

EXHIBIT K

Rosemary Snider

From: Donahey, Teague [TDonahey@Sidley.com]
Sent: Friday, June 17, 2011 7:10 PM
To: Josh Budwin; Thane, Josh (NON-SIDLEY PERSONNEL); Doan, Jennifer (NON-SIDLEY PERSONNEL)
Cc: Eolas; Eolas - Weil Attorneys; Eolas - Weil Attorneys; Weil Attorneys (NON-SIDLEY PERSONNEL); Albritton, Eric (NON-SIDLEY PERSONNEL); Project Apple - Eolas; R&G Group Google; Adobe-Eolas@fr.com; Gardner, Allen F. (NON-SIDLEY PERSONNEL); Jones, Michael E. (NON-SIDLEY PERSONNEL); Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests

Josh: To be clear, with respect to Apple, Apple simply proposed that Eolas not engage in the IV/IIF discovery and, in return, Apple would agree to not use the IV/IIF documents in its damages case. Eolas did not agree to that proposal. That was the extent of the discussion with respect to Apple. In any event, having considered the IV/IIF issues in light of our discussion, Apple is agreeable to producing certain IV/IIF related documents that it may have. Apple is still determining exactly what it has to produce related to this issue, and I should have further information next week.

Teague

-----Original Message-----

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Friday, June 10, 2011 3:43 PM
To: Thane, Josh (NON-SIDLEY PERSONNEL); Doan, Jennifer (NON-SIDLEY PERSONNEL)
Cc: Eolas; Eolas - Weil Attorneys; Eolas - Weil Attorneys; Weil Attorneys (NON-SIDLEY PERSONNEL); Albritton, Eric (NON-SIDLEY PERSONNEL); Project Apple - Eolas; R&G Group Google; Adobe-Eolas@fr.com; Gardner, Allen F. (NON-SIDLEY PERSONNEL); Jones, Michael E. (NON-SIDLEY PERSONNEL); Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests

Thank you for the call today. We understand the defendants refuse to produce the requested information because they contend it is not relevant. Accordingly, we request that each defendant or the defendants collectively provide us with a date for a Rule 7 meet and confer between Monday and Wednesday next week.

Josh Thane <jthane@haltomdoan.com> wrote:

All:

Below is dial-in information for our 5:30pm CT call.

Telephone #888-889-4952
Passcode: 46918

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Friday, June 10, 2011 2:12 PM
To: Josh Budwin; Josh Thane; Jennifer Doan
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas; apple@emafirm.com1; apple-eolas@sidley.com; R&G Group Google; F&R Group Adobe; allengardner@potterminton.com; mikejones@potterminton.com; Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests

Please provide the dial-in number.

From: Josh Budwin
Sent: Friday, June 10, 2011 8:41 AM

To: Josh Thane; Jennifer Doan
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas; apple@emafirm.com1; apple-eolas@sidley.com; R&G Group Google; F&R Group Adobe; allengardner@potterminton.com; mikejones@potterminton.com; Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests

Josh -

We will speak with you then on an informal basis.

Please provide the dial in info.

Thanks.

Josh Thane <jthane@haltomdoan.com> wrote:

All of the defendants involved in this issue are available for an informal meet and confer tomorrow at 5:30pm CT. We will send around dial-in information prior to the call.

Josh

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Thursday, June 09, 2011 10:31 AM
To: Jennifer Doan
Cc: Josh Thane; Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas; apple@emafirm.com1; apple-eolas@sidley.com; R&G Group Google; F&R Group Adobe; allengardner@potterminton.com; mikejones@potterminton.com; Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests

Hi Jennifer -

It is now Thursday, and we've been trying to coordinate this call all week, to occur this week. As you are aware, the deadline for expert reports is rapidly approaching. Any further delays on producing this relevant information and/or in scheduling a meet and confer so that we may compel it, may require an extension of Eolas' damages expert report deadline. Accordingly, please provide a response today, and offer a Rule 7 meet and confer time to occur no later than COB tomorrow (Friday).

Thank you.

From: Josh Budwin
Sent: Wednesday, June 08, 2011 12:01 PM
To: 'Jennifer Doan'
Cc: Josh Thane; Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas; apple@emafirm.com1; apple-eolas@sidley.com; R&G Group Google; F&R Group Adobe; allengardner@potterminton.com; mikejones@potterminton.com; Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests Jennifer -

Please advise. We've been looking for this information for sometime now. We need to have the meet and confer this week. We are generally available to meet and confer this week, so please suggest a date/time without further delay.

Thank you.

From: Jennifer Doan [mailto:jdoan@haltomdoan.com]
Sent: Tuesday, June 07, 2011 5:04 PM

To: Josh Budwin
Cc: Josh Budwin; Josh Thane; Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;
apple@emafirm.com; apple-eolas@sidley.com; R&G Group Google; F&R Group Adobe;
allengardner@potterminton.com; mikejones@potterminton.com; Mehta, Sonal
Subject: Re: Eolas: IV and IIF discovery requests Josh.

My apologies but I'm traveling today and have been tied up on another matter. Let me get with our co-defendants and we'll get you a time to talk.

Jennifer

Sent from my iPhone

On Jun 7, 2011, at 4:08 PM, "Josh Budwin"
<jbudwin@McKoolSmith.com<mailto:jbudwin@McKoolSmith.com>> wrote:
Hi Josh -

Please advise. This issue cannot drag our any longer.

Thanks.

From: Josh Budwin
Sent: Monday, June 06, 2011 4:57 PM
To: 'Josh Thane'
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;
apple@emafirm.com<mailto:apple@emafirm.com>;
apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;
Jennifer Doan; allengardner@potterminton.com<mailto:allengardner@potterminton.com>;
mikejones@potterminton.com<mailto:mikejones@potterminton.com>; Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests Thank you. As soon as you have
alternate times for the meet and confer, please let me know.

From: Josh Thane [mailto:jthane@haltomdoan.com]
Sent: Monday, June 06, 2011 4:56 PM
To: Josh Budwin
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;
apple@emafirm.com<mailto:apple@emafirm.com>;
apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;
Jennifer Doan; allengardner@potterminton.com<mailto:allengardner@potterminton.com>;
mikejones@potterminton.com<mailto:mikejones@potterminton.com>; Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests Josh, Thanks for your email. We are
trying to coordinate with Apple/Google/Adobe prior to responding so that we can hopefully
provide you one response for all defendants as opposed to just Amazon/eBay/Yahoo!. Given
the number of defendants this relates to it may take a little while to provide a
coordinated response, but we will respond as soon as we can.

Thanks,

Josh
From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Monday, June 06, 2011 4:42 PM
To: Josh Thane
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;
apple@emafirm.com<mailto:apple@emafirm.com>;
apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;
Jennifer Doan; allengardner@potterminton.com<mailto:allengardner@potterminton.com>;
mikejones@potterminton.com<mailto:mikejones@potterminton.com>; Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests Hi Josh - Please respond to items
(1)-(3) below today, so that we may schedule the call for tomorrow. Without responses we
cannot schedule the call which we would like to do without further delay.

Thank you.

From: Josh Budwin
Sent: Monday, June 06, 2011 2:32 PM
To: 'Josh Thane'
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;

apple@emafirm.com<mailto:apple@emafirm.com>;
apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;
Jennifer Doan; allengardner@potterminton.com<mailto:allengardner@potterminton.com>;
mikejones@potterminton.com<mailto:mikejones@potterminton.com>; Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests Hi Josh -
(1) Are you coordinating for all defendants including Apple/Google/Adobe or just the Weil
defendants (eBay/Yahoo/Amazon)?
(2) Are you planning on a Rule 7 lead/local meet and confer or something informal? If a
Rule 7 meet and confer, I will check with our lead counsel.
(3) As requested twice now, please provide a written response explaining your refusal to
provide the requested information, in advance of the meet and confer.
Thanks.

From: Josh Thane [mailto:jthane@haltomdoan.com]
Sent: Monday, June 06, 2011 2:22 PM
To: Josh Budwin
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;
apple@emafirm.com<mailto:apple@emafirm.com>;
apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;
Jennifer Doan; allengardner@potterminton.com<mailto:allengardner@potterminton.com>;
mikejones@potterminton.com<mailto:mikejones@potterminton.com>; Mehta, Sonal
Subject: RE: Eolas: IV and IIF discovery requests Josh, Sonal asked us to coordinate this
issue. We are available for a meet and confer tomorrow morning at 10am CST to discuss
this matter with you.
Dial-in information is listed below.
Telephone: #800-779-9078
Passcode: 30705

Regards,
Josh

Josh Thane, J.D.

Haltom & Doan

Crown Executive Center, Suite 100

6500 Summerhill Road

Texarkana, Texas 75503

(903) 255-1009 Direct

(903) 255-1000 Office

(903) 255-0800 Facsimile

jthane@haltomdoan.com<mailto:jthane@haltomdoan.com>

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]

Sent: Monday, June 06, 2011 8:51 AM

To: Josh Budwin; Mehta, Sonal

Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;

apple@emafirm.com<mailto:apple@emafirm.com>;

apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;

Jennifer Doan; Josh Thane;

allengardner@potterminton.com<mailto:allengardner@potterminton.com>;

mikejones@potterminton.com<mailto:mikejones@potterminton.com>

Subject: RE: Eolas: IV and IIF discovery requests Hi Sonal (and counsel for other
defendants) - Please let us know whether each of you will produce the requested
Intellectual Ventures documents. If not, as requested please state your basis for
refusing the production in writing. As these documents relate to the upcoming expert
report deadline, any further delay is unacceptable.

Thank you.

From: Josh Budwin

Sent: Thursday, June 02, 2011 12:43 PM

To: Mehta, Sonal

Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;

apple@emafirm.com<mailto:apple@emafirm.com>;

apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;

Jennifer Doan; jthane@haltomdoan.com<mailto:jthane@haltomdoan.com>;

allengardner@potterminton.com<mailto:allengardner@potterminton.com>;

mikejones@potterminton.com<mailto:mikejones@potterminton.com>

Subject: RE: Eolas: IV and IIF discovery requests

Hi Sonal (and counsel for other defendants) -

As you are no doubt aware, Eolas is seeking damages from your clients as a result of their infringement of Eolas' patents. The law provides that Eolas may recover "no less than a reasonable royalty" for such infringement. As you are further aware, the damages framework for a reasonable royalty analysis includes the Georgia Pacific factors. Comparable licenses are highly relevant under the Georgia Pacific factors. Our understanding from the public documentation cited in my letter is that your clients' investment in Intellectual Ventures includes a license or covenant not to sue with respect to the Intellectual Ventures portfolio of patents. Accordingly, information related to which patents Intellectual Ventures owns/controls and the amount of money your clients paid to obtain a license/covenant not to sue with respect to those patents is relevant to the Georgia Pacific analysis. Moreover, Rule 26 and the local rules for the EDTX have a broad view of relevance. The information Eolas seeks with respect to your clients' investments falls within the scope of relevant information because it informs the Georgia Pacific analysis. If you disagree, and assert that such information cannot be relevant, please explain your basis in writing.

With respect to your request for a meet and confer with lead and local, please suggest at least two dates and times either tomorrow (Friday) or Monday. I will see if those times work from our end. That said, before the meet and confer, please provide your written response as to why you contend such information is not discoverable.

Thanks.

From: Mehta, Sonal [Sonal.Mehta@weil.com<mailto:Sonal.Mehta@weil.com>]
Sent: Wednesday, June 01, 2011 9:22 PM
To: Josh Budwin
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;
apple@emafirm.com1<mailto:apple@emafirm.com1>;
apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;
Jennifer Doan; jthane@haltomdoan.com<mailto:jthane@haltomdoan.com>;
allengardner@potterminton.com<mailto:allengardner@potterminton.com>;
mikejones@potterminton.com<mailto:mikejones@potterminton.com>
Subject: RE: Eolas: IV and IIF discovery requests

Hi Josh,

Thanks for your email. Is there anything more specific Eolas is willing to say to allow us to consider your requests? Based on what you folks have said so far, we do not see how the discovery could be relevant to any issue in the case. But if you have a theory of relevance beyond the fact that it is "relevant to damages" in your view and somehow relates to several of the Georgia Pacific factors, which you have not identified, we are of course open to considering it. If not, we will understand that is all that Eolas can or will articulate and request a LR 7 meet and confer conference so that we can raise this issue with Judge Davis. Please let us know when counsel for Eolas is available.

Best,
<image001.jpg>
Sonal N. Mehta

Weil, Gotshal & Manges LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065-1134
sonal.mehta@weil.com<mailto:YourEmailAddress@weil.com>
+1 650 802 3118 Direct
+1 650 802 3100 Fax

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Wednesday, May 25, 2011 3:10 PM
To: Mehta, Sonal
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;
apple@emafirm.com1<mailto:apple@emafirm.com1>;
apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;
Jennifer Doan; jthane@haltomdoan.com<mailto:jthane@haltomdoan.com>;
allengardner@potterminton.com<mailto:allengardner@potterminton.com>;
mikejones@potterminton.com<mailto:mikejones@potterminton.com>
Subject: RE: Eolas: IV and IIF discovery requests Typo corrected below.

From: Josh Budwin
Sent: Wednesday, May 25, 2011 4:54 PM
To: 'Mehta, Sonal'
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;
apple@emafirm.com1<mailto:apple@emafirm.com1>;
apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;
Jennifer Doan; Joshua Thane;
allengardner@potterminton.com<mailto:allengardner@potterminton.com>;
mikejones@potterminton.com<mailto:mikejones@potterminton.com>
Subject: RE: Eolas: IV and IIF discovery requests Hi Sonal - In addition to the statement
you quote below, the requested discovery is relevant to damages issues, including, but not
limited to several of the Georgia Pacific factors.
Please let us know if you will provide the requested discovery, and, if not, on what
basis.
Thank you.

From: Mehta, Sonal [mailto:Sonal.Mehta@weil.com]
Sent: Tuesday, May 24, 2011 2:27 PM
To: Josh Budwin
Cc: Eolas; Yahoo-Eolas; Amazon-Eolas; EBay-Eolas;
apple@emafirm.com1<mailto:apple@emafirm.com1>;
apple-eolas@sidley.com<mailto:apple-eolas@sidley.com>; R&G Group Google; F&R Group Adobe;
Jennifer Doan; Joshua Thane;
allengardner@potterminton.com<mailto:allengardner@potterminton.com>;
mikejones@potterminton.com<mailto:mikejones@potterminton.com>
Subject: Eolas: IV and IIF discovery requests Josh, We are in receipt of Eolas's requests
last Friday for documents and Rule
30(b)(6) deposition testimony relating to Intellectual Ventures and Invention Investment
Fund. Your letter notes that the "the information is relevant to how our clients value
patents and patent litigations, which may relate to the claims or defenses made by the
parties in this action." We would appreciate it if you could let us know Eolas's position
on whether there is anything more particular you can say about your theory of relevance to
this discovery beyond that general statement so we can consider your position in
responding to your Intellectual Ventures and Invention Investment Fund discovery requests.

Best,

<image001.jpg>
Sonal N. Mehta

Weil, Gotshal & Manges LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065-1134
sonal.mehta@weil.com<mailto:YourEmailAddress@weil.com>
+1 650 802 3118 Direct
+1 650 802 3100 Fax

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message. Thank you.

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notified that any dissemination, distribution or copying of this communication is strictly
prohibited. If you have received this communication in error, please immediately notify us
by email (postmaster@weil.com<mailto:postmaster@weil.com>), and destroy the original
message. Thank you.

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