

# Exhibit 6

## **McKool Smith**

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May 10, 2007

**VIA EMAIL (james.blank@lw.com)**

James Blank  
Latham & Watkins LLP  
885 Third Avenue  
New York, New York 10022-4834

RE: *Anascape, Ltd. v. Microsoft Corp. and Nintendo of America, Inc.*  
Civil Action No. 9:06-CV-158-RC

Dear Jim:

I am writing in response to your May 4, 2007 letter regarding Nintendo's refusal to produce the entire notebook of Howard Cheng. Anascape reiterates its requests that Nintendo produce the entire notebook as soon as possible.

The entire notebook is relevant to this lawsuit. Nintendo's position that the document should not be produced because it is not relevant to the accused products or prior art assertions fails to account for other issues to which Mr. Cheng's notebook is relevant, including (1) Mr. Cheng's and Nintendo's opinions of the novelty and value of Mr. Armstrong's inventions and (2) any steps Mr. Cheng and Nintendo undertook to avoid willfully infringing Mr. Armstrong's patents. At a minimum, the notebook will enable Anascape to place Mr. Armstrong's meeting with Mr. Cheng within the context of Mr. Cheng's day-to-day responsibilities at Nintendo.

Please either produce the entire notebook or confirm that Nintendo will oppose Anascape's motion to compel by Monday, May 14.

In addition, Nintendo's position on the relevance of Mr. Cheng's notebook has caused us worry that Nintendo has failed to produce any other relevant documents. Although Anascape believes that any non-privileged documents regarding Nintendo's analysis, valuation, or discussion of Mr. Armstrong's prototype controllers and inventions should have been produced months ago, Anascape requests that Nintendo immediately produce such documents or confirm that it is not aware of any non-privileged documents that fall within that category and have not previously been produced. Again, please respond by Monday, May 14.

Feel free to call me if you have any questions.

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Sincerely,



Luke F. McLeroy

cc: J. Christopher Carraway  
R. Christopher Bunt