

# Exhibit A

# McKool Smith

A PROFESSIONAL CORPORATION • ATTORNEYS

Josh Budwin  
Direct Dial: (512) 692-8727  
jbudwin@mckoolsmith.com

300 West 6<sup>th</sup> Street  
Suite 1700  
Austin, Texas 78701

Telephone: (512) 692-8700  
Telecopier: (512) 692-8744

July 28, 2010

## VIA E-MAIL TO ALL OUTSIDE COUNSEL OF RECORD

RE: *Eolas Technologies Incorporated v. Adobe Systems, Inc., et. al*; Civil Action No. 6:09-CV-00446-LED; United District Court of Texas; Eastern District.

Dear Counsel:

The Agreed Discovery Order and the Patent Rules require the defendants to produce all relevant documents and things, including source code. Many of your accused products are web-based products which are subject to frequent updates.

To assist each of you in complying with your source code production obligations, Eolas proposes to work with each defendant to identify representative versions of the accused products to help reduce this burden.

Please let us know your availability for a meet and confer on these issues.

Sincerely,



Josh Budwin

cc: All other counsel of record via email

Defendant	Counsel	E-mail
Adobe Systems Incorporated	David J. Healey Fish & Richardson PC 1221 McKinney Street Suite 2888 Houston, TX 77010  Lead Counsel for Adobe	<a href="mailto:healey@fr.com">healey@fr.com</a>

Defendant	Counsel	E-mail
	<b>Systems Incorporated</b>	
	Joseph P. Reid	<a href="mailto:reid@fr.com">reid@fr.com</a>
<b>Amazon.com Inc.</b>	<b>Douglas E. Lumish</b> <b>Weil Gotshal &amp; Manges</b> <b>201 Redwood Shores Parkway</b> <b>Redwood City, CA 94065</b>  <b>Lead Counsel for</b> <b>Amazon.com, eBay Inc., and</b> <b>Yahoo! Inc.</b>	<a href="mailto:doug.lumish@weil.com">doug.lumish@weil.com</a>
	Matthew Powers Jared B. Bobrow Joseph H. Lee Christian Hurt	<a href="mailto:Amazon-Eolas@weil.com">Amazon-Eolas@weil.com</a>
<b>Apple, Inc.</b>	<b>David T. Pritikin</b> <b>Sidley Austin - Chicago</b> <b>Bank One Plaza</b> <b>One South Dearborn Ave</b> <b>Chicago, IL 60603</b>  <b>Lead Counsel for Apple, Inc.</b>	<a href="mailto:dpritikin@sidley.com">dpritikin@sidley.com</a>
	Richard A. Cederoth Shubham Mukherjee Duy D. Nguyen Teague I. Donahey Theodore Whitley Chandler	<a href="mailto:apple-eolas@sidley.com">apple-eolas@sidley.com</a>
	Eric Albritton Matthew Clay Harris	<a href="mailto:apple@emafirm.com">apple@emafirm.com</a>
<b>Blockbuster Inc.</b>	<b>Scott Wayne Breedlove</b> <b>Vinson &amp; Elkins</b> <b>2001 Ross Avenue</b> <b>3700 Trammel Crow Center</b> <b>Dallas, TX 75201</b>  <b>Lead Counsel for Blockbuster</b> <b>Inc.</b>	<a href="mailto:sbreedlove@velaw.com">sbreedlove@velaw.com</a>
	David Kent Wooten	<a href="mailto:Blockbuster-Eolas@velaw.com">Blockbuster-Eolas@velaw.com</a>
<b>CDW Corporation</b>	<b>Thomas L. Duston</b> <b>Marshall Gerstein &amp; Borun</b> <b>233 S. Wacker Drive</b> <b>6300 Sears Tower</b> <b>Chicago, IL 60606</b>  <b>Lead Counsel for CDW</b>	<a href="mailto:tduston@marshallip.com">tduston@marshallip.com</a>

<b>Defendant</b>	<b>Counsel</b>	<b>E-mail</b>
	<b>Corporation</b>	
	Juliane Hartzell Scott A. Sanderson Anthony S. Gabrielson	<a href="mailto:eolas@marshallip.com">eolas@marshallip.com</a>
	Eric Hugh Findlay	<a href="mailto:efindlay@findlaycraft.com">efindlay@findlaycraft.com</a>
	Brian Craft	<a href="mailto:bcraft@findlaycraft.com">bcraft@findlaycraft.com</a>
<b>Citigroup Inc.</b>	<b>Edwin R. DeYoung</b> <b>Locke Lord Bissell &amp; Liddell</b> <b>LLP</b> <b>2200 Ross Ave.</b> <b>Suite 2200</b> <b>Dallas, TX 75201</b>  <b>Lead Counsel for Citigroup</b> <b>Inc.</b>	<a href="mailto:edevyoung@lockelord.com">edevyoung@lockelord.com</a>
	Roger Brian Cowie Galyn Dwight Gafford Michael Scott Fuller Roy William Hardin Jason E. Mueller	<a href="mailto:Citibank.Eolas@lockelord.com">Citibank.Eolas@lockelord.com</a>
	Eric L. Sopher	<a href="mailto:esopher@kslaw.com">esopher@kslaw.com</a>
	Alexas D. Skucas	<a href="mailto:askucas@kslaw.com">askucas@kslaw.com</a>
<b>eBay Inc.</b>	<b>Douglas E. Lumish</b> <b>Weil Gotshal &amp; Manges</b> <b>201 Redwood Shores Parkway</b> <b>Redwood City, CA 94065</b>  <b>Lead Counsel for</b> <b>Amazon.com, eBay Inc., and</b> <b>Yahoo! Inc.</b>	<a href="mailto:doug.lumish@weil.com">doug.lumish@weil.com</a>
	Matthew Douglas Powers Christian J. Hurt Jared B. Bobrow Joseph H. Lee	<a href="mailto:eBay-Eolas@weil.com">eBay-Eolas@weil.com</a>
<b>Frito-Lay, Inc. and</b> <b>Rent-A-Center, Inc.</b>	<b>Jeffrey K. Joyner</b> <b>Greenberg Taurig, LLP</b> <b>2450 Colorado Ave.</b> <b>Suite 400E</b> <b>Santa Monica, CA 90404</b>  <b>Lead Counsel for Frito-Lay,</b> <b>Inc. and Rent-A-Center, Inc.</b>	<a href="mailto:joynerj@gtlaw.com">joynerj@gtlaw.com</a>
	Jeffrey F. Yee	<a href="mailto:Frito-JCP-RAC-Eolas@gtlaw.com">Frito-JCP-RAC-Eolas@gtlaw.com</a>
	Brian Carpenter	<a href="mailto:Brian.Carpenter@BJCIPLaw.com">Brian.Carpenter@BJCIPLaw.com</a>

Defendant	Counsel	E-mail
	Eric W. Buether	<a href="mailto:Eric.Buether@BJCIPLaw.com">Eric.Buether@BJCIPLaw.com</a>
	Christopher M. Joe	<a href="mailto:Chris.Joe@BJCIPLaw.com">Chris.Joe@BJCIPLaw.com</a>
<b>The Go Daddy Group, Inc.</b>	<b>Thomas M. Melsheimer Fish &amp; Richardson 1717 Main Street Suite 5000 Dallas, TX 75201</b>  <b>Lead Counsel for The Go Daddy Group, Inc.</b>	<a href="mailto:melsheimer@fr.com">melsheimer@fr.com</a>
	Neil J. McNabnay	<a href="mailto:mcnabnay@fr.com">mcnabnay@fr.com</a>
	J. Nicholas Bunch	<a href="mailto:bunch@fr.com">bunch@fr.com</a>
	Proshanto Mukherji	<a href="mailto:mukherji@fr.com">mukherji@fr.com</a>
<b>Google Inc. and YouTube</b>	Scott T. Weingaertner King & Spalding, LLP 1185 Avenue of the Americas New York, NY 10036  <b>Lead Counsel for Google Inc. and YouTube, LLC</b>	<a href="mailto:sweingaertner@kslaw.com">sweingaertner@kslaw.com</a>
	Robert F. Perry Christopher C. Carnaval Mark H. Francis	<a href="mailto:Google-Eolas@kslaw.com">Google-Eolas@kslaw.com</a>
	Michael E. Jones	<a href="mailto:mikejones@potterminton.com">mikejones@potterminton.com</a>
	Allen F. Gardner	<a href="mailto:allengardner@potterminton.com">allengardner@potterminton.com</a>
<b>J.C. Penney Company, Inc.</b>	<b>Christopher M. Joe Buether Joe &amp; Carpenter 1700 Pacific, Suite 2390 Dallas, TX 75201</b>  <b>Lead Counsel for J.C. Penney Company, Inc.</b>	<a href="mailto:Chris.Joe@BJCIPLaw.com">Chris.Joe@BJCIPLaw.com</a>
	Jeffrey Joyner Jeffrey Yee	<a href="mailto:Frito-JCP-RAC-Eolas@gtlaw.com">Frito-JCP-RAC-Eolas@gtlaw.com</a>
	Brian Carpenter	<a href="mailto:Brian.Carpenter@BJCIPLaw.com">Brian.Carpenter@BJCIPLaw.com</a>
	Eric W. Buether	<a href="mailto:Eric.Buether@BJCIPLaw.com">Eric.Buether@BJCIPLaw.com</a>
<b>J.P. Morgan Chase &amp; Co.</b>	<b>Joel Mark Freed McDermott Will &amp; Emery 600 13th Street, NW 12th Floor Washington, CD 20005-3096</b>  <b>Lead Counsel for JPMorgan Chase &amp; Co.</b>	<a href="mailto:jfreed@mwe.com">jfreed@mwe.com</a>

<b>Defendant</b>	<b>Counsel</b>	<b>E-mail</b>
	David Crump	<a href="mailto:dcrump@mwe.com">dcrump@mwe.com</a>
	Steve Shahida	<a href="mailto:sshahida@mwe.com">sshahida@mwe.com</a>
	Debra Elaine Gunter	<a href="mailto:debby@yw-lawfirm.com">debby@yw-lawfirm.com</a>
	Herbert A. Yarbrough, III	<a href="mailto:trey@yw-lawfirm.com">trey@yw-lawfirm.com</a>
<b>New Frontier Media, Inc.</b>	<b>Michael Simons</b> <b>Akin Gump Strauss Hauer &amp; Feld LLP</b> <b>300 West 6th</b> <b>Suite 2100</b> <b>Austin, TX 78701</b>  <b>Lead Counsel for New Frontier Media, Inc.</b>	<a href="mailto:msimons@akingump.com">msimons@akingump.com</a>
	Anthony T. Pierce	<a href="mailto:eolaslitigation@akingump.com">eolaslitigation@akingump.com</a>
<b>Office Depot</b>	<b>Kenneth Jurek</b> <b>McDermott Law Firm</b> <b>227 West Monroe Street</b> <b>Chicago, IL 60606</b>  <b>Lead Counsel for Office Depot</b>	<a href="mailto:kjurek@mwe.com">kjurek@mwe.com</a>
	David M. Stein	<a href="mailto:dstein@mwe.com">dstein@mwe.com</a>
	Suzanne M. Wallman	<a href="mailto:swallman@mwe.com">swallman@mwe.com</a>
	Brett E. Bachtell	<a href="mailto:bbachtell@mwe.com">bbachtell@mwe.com</a>
	J. Thad Heartfield	<a href="mailto:thad@jth-law.com">thad@jth-law.com</a>
<b>Perot Systems Corp.</b>	<b>Barton E. Showalter</b> <b>Baker &amp; Botts</b> <b>2001 Ross Ave.</b> <b>Suite 600</b> <b>Dallas, TX 75201</b>  <b>Lead Counsel for Perot Systems Corp.</b>	<a href="mailto:bart.showalter@bakerbotts.com">bart.showalter@bakerbotts.com</a>
	Douglas Mark Kubehl David O. Taylor Vernon E. Evans	<a href="mailto:DLEolasTeam@bakerbotts.com">DLEolasTeam@bakerbotts.com</a>
	Deron R. Dacus	<a href="mailto:ddacus@rameyflock.com">ddacus@rameyflock.com</a>
<b>Playboy Enterprises International</b>	<b>Avelyn Marie Ross</b> <b>Vinson &amp; Elkins</b> <b>2801 Via Fortuna</b> <b>Suite 100</b> <b>Austin, TX 78746</b>  <b>Lead Counsel for Playboy Enterprises International</b>	<a href="mailto:aross@velaw.com">aross@velaw.com</a>

<b>Defendant</b>	<b>Counsel</b>	<b>E-mail</b>
	Gentry C. McLean David B. Weaver John A. Fedock	<a href="mailto:Playboy-Eolas@velaw.com">Playboy-Eolas@velaw.com</a>
<b>Staples, Inc.</b>	<b>Michael Ernest Richardson Beck Redden &amp; Secrest 1221 McKinney Suite 4500 Houston, TX 77010</b>  <b>Lead Counsel for Staples, Inc.</b>	<a href="mailto:mrichardson@brsfirm.com">mrichardson@brsfirm.com</a>
	Alexandra McTague	<a href="mailto:alexandra.mctague@wilmerhale.com">alexandra.mctague@wilmerhale.com</a>
	Donald R. Steinberg	<a href="mailto:don.steinberg@wilmerhale.com">don.steinberg@wilmerhale.com</a>
	Mark Matuschak	<a href="mailto:mark.matuschak@wilmerhale.com">mark.matuschak@wilmerhale.com</a>
	Daniel V. Williams	<a href="mailto:daniel.williams@wilmerhale.com">daniel.williams@wilmerhale.com</a>
	Kate Hutchins	<a href="mailto:Kate.Hutchins@wilmerhale.com">Kate.Hutchins@wilmerhale.com</a>
<b>Sun Microsystems, Inc.</b>	<b>Eric Hugh Findlay Findlay Craft 6760 Old Jacksonville Highway Suite 101 Tyler, TX 75703</b>  <b>Lead Counsel for Sun Microsystems, Inc.</b>	<a href="mailto:efindlay@findlaycraft.com">efindlay@findlaycraft.com</a>
	Mark D. Fowler Kathryn B. Riley	<a href="mailto:Oracle-Eolas@dlapiper.com">Oracle-Eolas@dlapiper.com</a>
<b>Texas Instruments, Inc.</b>	<b>Carl R. Roth The Roth Law Firm 115 N. Wellington Suite 200 P.O. Box 876 Marshall, TX 75671</b>  <b>Lead Counsel for Texas Instruments, Inc.</b>	<a href="mailto:cr@rothfirm.com">cr@rothfirm.com</a>
	Amanda Aline Abraham	<a href="mailto:aa@rothfirm.com">aa@rothfirm.com</a>
	Brendan Clay Roth	<a href="mailto:br@rothfirm.com">br@rothfirm.com</a>
<b>Yahoo! Inc.</b>	<b>Douglas E. Lumish Weil Gotshal &amp; Manges 201 Redwood Shores Parkway Redwood City, CA 94065</b>  <b>Lead Counsel for Amazon.com, eBay Inc., and</b>	<a href="mailto:doug.lumish@weil.com">doug.lumish@weil.com</a>

<b>Defendant</b>	<b>Counsel</b>	<b>E-mail</b>
	<b>Yahoo! Inc.</b>	
	Matthew Douglas Powers Christian J. Hurt Jared B. Bobrow Joseph H. Lee	<a href="mailto:Yahoo-Eolas@weil.com">Yahoo-Eolas@weil.com</a>
	Deborah J Race	<a href="mailto:drace@icklawn.com">drace@icklawn.com</a>
	Otis W Carroll, Jr.	<a href="mailto:fedserv@icklawn.com">fedserv@icklawn.com</a>