eolas; Matuschak, Mark
Subject: RE: Eolas -- deposition notices

Katie -

Our notices stand for themselves. No additional explanation is required. If you didn't want to provide these persons for deposition , you should not have put them at issue via your filing tonight.

Will you make the witnesses available or not? If so, when?

Thanks.

From: Hutchins, Kate [mailto:Kate.Hutchins@wilmerhale.com]
Sent: Monday, June 14, 2010 6:35 PM
To: Josh Budwin
Cc: Eolas; Matuschak, Mark
Subject: RE: Eolas -- deposition notices

Josh --

Could you provide an explanation? The fact of a filing is not an adequate explanation for departing from our arrangement with respect to the declarations we prepared for you. We are happy to work with you, but we need to know why you think the recent filing justifies additional discovery.

Kate

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Monday, June 14, 2010 7:29 PM
To: Hutchins, Kate
Cc: Eolas; Matuschak, Mark
Subject: RE: Eolas -- deposition notices

Kate -

You made a filing less than one hour ago, with new declarations attached. That's the purpose.

Thanks.

From: Hutchins, Kate [mailto:Kate.Hutchins@wilmerhale.com]
Sent: Monday, June 14, 2010 6:26 PM
To: Josh Budwin
Cc: Eolas; Matuschak, Mark
Subject: RE: Eolas -- deposition notices

Josh --

I can check, but can you please let me know what the purpose of this is? Didn't you get the facts you needed with our voluntary declarations? Thanks.

Kate

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Monday, June 14, 2010 7:23 PM
To: Hutchins, Kate; Matuschak, Mark
Cc: Eolas; eolas-defendants@sidley.com; McTague, Alexandra; Steinberg, Don; Williams, Daniel V.
Subject: Eolas -- deposition notices

Kate/Mark -

When are your declarants available for deposition? We request that these depositions take place well in advance of our deadline to file our Sur Reply on the Motion to Transfer. 30(b)(1) notices attached. Feel free to call me to discuss.

Thanks.

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