

IN THE UNITED STATES DISTRICT COURT  
 FOR THE EASTERN DISTRICT OF TEXAS  
 LUFKIN DIVISION

ANASCAPE, LTD.	§	
	§	Hon. Ron Clark
Plaintiff,	§	
	§	
v.	§	Civil Action No. 9:06-CV-00158-RC
	§	
MICROSOFT CORPORATION, and	§	
NINTENDO OF AMERICA, INC.,	§	
	§	
Defendants.	§	

**DEFENDANTS’ OBJECTIONS TO PLAINTIFF’S TRIAL EXHIBITS**

Defendants Microsoft Corporation and Nintendo of America hereby provide their objections to Plaintiff’s Trial Exhibit List. Pursuant to Ms. Chen’s April 3, 2008 e-mail to the parties, Defendants have not listed objections based on relevance or materiality, and reserve the right to make such objections at the appropriate time. Defendants also reserve the right to augment, or otherwise modify their objections to Plaintiff’s exhibits list based on circumstances as they may evolve prior to the commencement of trial, including but not limited to Motions in Limine, Motions for Summary Judgment, or any other pre-trial motion, objections, or ruling.

Plaintiff’s Trial Ex. No.	Defendants’ Objections	Plaintiff’s Response	Court’s Ruling
<b>PX9</b> 07/02/1999 E-mail from B. Armstrong to T. Holmdahl re: more thorough product demos (Holmdahl Deposition, 10/18/2007, Ex. 178) [MS-ANAS159894 -MS-ANAS159895]	<b><u>Pre-Suit Interactions:</u></b> Defs’ MIL No. 5 (Pre-suit Interactions) (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX10</b> 08/12/1999 E-mail from T. Holmdahl to B. Armstrong re: Going Forward (Holmdahl Deposition,	<b><u>Pre-Suit Interactions:</u></b> Defs’ MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste		

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10/18/2007, Ex. 179) [MS-ANAS159893]	of Time).		
PX11 08/23/1999 E-mail from T. Holmdahl to P. Lovell forwarding B. Armstrong information (Holmdahl Deposition, 10/18/2007, Ex. 180) [MS-ANAS159847]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
PX12 10/18/1999 E-mail from T. Holmdahl to P. Lovell re: Brad (Holmdahl Deposition, 10/18/2007, Ex. 181) [MS-ANAS159836]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
PX13 07/13/2005 House & Entertainment, FY05 Actual Trend, US Dollars in Thousands (Moline Deposition, 10/24/2007, Ex. 213) [MS-ANAS165929 - MS-ANAS165988]	<b><u>Overall or Foreign Sales/Profits:</u></b> Defs' MIL Nos. 16 (Overall Sales/Profits), 17 (Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
PX25 08/23/2001 Letter from Nintendo of America, Inc. J. Moore to Nintendo Retailer (Pederson Deposition, 03/21/2007, Ex. 30) [NAA00000041 - NAA00000043]	<b><u>Overall Sales/Profits:</u></b> Defs' MIL No. 16 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
PX37 12/13/2001 Letter from K. Tyler to B. Stolar recapping their 12/13/2001 telephone conversation (Stolar Deposition, 12/20/2007, Ex. 287) [ANS0007792]	<b><u>Sony-Anascape Settlement:</u></b> Defs' MIL 1 (Sony-Anascape Settlement); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 408 (Settlement); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
PX38 11/29/2004 Affidavit of B. Stolar with attachments (Stolar Deposition, 12/20/2007, Ex. 291) [ANS0027856 - ANS0027859]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions) (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		

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	Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX42</b> Undated - letter from B. Armstrong to Kelly (Tyler Deposition, 10/16/2007, Ex. 104) [ANS0053009 - ANS0053010]	Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authenticity).		
<b>PX45</b> 12/28/1998 E-mail from K. Tyler to D. de la Torre, re: Sending of 100K, Attachment: Limited Partnership 5.doc and Conditional Assignment 5.doc (Tyler Deposition, 10/16/2007, Ex. 110) [ANS0063656 - ANS0063673]	<del>Rule 403 (Confusion, Prejudice);</del> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authenticity).		
<b>PX46</b> 12/23/1999 Anascape Certificate of Limited Partnership (Tyler Deposition, 10/16/2007) [ANS0028168 - ANS0028182]	<b><u>Sony-Anascape Settlement:</u></b> Defs' MIL 1 (Sony-Anascape Settlement); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 408 (Settlement); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX47</b> 12/28/1999 Assignment Agreement between B. Armstrong and Anascape (Tyler Deposition, 10/16/2007, Ex. 112) [ANS0004701 - ANS0004708]	<del>Rule 403 (Confusion, Prejudice);</del> Rule 802 (Hearsay); Rule 901 (Authentication).		
<b>PX48</b> 10/19/2000 Supplemental Agreement between B. Armstrong and Anascape (Tyler Deposition, 10/16/2007, Ex. 113) [ANS0004709 - ANS0004716]	<del>Rule 403 (Confusion, Prejudice);</del> Rule 802 (Hearsay); Rule 901 (Authentication).		
<b>PX55</b> 04/20/2004 Patent License Agreement between,	<b><u>Sony-Anascape Settlement:</u></b> Defs' MIL 1 (Sony-Anascape		

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<p>on the one hand, Sony Computer Entertainment America Inc. and Sony Computer Entertainment Inc., and on the other hand, Anascape, B. Armstrong and K. Tyler (Tyler Deposition, 10/16/2007, Ex. 129) [ANS0004667 - ANS0004679]</p>	<p>Settlement); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 408 (Settlement); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).</p>		
<p><b>PX56</b> 06/26/2002 Letter from K. Tyler to M. Perlis enclosing Issued Patent Portfolio (list of 18 Anascape Patents), 6 Claim Charts (Tyler Deposition, 10/16/2007, Ex. 133) [ANS0027688 - ANS0027691]</p>	<p>Rule 802 (Hearsay)</p>		
<p><b>PX57</b> 09/09/2002 Letter from K. Tyler to T. Hoff (Logitech) enclosing Issued Patent Portfolio (list of 18 Anascape Patents), 6 Claim Charts (Tyler Deposition, 10/16/2007, Ex. 134) [ANS0007855 - ANS0007856]</p>	<p>Rule 802 (Hearsay)</p>		
<p><b>PX58</b> 11/29/2001 Affidavit of B. Stolar (Tyler Deposition, 10/16/2007, Ex. 139) [ANS0007846]</p>	<p><b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions) (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).</p> <p>Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).</p> <p><b><u>Sony-Anascape Settlement:</u></b> Defs' MIL 1 (Sony-Anascape Settlement); Rule 403 (Prejudice, Confusion, Waste</p>		

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	of Time); Rule 408 (Settlement Discussions).		
<b>PX59</b> 10/05/2001 Letter from B. Fischbach to S. Quan (Microsoft Corporation) re: Anascape (Tyler Deposition, 10/16/2007, Ex. 140 [ANS0007849 - ANS0007850])	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions) (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).  Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX60</b> 04/23/2002 Letter from K. Tyler to B. Bach enclosing Issued Patent Portfolio (list of 14 issued Anascape Patents) (Tyler Deposition, 10/16/2007, Ex. 141) [ANS0007851 - ANS0007852]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions) (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).  Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX61</b> 04/30/2002 Telephone message - S. Quan (Microsoft Corporation) - wants list of claims that we are concerned about (Tyler Deposition, 10/16/2007, Ex. 142) [ANS0007853]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions) (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).  Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX74</b> Undated - Presentation by R. Holmdahl "Xenon Peripheral Plan" (Martinez Expert Report) [MS-ANAS164516 - MS-ANAS164533]	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL Nos. 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX76</b> 02/02/2007 Chart re: identified products: Xbox	<b><u>Pre-Suit Sales:</u></b> Rule 403 (Prejudice,		

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Controller; Total US Revenue; Microsoft Corporation November, 2000 -December, 2006 (Martinez Expert Report) [MS-ANAS165685 - MS-ANAS165705]	Confusion, Waste of Time) (only as to portion of document showing pre-suit sales).		
<b>PX77</b> 02/02/2007 Chart re: identified products: Xbox Controller; Total Worldwide Licenses; Microsoft Corporation November, 2000 - December, 2006 (Martinez Expert Report) [MS-ANAS165706 - MSANAS165726]	<b><u>Foreign Sales/Profits:</u></b> Defs' MIL No. 17 (Foreign Sales/Proifits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX78</b> 02/02/2007 Chart re: identified products: Xbox Controller; Total Worldwide Revenue; Microsoft Corporation November, 2000 - December, 2006 (Martinez Expert Report) [MS-ANAS165727 - MS-ANAS165747]	<b><u>Foreign Sales/Profits:</u></b> Defs' MIL No. 17 (Foreign Sales/Proifits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX81</b> 02/27/1997 Letter from B. Armstrong to M. Paul re: patents for 6 DOFF controllers (Martinez Expert Report) [ANS0041787 - ANS0041789]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted).		
<b>PX82</b> 10/05/2001 Letter from B. Fischbach to S. Quan re: Anascape (Martinez Expert Report) [ANS0027835 - ANS0027839]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted).		
<b>PX88</b> 01/15/1993 The New IEEE Standard Dictionary of Electrical and Electronics Terms [Including Abstracts of all Current IEEE Standards],	Rule 403 (Confusion, Waste of time); Rule 901 (Authenticity)		

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Fifth Edition, by G. Kuris, Chair and C. Booth, Editor (Anascape's Opening Claim Construction Brief - Part I, Ex.5)			
<b>PX89</b> 09/25/2006 Nintendo's Corporate Disclosure Statement (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 11)	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX90</b> 02/13/2007 Nintendo's Notice of Initial Disclosure (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 12)	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX91</b> 03/11/2007 Nintendo's Privilege Log (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 13)	<b><u>Privilege Log:</u></b> Defs' MIL No. 13 (Negative Inference from Privilege); Rule 403 (Prejudice, Misleading, Confusion, Waste of Time); Defs' MIL No. 8 (Cheng Meeting).		
<b>PX92</b> 07/12/2007 Nintendo's Supplemental Privilege Log (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 14)	<b><u>Privilege Log:</u></b> Defs' MIL No. 13 (Negative Inference from Privilege); Rule 403 (Prejudice, Misleading, Confusion, Waste of Time); Defs' MIL No. 8 (Cheng Meeting).		
<b>PX93</b> Undated - Initial Disclosures of Nintendo (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 15)	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX94</b> 06/06/2007 Notice of 67th Annual General Meeting of Nintendo Shareholders with attached Business Report (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 16)	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL Nos. 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX95</b> Website: Business Week's link to Nintendo's	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if		

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Board of Directors Members (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 17)	offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).		
<b>PX96</b> Website: Nintendo's Media Site, "Nintendo Hires Two New Eves to Oversee Sales & Marketing, Special Projects" (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 18)	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX97</b> Nintendo's Annual Report 2007 (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 19)	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX98</b> Website: Nintendo index in Japanese (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 20)	Rule 403 (Prejudice, Confusion, Waste of Time); Rule 901 (Authenticity)		
<b>PX102</b> 04/26/2007 Nintendo's Consolidated Financial Statements Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 24)	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX103</b> Website: Nintendo Corporate Information / International Distributors - Company List (Anascape's Motion to Compel Production to Nintendo, 10/29/2007, Ex. 25)	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX111</b> 09/25/2006 "Survey says: Gamers want Rumble" (Anascape's Omnibus Response to Microsoft Motion for Partial Summary Judgment, Nintendo Motion for Summary Judgment and Defendants' Joint Motion for Partial Summary Judgment,	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).		



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03/13/2008, Ex. 31)			
<b>PX112</b> 12/23/1999 Anascape's Limited Partnership Agreement (Martinez Expert Report, 03/03/2008) [ANS0004718 - ANS0004729]	<u><b>Sony-Anascape Settlement:</b></u> Defs' MIL 1 (Sony-Anascape Settlement); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 408 (Settlement); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX113</b> Undated - Microsoft's Annual Report 2007 (Martinez Expert Report, 03/03/2008)	<u><b>Overall and Foreign  Sales/Profits:</b></u> Defs' MIL 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX114</b> 05/13/1993 Joint Venture Agreement between Key Tonic Corporation and Global Devices and S. Bowman (Bowman Deposition, 10/03/2007, Ex. 87) [ANS0008091 - ANS0008106]	<u><b>Non-Comparable Licenses:</b></u> Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX115</b> 09/20/1993 Letter agreement from R. Loiter to B. Armstrong and S. Bowman modifying 05/13/1993 Joint Venture Agreement (Bowman Deposition, 10/03/2007, Ex. 88) [ANS0040276 - ANS0040277]	<u><b>Non-Comparable Licenses:</b></u> Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX121</b> Undated - Letter from B. Armstrong to Howard in Response to NODE (Cheng Deposition, 10/17/2007, Ex. 145) [ANS0055067]	<u><b>Pre-Suit Interactions:</b></u> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authenticity).		
<b>PX122</b> Undated - Letter from B. Armstrong to Howard in Response to NODE (Cheng Deposition, 10/17/2007, Ex.	<u><b>Pre-Suit Interactions:</b></u> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste		

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146) [ANS0055066]	of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authenticity).		
<b>PX123</b> 08/27/1997 Handwritten notes re: Nintendo Technology Development, Howard Cheng (Cheng Deposition, 10/17/2007, Ex. 147) [NAA00014643 - NAA00014644]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Defs' MIL No. 8 (Cheng Meeting).		
<b>PX124</b> Undated - articles entitled "Global Navigator vs. Space Ball," and "Fundamental Advantages of the Extreme 6DOF Patent Portfolio" (Cheng Deposition, 10/17/2007, Ex. 148) [NAA00014645 - NAA00014647]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Improper Lay Opinion); Rule 901 (Authentication).  <b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Defs' MIL No. 8 (Cheng Meeting).		
<b>PX125</b> Undated - Patent Server IBM detailed view of 5565891: Six degrees of freedom graphics Controller (Cheng Deposition, 10/17/2007, Ex. 149) [NAA00014648 - NAA00014660]	Rule 403 (Prejudice, Confusion) (conditioned on the grant of Defendants' motion for summary judgment of no willful infringement)		
<b>PX128</b> 05/27/1998 71 of 106 Documents, Business Wire, Headline: New PlayStation Game Consoles to Include Dual Shock Analog Controller as Standard Pack-In for \$149 (Panic Deposition, 02/20/2008, Ex. 311) [SCEA00534-SCEA00535]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).		

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<p><b>PX129</b> 11/12/2000            Newsweek article "Now It's Nintendo's Turn" (Harrison Deposition, 11/09/2007, Ex. 263) [NAA00017341 - NAA00017343]</p>	<p><b><u>3<sup>rd</sup> Party Article:</u></b>            Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).</p>		
<p><b>PX130</b> 05/16/2001 MSNBC article "Biggest fight in video game history kicks off this week" (Harrison Deposition, 11/09/2007, Ex. 264) [NAA00017746 - NAA00017748]</p>	<p><b><u>3<sup>rd</sup> Party Article:</u></b>            Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).</p>		
<p><b>PX135</b> 09/07/2006 Wii DVD Script and 09/07/06 E-mail from S. Pelland to J. Moore and K. Poston re: NP DVD (attaching script) [NAA00021897 - NAA00021905]</p>	<p>Rule 802 (Hearsay)(pertains to email); Rule 106 (Incomplete document)(pertains to email)</p>		
<p><b>PX136</b> 03/03/1999 Fax from K. Tamura to Mr. Koshiishi re: controller (Harrison Deposition, 11/09/2007, Ex. 285) [NCA00003041 - NCA00003045]</p>	<p>Rule 802 (Hearsay)</p>		
<p><b>PX138</b> Undated - Facsimile from B. Armstrong to M. Paul at Microsoft re: Thanks for meeting at CGDC and Good News! (Holmdahl Deposition, 10/18/2007, Ex. 156) [ANS0051502]</p>	<p><b><u>Pre-Suit Interactions:</u></b>            Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (to the extent communications of B. Armstrong or Anascape are included and offered for truth of matters asserted; also hearsay to extent communications of Microsoft are included and offered for truth of matters asserted and against NOA).</p>		
<p><b>PX139</b> 02/27/1997 Letter from B. Armstrong to M. Paul re: patents for 6 DOF</p>	<p>Duplicate (PX81)  <b><u>Pre-Suit Interactions:</u></b></p>		

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controllers (Holmdahl Deposition, 10/18/2007, Ex. 157) [ANS0041787 - ANS0041789]	Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (to the extent communications of B. Armstrong or Anascape are included and offered for truth of matters asserted; also hearsay to extent communications of Microsoft are included and offered for truth of matters asserted and against NOA).		
<b>PX140</b> 04/15/1999 E-mail from T. Holmdahl to M. Van Flandern re: Useful New Products (Holmdahl Deposition, 10/18/2007, Ex. 160) [MS-ANAS159953 - MS-ANAS159954]	<u><b>Pre-Suit Interactions:</b></u> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX141</b> 04/18/1999 E-mail from B. Armstrong to T. Holmdahl re: Meet (Holmdahl Deposition, 10/18/2007, Ex. 161) [MS-ANAS159869]	<u><b>Pre-Suit Interactions:</b></u> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (to the extent communications of B. Armstrong or Anascape are included and offered for truth of matters asserted; also hearsay to extent communications of Microsoft are included and offered for truth of matters asserted and against NOA).		
<b>PX142</b> 04/22/1999 E-mail from B. Armstrong to T. Holmdahl re: Meet (Holmdahl Deposition, 10/18/2007, Ex. 162) [MS-ANAS159864 - MS-ANAS159866]	<u><b>Pre-Suit Interactions:</b></u> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (to the extent communications of B. Armstrong or Anascape are included and offered for truth of matters asserted; also hearsay to extent		

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	communications of Microsoft are included and offered for truth of matters asserted and against NOA).		
<b>PX143</b> 04/26/1999 E-mail from T. Holmdahl to M. Van Flandern and S. Plank re: Meet (Holmdahl Deposition, 10/18/2007, Ex. 163) [ <b>MS-ANAS159936 - MS-ANAS159938</b> ]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX144</b> 04/26/1999 E-mail from B. Armstrong to T. Holmdahl re: Meet (Holmdahl Deposition, 10/18/2007, Ex. 164) [ <b>MS-ANAS159859 - MS-ANAS159863</b> ]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (to the extent communications of B. Armstrong or Anascape are included and offered for truth of matters asserted; also hearsay to extent communications of Microsoft are included and offered for truth of matters asserted and against NOA).		
<b>PX145</b> 05/05/1999 E-mail from T. Holmdahl to S. Plank, P. Lovell, C. Ledbetter, S. Kaneko re: idea (Holmdahl Deposition, 10/18/2007, Ex. 167) [ <b>MS-ANAS159922</b> ]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX146</b> 05/06/1999 E-mail from S. Kaneko to T. Holmdahl, P. Lovell, C. Ledbetter re: idea (Holmdahl Deposition, 10/18/2007, Ex. 168) [ <b>MS-ANAS159921</b> ]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX147</b> 05/06/1999 E-mail from C. Ledbetter to T. Holmdahl re: Orca "Z" control idea (Holmdahl Deposition, 10/18/2007, Ex. 169) [ <b>MS-ANAS159920</b> ]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX148</b> 05/07/1999 E-mail	<b><u>Pre-Suit Interactions:</u></b>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
from B. Armstrong to P. Lovell, T. Holmdahl re: Thanks for meeting with me. (Holmdahl Deposition, 10/18/2007, Ex. 170) [MS-ANAS159857]	Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX149</b> 05/18/1999 E-mail from B. Armstrong to T. Holmdahl, P. Lovell re: Ready to sign the NDA (Holmdahl Deposition, 10/18/2007, Ex. 171) [MS-ANAS159856]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (to the extent communications of B. Armstrong or Anascape are included and offered for truth of matters asserted; also hearsay to extent communications of Microsoft are included and offered for truth of matters asserted and against NOA).		
<b>PX150</b> 05/20/1999 E-mail from T. Holmdahl to B. Armstrong, P. Lovell re: Ready to Sign the NDA (Holmdahl Deposition, 10/18/2007, Ex. 172) [MS-ANAS1599913]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX151</b> 05/24/1999 E-mail from B. Armstrong to T. Holmdahl re: Ready to Sign the NDA? (Holmdahl Deposition, 10/18/2007, Ex. 173) [MS-ANAS159852]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (to the extent communications of B. Armstrong or Anascape are included and offered for truth of matters asserted; also hearsay to extent communications of Microsoft are included and offered for truth of matters asserted and against NOA).		
<b>PX152</b> 06/15/1999 E-mail from B. Armstrong to P. Lovell, T. Holmdahl re: NDA	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
- Status? (Holmdahl Deposition, 10/18/2007, Ex. 174) [MS-ANAS159851]	(Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (to the extent communications of B. Armstrong or Anascape are included and offered for truth of matters asserted; also hearsay to extent communications of Microsoft are included and offered for truth of matters asserted and against NOA).		
<b>PX153</b> 06/16/1999 E-mail from T. Holmdahl to B. Armstrong, P. Lovell re: DNA [sic] - Status? (Holmdahl Deposition, 10/18/2007, Ex. 175) [MS-ANAS159903 - MS-ANAS159904]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX154</b> 06/20/1999 E-mail from B. Armstrong to T. Holmdahl, P. Lovell re: More Thorough Product Demos? (Holmdahl Deposition, 10/18/2007, Ex. 176) [MS-ANAS159848 - MS-ANAS159850]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (to the extent communications of B. Armstrong or Anascape are included and offered for truth of matters asserted; also hearsay to extent communications of Microsoft are included and offered for truth of matters asserted and against NOA).		
<b>PX155</b> 07/01/1999 E-mail from T. Holmdahl (Holmdahl Deposition, 10/18/2007, Ex. 177) [MS-ANAS159897-MS-ANAS159899]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX172</b> 01/06/2001 Article: Microsoft Designers Go to Extremes to Make Sure the Xbox Console and Controller Convey New And Unforeseen Gameplay Experience (Rebuttal Expert Report of R.	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Improper Lay Opinion); Rule 901 (Authentication).		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
Howe, 03/03/2008)			
<b>PX173</b> 09/27/2001 Article: IGN: Dual Shock 2 Review (Rebuttal Expert Report of R. Howe, 03/03/2008)	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Improper Lay Opinion); Rule 901 (Authentication).		
<b>PX174</b> 10/26/2000 Article: Sony DualShock 2 Analog Controller (Black) - CNET review (Rebuttal Expert Report of R. Howe, 03/03/2008)	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Improper Lay Opinion); Rule 901 (Authentication).		
<b>PX183</b>	Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (alleged statements by Mitsumi)		
<b>PX184</b> 10/15/1999 E-mail from W. Mack to R. Vingerelli, B. Friedrich (HRDW/USA), M. DuCoeur, T. Schafenacker re: Tilt and X-box matters (Rebuttal Expert Report of R. Howe, 03/03/2008) [ <b>MS-ANAS0031852</b> ]	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX185</b> 08/22/2005 Xbox 360 Accessories Roadmap (Rebuttal Expert Report of R. Howe, 03/03/2008) [ <b>MS-ANAS161260 -MS-ANAS161286</b> ]	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX191</b> 12/19/2003 Expert Report of M. Wagner in Immersion Corporation v. Sony (Rebuttal Expert Report of R. Howe, 03/03/2008) [ANS0068880 - ANS0068915]	<b><u>Immersion Settlement:</u></b> Defs' MIL No. 2 (Microsoft-Immersion Settlement); Rule 403 (Prejudice, Confusion, Waste of Time).  <b><u>Expert Report:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time);		



Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
	<p>Rule 802 (Hearsay) (only if offered for truth of matters asserted).</p> <p>Rule 702, Rule 26 (Undisclosed Testimony by Experts).</p>		
<p><b>PX201</b> 07/15/1993 and 07/20/1993 Global fax cover sheets (2) from S. Bowman of Global Devices to M. Phalen of Key Tronic Corporation re: (1st fax) Development unit and Computer-Aided Engineering Buyer's Guide and (2nd fax) an Atari article [ANS0040164]</p>	<p>Rule 802 (Hearsay) (only if offered for truth of matters asserted).</p>		
<p><b>PX202</b> 07/20/1993 Global Fax Cover Sheet from S. Bowman to M. Phalen for J. DeWenter re: Here's an article I thought would be of interest to you..... (re new Atari game) [ANS0040165]</p>	<p>Rule 802 (Hearsay) (only if offered for truth of matters asserted).</p>		
<p><b>PX203</b> 07/28/2003 Website article, San Jose, Calif., "Microsoft Licenses Immersion's Haptic Patent Portfolio, Agreements Settle Legal Differences, Provide Microsoft Broad Licensing Rights to Sense of Touch Patents on Multiple Platforms" (immr.client.shareholder.com/ReleaseDetail.cfm?ReleaseID=114868&amp;printable=1)</p>	<p><b><u>Immersion Settlement:</u></b>            Defs' MIL No. 2 (Microsoft-Immersion Settlement); Rule 403 (Prejudice, Confusion, Waste of Time).</p> <p><b><u>3<sup>rd</sup> Party Article:</u></b>            Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Improper Lay Opinion); Rule 901 (Authentication).</p>		
<p><b>PX204</b> Undated - Website article "Does this week's injunction, halting all imports of PlayStation product, have Sony shaking, rattling, or rolling? We ask Immersion boss Victor Viegas to explain</p>	<p><b><u>Immersion Litigation:</u></b>            Rule 403 (Prejudice, Confusion, Waste of Time).</p> <p><b><u>3<sup>rd</sup> Party Article:</u></b>            Rule 802 (Hearsay) (only if offered for truth of matters</p>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
if it's game over for Sony" (www.gamespot.com/news/6121323.html?&print=1) (K. Ugone Rebuttal Expert Report, 03/03/2008)	asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Improper Lay Opinion); Rule 901 (Authentication).		
<b>PX216</b> 03/31/2001 - 09/30/2007 Nintendo of America, Inc. Monthend Income Statement Summary (Meader Deposition 11/8/2007, Ex. 246) [NAA00023081 - NAA00023129]	<b><u>Overall Sales/Profits:</u></b> Defs' MIL No. 16 (Overall Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX217</b> 10/00/2005 - 12/00/2006 Microsoft Corporation Identified Products: Common Controller Total US Licenses <b>and Revenue</b> (Moline Deposition 10/14/2007, Ex 203) [MS-ANAS165479 - MS-ANAS165482]	<b><u>Pre-Suit Sales:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (only as to portion of document showing pre-suit sales).		
<b>PX218</b> 10/00/2005 - 12/00/2006 Microsoft Corporation Identified Products: Common Controller Total <del>US</del> <b>Worldwide</b> Licenses <b>and Revenue</b> (Moline Deposition 10/14/2007, Ex 204) [MS-ANAS165483 - MS-ANAS165486]	<b><u>Foreign Sales/Profits:</u></b> Defs' MIL 17 (Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).  <b><u>Pre-Suit Sales:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (only as to portion of document showing pre-suit sales).		
<b>PX219</b> 07/07/2006 Home & Entertainment Product P&L FY06 Actual Trent US Dollars In Thousands (Moline Deposition 10/14/2007, Ex. 206) [MS-ANAS165489 - MS-ANAS165544]	<b><u>Foreign Sales/Profits:</u></b> Defs' MIL 17 (Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX220</b> 01/17/2007 Home & Entertainment Product P&L FY07 YTD Dec Actual Trent	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL Nos. 16-17		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
US Dollars In Thousands (Moline Deposition 10/14/2007, Ex. 207) [MS-ANAS165548 - MS-ANAS165663]	(Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX221</b> 11/00/2000 - 12/00/2006 Microsoft Corporation Identified Products: Total US Licenses (Moline Deposition 10/14/2007, Ex. 208) [MS-ANAS165664 - MS-ANAS165747]	<b><u>Pre-Suit Sales:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (only as to portion of document showing pre-suit sales).		
<b>PX 222</b> 07/10/2000 Microsoft Consolidated P&L Div: Xbox FY00 Actual Trend US Dollar In Thousands (Moline Deposition 10/14/2007, Ex. 209) [MS-ANAS165748 - MS-ANAS165765]	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL Nos. 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).  <b><u>Pre-Suit Sales:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (as to portion of document showing pre-suit sales).		
<b>PX223</b> 07/05/2002 Product FY02 Actuals vs FY01 Actuals for the Months of January-December US Dollars In Thousands Div: Xbox (Moline Deposition 10/14/2007, Ex. 210) [MS-ANAS165766 - MS-ANAS165816]	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL Nos. 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).  <b><u>Pre-Suit Sales:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (as to portion of document showing pre-suit sales).		
<b>PX224</b> 07/09/2003 Home & Entertainment FY03 Actual Trend US Dollars In Thousands Div: Xbox (Moline Deposition	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL Nos. 16-17 (Overall and Foreign Sales/Profits); Rule 403		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
10/14/2007, Ex. 211) [MS-ANAS165817 - MS-ANAS165868]	(Prejudice, Confusion, Waste of Time).  <b><u>Pre-Suit Sales:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (as to portion of document showing pre-suit sales).		
<b>PX225</b> 07/14/2004 Home & Entertainment FY 04 Actual Trend US Dollars In Thousands Div: Xbox (Moline Deposition 10/14/2007, Ex. 212) [MS-ANAS165869 - MS-ANAS165928]	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL Nos. 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).  <b><u>Pre-Suit Sales:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (as to portion of document showing pre-suit sales).		
<b>PX226</b> 12/26/2002 E-mail from K. Tyler to <a href="mailto:Tom@inteclink.com">Tom@inteclink.com</a> encl. outline of potential agreement (Bratic Expert Report 02/11/2008) [ANS0007809 - ANS0007811]	<b><u>Unaccepted License Offers:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (unaccepted license offer); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX227</b> 01/15/2003 E-mail from K. Tyler to T. Kruszewski re: proposed agreement (W. Bratic's Expert Report 02/11/2008) [ANS0007815]	Rule 106 (Remainder/ Related Writing)  <b><u>Unaccepted License Offers:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (unaccepted license offer); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX232</b> 02/08/2001 E-mail string from J. DeYoung re: final controllers? (Mark Baldwin, Baldwin Consulting,	Rule 802 (Hearsay) (only if offered for truth of matters asserted).		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
02/11/2008) [MS-ANAS0156437]			
<b>PX235</b> 01/08/2007 "National Television Academy Announces Emmy Winning Achievements: Honors Bestowed at 58th Annual Technology & Engineering Emmy Awards" (Mark Baldwin, Baldwin Consulting, 02/11/2008) [ANS0069316 - ANS0069319]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).  Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX236</b> 01/24/2008 Answers from Laptop Experts, "Growth of gaming in 2007 far outpaces movies, music" (Mark Baldwin, Baldwin Consulting, 02/11/2008) [No Bates]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).		
<b>PX237</b> 09/29/2006 Memorandum from T. Grankcom to Xenon Competitive Trends/ Information re: Immersion-Sponsored Survey Highlights Force Feedback Interest (Mark Baldwin, Baldwin Consulting, 02/11/2008) [MS-ANAS0141891 - MS-ANAS0141892]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).		
<b>PX240</b> 01/18/2008 "Wii Continues to Lead Console Sales" by Dan Gallagher in Wall Street Journal [No Bates]	Rule 802 (Hearsay); Rule 901 (Authentication)  <b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX241</b> 01/02/2008 Declaration of Michael Thumm [ANS0068799 - ANS0068800]	Rule 802 (Hearsay)		
<b>PX242</b> 05/21/2007 - STMicroelectronics	<b><u>Unreliable Expert Testimony:</u></b>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
LIS3L02AE 3-Axis Accelerometer - MEMS Process Review [ANS0068699 - ANS0068798]	Rule 802 (Hearsay); Rule 803(6) (Record lacking trustworthiness); Rule 702 (Expert testimony); Fed. R. Civ. P. 26(a).		
<b>PX243</b> 02/14/2006 - Analog Devices ADXL330 Three-Axis ±2 g MEMS Accelerometer Process Review [ANS0068555 - ANS0068698]	<b><u>Unreliable Expert Testimony:</u></b> Rule 802 (Hearsay); Rule 803(6) (Record lacking trustworthiness); Rule 702 (Expert testimony); Fed. R. Civ. P. 26(a).		
<b>PX246</b> 12/30/2005 Fax from Office of Secretary of State, State of Nevada, to Adams & Coker PC with Job Receipt and Filing Acknowledgement of Articles of Conversion [ <b>No Bates</b> ]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX247</b> Undated - "Extreme 6DOF Controllers The Best in 3D Image Control" [ <b>No Bates</b> ]	Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX249</b> 12/30/2005 Articles of Conversion of Anascape, a Nevada Limited Partnership Into Anascape, Ltd. [ <b>No Bates</b> ]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX250</b> 03/20/1989 TO 05/08/1992 "Inventor's Notebook"	Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX252</b> 04/14/1999 E-mail string from T. Holmdahl to S. Ashmun, K. Empey, G. Bacon re: Useful New Products [ <b>MS-ANAS159959</b> ]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX253</b> 04/14/1999 E-mail string from G. Bacon to T. Holmdahl re: Useful New Products [ <b>MS-ANAS159957-MS-ANAS159958</b> ]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
<b>PX254</b> Undated - GameInformer Magazine "World Exclusive God of War 2" [ANS0068553 - ANS0068554]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).  Rule 701 (Opinion Testimony by Lay Witness).		
<b>PX258</b> 05/06/1999 E-mail string from C. Ledbetter to T. Holmdahl re: Orca "Z" control idea [MD-ANAS159920]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX259</b> Sony Dual Shock Controller	Illegible Photograph.		
<b>PX260</b> Nintendo game, 1942, for Atari	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX261</b>	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX262</b> 06/21/2002 Correspondence from K. Tyler at Anascape to S. Quan at Microsoft re: remaining patents (and claims) on attached list of issued US patents in regards to Microsoft's X-box Console, Controllers, and Software, Microsoft's Sidewinder Game Pad Pro, Microsoft's Intellimouse Explorer and Microsoft's Trackball Explorer [MS-ANAS0019338 - MS-ANAS0019339]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time).  Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX263</b> 12/30/2005 Agreement of Limited Partnership of Anascape, Ltd.	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery);		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
between B. Armstrong and The Kim Tyler and Kelly Tyler Limited Partnership, B. Armstrong and B. Carlson <b>[No Bates]</b>	Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).		
<b>PX264</b> 02/12/2007 Microsoft's Privilege Log, <i>Anascape v. Microsoft &amp; Nintendo</i> <b>[No Bates]</b>	<b><u>Privilege Log:</u></b> Defs' MIL No. 13 (Negative Inference from Privilege); Rule 403 (Prejudice, Misleading, Confusion, Waste of Time).		
<b>PX266</b> Book entitled "Manual of Patent Examining Procedure"	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX267</b> 12/31/1996 United States Patent 5,589,828 (Anascape Response to Defendants' Motion for Summary Judgment re: No Willful Infringement) [NAA00014681 - NAA00014700]	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Defs' MIL No. 8 (Cheng Meeting).		
<b>PX268</b> 00/00/2004 MPEG-4 Visual list of MPEG LA, LLC's MPEG-4 Visual Licenses in good standing, based on information currently available to MPEG LA, LLC <b>[No Bates]</b>	<b><u>Non-Comparable Licenses:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).  <b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX269</b> 04/12/1996 Signed document "Assignment of Invention and Patent Application" [ANS0004460]	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX270</b> 01/24/2008 Consolidated Financial	<b><u>Overall and Foreign Sales/Profits:</u></b>		



Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
Highlights of Nintendo Co., Ltd.8 [No Bates]	Defs' MIL Nos. 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).  <u><b>Undisclosed Document:</b></u> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX271</b> Undated - Nintendo Co., Ltd.'s Privilege Log [No Bates]	<u><b>Privilege Log:</b></u> Def's MIL No. 13 (Negative Inference from Privilege); Rule 403 (Prejudice, Misleading, Confusion, Waste of Time).		
<b>PX272</b> 07/12/2007 Nintendo Co., Ltd.'s Supplemental Privilege Log [No Bates]	<u><b>Privilege Log:</b></u> Def's MIL No. 13 (Negative Inference from Privilege); Rule 403 (Prejudice, Misleading, Confusion, Waste of Time).		
<b>PX273</b> 12/28/2006 Anascape, Ltd.'s Disclosure of Asserted Claims and Preliminary Infringement Contentions [No Bates]	Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted)		
<b>PX274</b> 02/11/2008 Expert Report of Dr. R. Howe, Examining Infringement of the '700 Patent [No Bates]	<u><b>Expert Report:</b></u> Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Defs' Howe Daubert Motion (Dkt. # 217).		
<b>PX275</b> 03/03/2008 Rebuttal Expert Report of R. Howe, Ph.D. [No Bates]	<u><b>Expert Report:</b></u> Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted).		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
<b>PX276</b> 03/03/2008 Expert Rebuttal Report of M. Newman [ <b>No Bates</b> ]	<b><u>Expert Report:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay).		
<b>PX277</b> 11/27/2007 Defendant Microsoft's Second Supplemental Response to Anascape's Interrogatory Nos. 1-19 [No Bates]	Rule 106 (Remainder/ Related Writing) (some of these responses were supplemented later); Rule 403 (Prejudice, Confusion, Waste of Time) (at least responses 1, 2, 3, 7, 10-17) contain some material not relevant to issues at this trial that would prejudice Defendants and confuse the jury; document also contains inflammatory characterizations such as "Microsoft infringed patents"); Rule 802 (Hearsay) (only if offered against Nintendo).		
<b>PX278</b> 10/19/2007 Defendant Nintendo of America, Inc.'s First Supplemental Responses to Plaintiff Anascape, Ltd.'s Corrected First Set of Interrogatories (Nos. 3, 4, 10, 13, 16 and 17) [No Bates]	Rule 106 (Remainder/ Related Writing) (some of these responses were supplemented later); Rule 403 (Prejudice, Confusion, Waste of Time) (some responses contain material not relevant to issues at this trial that would prejudice Defendants and confuse the jury; document also contains inflammatory characterizations such as "Nintendo infringed patents"); Rule 802 (Hearsay) (only if offered against Microsoft).		
<b>PX279</b> Undated - Xbox.com, "Discover greater precision, comfort and control, Xbox 360 Controller™ for Windows" [ <b>No Bates</b> ]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX280</b> Undated - Nintendo: Online Store - Product Detail (Classic Controller, Nunchuk,	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery);		

<b>Plaintiff's Trial Ex. No.</b>	<b>Defendants' Objections</b>	<b>Plaintiff's Response</b>	<b>Court's Ruling</b>
Wii Remote) [No Bates]	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX281</b> 2001-2002 Manual: Nintendo/Gamecube "Welcome to Animal Crossing" (color version) [No Bates]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX282</b> 00/00/2003 Manual: Xbox "Crimson Skies High Road to Revenge" (color version) [No Bates]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX283</b> 00/00/2006 Manual: Xbox 360 "Hitman Blood Money" (color version) [No Bates]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX284</b> 00/00/2005 Manual: Xbox 360 "Kameo Elements of Power" (color version) [No Bates]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX285</b> 00/00/2001 Manual: Nintendo/Gamecube "Blood Omen 2, The Legacy of Kain Series" (color version) [No Bates]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX286</b> 00/00/2006 Manual: ActiVision (Wii) "DreamWorks Shrek the Third" (color version) [No Bates]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX287</b> 00/00/2006 Manual: Nintendo (Wii) "The Legend of Zelda Twilight Princess" (color version) [No Bates]	<b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX313</b> Undated - Controller for Howard Cheng's files	<b><u>Pre-Suit Interactions:</u></b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Defs' MIL No. 8 (Cheng Meeting).		
<b>PX314</b> 01/31/2008 Press	<b><u>3<sup>rd</sup> Party Article:</u></b>		

<b>Plaintiff's Trial Ex. No.</b>	<b>Defendants' Objections</b>	<b>Plaintiff's Response</b>	<b>Court's Ruling</b>
Release - U.S. Video Game and PC Games Sales Exceed \$18.8 Billion [ <b>No Bates</b> ]	Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 901 (Authentication).		
<b>PX315</b> Undated - U.S. Console Market Shares (Units) graph [ <b>No Bates</b> ]	Rule 802 (Hearsay) (as to underlying data not from Microsoft or Nintendo); Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX316</b> Undated - Profitability of Microsoft's Accused Products [ <b>No Bates</b> ]	<b><u>Foreign Sales/Profits:</u></b> Defs' MIL 17 (Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX317</b> Undated - Profitability of NOA's Accused Products [ <b>No Bates</b> ]	<b><u>Foreign Sales/Profits:</u></b> Defs' MIL 17 (Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX318</b> Undated - Microsoft Damages [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX319</b> Undated - Xbox Controller S Royalty Base [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX320</b> Undated - Xbox 360 System Controllers Royalty Base for 2006 and 2007 [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX321</b> Undated - 360 System Controllers Royalty Base for 2006, 2007E and 2008E [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX322</b> Undated - NOA Damages from 7/31/2006 to 5/4/2008 [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX323</b> Undated - NOA Damages - U.S. from 7/31/2006 to 5/4/2008 [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX324</b> Undated - NOA Damages - Latin America from 7/31/2006 to 5/4/2008 [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
<b>PX325</b> Undated - NOA Damages - Canada from 7/31/2006 to 5/4/2008 [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX326</b> Undated - Estimated NOA Controllers in Canada for 4/1/2006 to 3/31/2007 [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX327</b> Undated - Estimated NOA Controllers for 4/1/2007 to 3/31/2008 [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX328</b> Undated - Imputed Per Unit Royalty Rate [ <b>No Bates</b> ]	Defs' Bratic Daubert Motion (Dkt. # 212).		
<b>PX329</b> 11/27/2007 Defendant Microsoft's Second Supplemental Response to Anascape's Interrogatory No.1[No Bates]	Rule 106 (Remainder/ Related Writing) (this document is incomplete and includes partial responses to some interrogatories); Rule 403 (Prejudice, Confusion, Waste of Time) (contains some material not relevant to issues at this trial that would prejudice Defendants and confuse the jury; document also contains inflammatory characterizations such as "Microsoft infringed patents"); Rule 802 (Hearsay) (only if offered against Nintendo).		
<b>PX330</b> 11/27/2007 Defendant Microsoft's Second Supplemental Response to Anascape's Interrogatory No. 6 [No Bates]	Rule 106 (Remainder/ Related Writing) (this document is incomplete and includes partial responses to some interrogatories); Rule 403 (Prejudice, Confusion, Waste of Time) (contains inflammatory characterizations such as "Microsoft infringed patents"); Rule 802 (Hearsay) (only if offered against Nintendo).		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
<p><b>PX331</b> 11/27/2007  Defendant Microsoft's Second Supplemental Response to Anascape's Interrogatory No. 7 [No Bates]</p>	<p>Rule 106 (Remainder/ Related Writing) (this document is incomplete and includes partial responses to some interrogatories); Rule 403 (Prejudice, Confusion, Waste of Time) (contains some material not relevant to issues at this trial that would prejudice Defendants and confuse the jury; document also contains inflammatory characterizations such as "Microsoft infringed patents"); Rule 802 (Hearsay) (only if offered against Nintendo).</p>		
<p><b>PX332</b> 11/27/2007  Defendant Microsoft's Second Supplemental Response to Anascape's Interrogatory No. 15 [No Bates]</p>	<p>Rule 106 (Remainder/ Related Writing) (this document is incomplete and includes partial responses to some interrogatories); Rule 403 (Prejudice, Confusion, Waste of Time) (contains some material not relevant to issues at this trial that would prejudice Defendants and confuse the jury; document also contains inflammatory characterizations such as "Microsoft infringed patents"); Rule 802 (Hearsay) (only if offered against Nintendo).</p>		
<p><b>PX333</b> 11/27/2007  Defendant Microsoft's Second Supplemental Response to Anascape's Interrogatory No. 22 [No Bates]</p>	<p>Rule 106 (Remainder/ Related Writing) (this document is incomplete and includes partial responses to some interrogatories); Rule 403 (Prejudice, Confusion, Waste of Time) (contains some material not relevant to issues at this trial that would prejudice Defendants and</p>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
	confuse the jury; document also contains inflammatory characterizations such as "Microsoft infringed patents"); Rule 802 (Hearsay) (only if offered against Nintendo).		
<b>PX334</b> 1/29/2007 Defendant Nintendo of America, Inc.'s Responses to Plaintiff Anascape, Ltd.'s Corrected Interrogatory No. 1 [No Bates]	Rule 106 (Remainder/ Related Writing) (this document is incomplete and includes partial responses to some interrogatories); Rule 403 (Prejudice, Confusion, Waste of Time) Rule 802 (Hearsay) (only if offered against Microsoft).		
<b>PX335</b> 1/29/2007 Defendant Nintendo of America, Inc.'s Responses to Plaintiff Anascape, Ltd.'s Corrected Interrogatory No. 6 [No Bates]	Rule 106 (Remainder/ Related Writing) (this document is incomplete and includes partial responses to some interrogatories); Rule 403 (Prejudice, Confusion, Waste of Time) Rule 802 (Hearsay) (only if offered against Microsoft).		
<b>PX336</b> 1/29/2007 Defendant Nintendo of America, Inc.'s Responses to Plaintiff Anascape, Ltd.'s Corrected Interrogatory No. 7 [No Bates]	Rule 106 (Remainder/ Related Writing) (this document is incomplete and includes partial responses to some interrogatories); Rule 403 (Prejudice, Confusion, Waste of Time) Rule 802 (Hearsay) (only if offered against Microsoft).		
<b>PX337</b> 10/19/2007 Defendant Nintendo of America, Inc.'s First Supplemental Response to Plaintiff Anascape, Ltd.'s Corrected Interrogatory No. 13 [No Bates]	Rule 106 (Remainder/ Related Writing) (this document is incomplete and includes partial responses to some interrogatories); Rule 403 (Prejudice, Confusion, Waste of Time) Rule 802 (Hearsay) (only if offered against Microsoft).		
<b>PX338</b> 06/30/2007 US	<b>Overall and Foreign</b>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
Securities and Exchange Commission Form 10-K Annual Report for Fiscal Year Ended 06/30/2007 (Bratic Report) [No Bates]	<b><u>Sales/Profits:</u></b> Defs' MIL Nos. 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX339</b> 02/2002 Article entitled Innovation and Competition in Standard-Based Industries: A Historical Analysis of the U.S. Home Video Game Market (Bratic Report) [No Bates]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).		
<b>PX340</b> 10/06/2007 Article from Georgia Institute of Technology entitled Georgia Tech Boosts Video Gaming Industry (Bratic Report) [No Bates]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).		
<b>PX341</b> 06/04/2007 Article from techonline entitled Opportunities abound in next-gen gaming platforms (Bratic Report) [No Bates]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).		
<b>PX342</b> 05/00/2002 Wedbush Morgan Security, article entitled Content Is King An In-Depth Look at Interactive Entertainment Software (Bratic Report) [No Bates]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).		
<b>PX343</b> 03/30/2005 CNet Networks Entertainment Gamespot News: Q&A: Immersion Corp. Pres and CEO Vic Viegas (Bratic Report) [No Bates]	<b><u>Immersion Litigation:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time).  <b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if		



Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
	<p>offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).</p>		
<p><b>PX344</b> 02/22/2002 Immersion Files Suit Against Microsoft and Sony Computer Entertainment for Patent Infringement (Bratic Report) [No Bates]</p>	<p><b><u>Immersion Litigation:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time).</p> <p><b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).</p>		
<p><b>PX345</b> 03/28/2005 Immersion Obtains \$90.7 Million Judgment in Patent Infringement Case Against Sony (Bratic Report) [No Bates]</p>	<p><b><u>Immersion Litigation:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time).</p> <p><b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).</p>		
<p><b>PX346</b> 07/28/2003 Microsoft Licenses Immersions's Haptic Patent Portfolio (Bratic Report) [No Bates]</p>	<p><b><u>Immersion Settlement:</u></b> Defs' MIL No. 2 (Microsoft-Immersion Settlement); Rule 403 (Prejudice, Confusion, Waste of Time).</p> <p><b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).</p>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
<b>PX347</b> 01/00/2001 gamesinvestor Sega exits the console business: Durlacher Comment (Bratic Report) [ <b>No Bates</b> ]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).		
<b>PX348</b> 11/12/1999 Immersion Corp. Amendment No. 5 to Form S-1 Registration Statement Under the Securities Act of 1933 (Bratic Report) [ <b>No Bates</b> ]	Rule 802 (Hearsay) (only if offered for truth of matters asserted).		
<b>PX354</b> 02/28/2005 Presentation by G. Guthrie "Project Guthrie (Simple Controller) BCR" [MS-ANAS164901 - MS-ANAS164944]	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX356</b> 10/21/2004 Presentation by S. Loomis "Xbox Hardware Xenon 3P Strategy - KI Review" [MS-ANAS164482 - MS-ANAS164491]	<b><u>Non-Comparable Licenses:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).  <b><u>Foreign Sales/Profits:</u></b> Defs' MIL 17 (Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX358</b> 10/29/2007 Plaintiff's Rule 30(B)(6) Deposition Notice to Defendant Microsoft Corp. on Topics 8-9, 11 (Harmon Deposition, 11/01/2007, Ex. 220) [No Bates]	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX362</b> Undated - GameInformer Magazine "Exclusive Mass Effect Review Inside" and "World	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
Exclusive Brutal Legend" [ANS0068548 - ANS0068550]	Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).  <b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX364</b> Undated - Slide entitled "Reasonable Royalty Damages Due from Nintendo of America" [No Bates]	Defs' Bratic Daubert Motion (Dkt No. 212); Rule 1006 (Improper Summaries).  <b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX367</b> Undated - Slide entitled "Reasonable Royalty Damages Due from Microsoft" [No Bates]	Defs' Bratic Daubert Motion (Dkt No. 212); Rule 1006 (Improper Summaries).  <b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX369</b> Undated - Presentation "XBox 360 Accessory Licensing" (Harmon Deposition, 11/01/2007, Ex. 235) [MS-ANAS169880 - MS-ANAS00169890]	<b><u>Overall and Foreign Sales/Profits:</u></b> Defs' MIL Nos. 16-17 (Overall and Foreign Sales/Profits); Rule 403 (Prejudice, Confusion, Waste of Time).  <b><u>Pre-Suit Sales:</u></b> Rule 403 (Prejudice, Confusion, Waste of Time) (as to portion of document showing pre-suit sales).		
<b>PX370</b> 12/19/2003 Expert Report of M. Wagner, <i>Immersion Corporation v.</i>	<b><u>Duplicate of PX 191</u></b>  <b><u>Immersion Settlement:</u></b>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
<p><i>Sony Computer Entertainment America, Inc. and Sony Computer Entertainment, Inc.</i>, Case No. C-02-0710 CW (WDB) U.S.D.C., N. D. of Calif., Oakland Division  <b>[IMMR-ANA-01 - IMMR-ANA-36]</b></p>	<p>Defs' MIL No. 2 (Microsoft-Immersion Settlement); Rule 403 (Prejudice, Confusion, Waste of Time).</p> <p><b><u>Expert Report:</u></b>  Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted).</p> <p>Rule 702, Rule 26 (Undisclosed Testimony by Experts).</p>		
<p><b>PX371</b> 05/02/2000 Schedule 14A (Rule 14a-101), Information Required in Proxy Statement for Immersion Corporation; filed 06/06/2000 <b>[No Bates]</b></p>	<p>Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted).</p>		
<p><b>PX372</b> 06/01/2004 Letter from B. Armstrong to K. Tyler re: transfer of B. Armstrong to the position of General Partner of AnaScape <b>[ANS0045644]</b></p>	<p><b><u>Sony-Anascape Settlement:</u></b>  Defs' MIL 1 (Sony-Anascape Settlement); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 408 (Settlement); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).</p>		
<p><b>PX390</b> Undated - Memo from K. Lobb regarding Controller Questions <b>[NCA00003775 - NCA00003776]</b></p>	<p>Rule 802 (Hearsay) (only if offered for truth of matters asserted).</p>		
<p><b>PX391</b> 6/13/2003 Deposition of R. Walker taken on behalf of the Plaintiffs Immersion Corporation <b>[MS-ANAS171151 - MS-ANAS171426]</b></p>	<p><b><u>Immersion Litigation:</u></b>  Rule 403 (Prejudice, Confusion, Waste of Time).</p> <p>Rule 802 (Hearsay) (only if offered for truth of matters asserted); Deposition not timely designated.</p>		
<p><b>PX398</b> 3/16/2006</p>	<p><b><u>3<sup>rd</sup> Party Article:</u></b></p>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
Presentation by RCB Capital Markets re: "Microsoft Corporation Battleground: Microsoft Marches On" (Bratic Report) [No Bates]	Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).  Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX399</b> 11/12/2001 Presentation by HSBC re: "Nintendo, Heavenly rewards" (Bratic Report) [No Bates]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Improper Lay Opinion); Rule 901 (Authentication).		
<b>PX400</b> 09/25/2006 Presentation by ARS Technical re: "Survey says: Gamers want rumble by Jeremy Reimer" (Bratic Report) [No Bates]	Duplicate of PX111  <b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Improper Lay Opinion); Rule 901 (Authentication).		
<b>PX401</b> 12/17/2007 Report by Wedbush Morgan re: "Nintendo (7974.JP / NTDOY.US) Initiating Coverage With A BUY Rating and ¥78,000 Price Target" (Bratic Report) [No Bates]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Improper Lay Opinion); Rule 901 (Authentication).		
<b>PX403</b> 07/26/2007 Website re: Financial Analyst Meeting 2007 by Robbie Bach (Bratic Report) [No Bates]	Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX404</b> 10/04/06 Website re: Column: High-stakes competition in video game industry leaves no room for mediocrity" by Rhian Hibner (Bratic Report) [No Bates]	<b><u>3<sup>rd</sup> Party Article:</u></b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
	Lay Witness); Rule 901 (Authentication).		
<b>PX420</b> Press Release (Global Devices 3D)	Rule 802 (Hearsay); Rule 901 (Authentication).		
<b>PX421</b> 05/11/2002 Article: "Xbox Controller S Review" by Louis Bedigian from <i>Xbox News</i> [No Bates]	<p><b>3<sup>rd</sup> Party Article:</b> Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 602 (Lack of Personal Knowledge); Rule 701 (Opinion Testimony by Lay Witness); Rule 901 (Authentication).</p> <p><b>Undisclosed Document:</b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).</p>		
<b>PX430</b> 06/21/2002 Letter from K. Tyler to S. Quan re: '584, '891, 606 and '356 Microsoft does not infringe these patents [Tyler Ex. 143] [ANS0007854]	<p><b>Pre-Suit Interactions:</b> Defs' MIL No. 5 (Pre-suit Interactions); Rule 403 (Prejudice, Confusion, Waste of Time); Rule 802 (Hearsay) (only if offered for truth of matters asserted); Rule 901 (Authentication).</p>		
<b>PX431</b> NOA Damages (Bratic Dep. Ex. 371)	<p><b>Untimely Expert Report:</b> Rule 26; Scheduling Order; Defs' Upcoming Motion to Strike (opinions by Bratic not contained with his report).</p> <p><b>Undisclosed Document:</b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).</p>		
<b>PX432</b> Microsoft Effective Royalty Rate on Royalty Base that Includes Controllers and Systems (Bratic Dep. Ex. 372)	<p><b>Untimely Expert Report:</b> Rule 26; Scheduling Order; Defs' Upcoming Motion to Strike (opinions by Bratic not contained with his report).</p> <p><b>Undisclosed Document:</b></p>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
	Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX433</b> Nintendo of America Effective Royalty Rate on Royalty Base that Includes Controllers and Systems (Bratic Dep. Ex. 373)	<p><b><u>Untimely Expert Report:</u></b> Rule 26; Scheduling Order; Defs' Upcoming Motion to Strike (opinions by Bratic not contained with his report).</p> <p><b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).</p>		
<b>PX434</b> Corrected Ugone Scenario - Royalty Base (Bratic Dep. Ex. 374)	<p><b><u>Untimely Expert Report:</u></b> Rule 26; Scheduling Order; Defs' Upcoming Motion to Strike (opinions by Bratic not contained with his report).</p> <p><b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).</p>		
<b>PX435</b> Corrected Martinez Exhibit 5A (Bratic Dep. Ex. 375)	<p><b><u>Untimely Expert Report:</u></b> Rule 26; Scheduling Order; Defs' Upcoming Motion to Strike (opinions by Bratic not contained with his report).</p> <p><b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).</p>		
<b>PX436</b> Documents Relied Upon for Supplemental Exhibits (Bratic Dep. Ex. 376)	<p><b><u>Untimely Expert Report:</u></b> Rule 26; Scheduling Order; Defs' Upcoming Motion to Strike (opinions by Bratic not contained with his report).</p> <p><b><u>Undisclosed Document:</u></b></p>		

Plaintiff's Trial Ex. No.	Defendants' Objections	Plaintiff's Response	Court's Ruling
	Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).		
<b>PX437</b> Reasonable Royalty Damages Due from Microsoft (Bratic Dep. Ex. 377)	<p><b><u>Untimely Expert Report:</u></b> Rule 26; Scheduling Order; Defs' Upcoming Motion to Strike (opinions by Bratic not contained with his report).</p> <p><b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).</p>		
<b>PX438</b> Microsoft Damages (Bratic Dep. Ex. 378)	<p><b><u>Untimely Expert Report:</u></b> Rule 26; Scheduling Order; Defs' Upcoming Motion to Strike (opinions by Bratic not contained with his report).</p> <p><b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).</p>		
<b>PX439</b> Imputed per Unit Royalty Rate (Dep. Ex. 379)	<p><b><u>Untimely Expert Report:</u></b> Rule 26; Scheduling Order; Defs' Upcoming Motion to Strike (opinions by Bratic not contained with his report).</p> <p><b><u>Undisclosed Document:</u></b> Local Rule CV-26 (Not Disclosed During Discovery); Rule 403 (Prejudice, Confusion, Waste of Time).</p>		

Respectfully submitted,

Dated: April 18, 2008

By: /s/ J. Christopher Carraway  
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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing document has been served on all counsel of record via email this 18<sup>th</sup> day of April, 2008.

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