

# Exhibit 1

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**From:** Monterio, Charles  
**Sent:** Wednesday, January 16, 2013 3:11 PM  
**To:** Noona, Stephen E.  
**Cc:** Brothers, Kenneth; David Perlson; Emily O'Brien (emilyobrien@quinnemanuel.com); zz-IPEngine; Donald C. Schultz (dschultz@cwm-law.com); W. Ryan Snow (wrsnow@cwm-law.com)  
**Subject:** RE:

Steve,

As we've discussed over the past couple of weeks, I/P Engine does not believe that a deposition of Dr. Becker based on his declaration is warranted or justified. Other than improperly terming the declaration as an "expert report", Defendants have failed to provide any authority or justification in reopening discovery at this point or why Dr. Ugone cannot provide a response to Dr. Becker's declaration without a deposition.

I/P Engine does not agree to an expedited motion schedule, and will oppose the same.

**Charles**  
(202) 420-5167

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**From:** Noona, Stephen E. [<mailto:senoona@kaufcan.com>]  
**Sent:** Wednesday, January 16, 2013 1:16 PM  
**To:** Monterio, Charles  
**Cc:** Brothers, Kenneth; David Perlson; Emily O'Brien ([emilyobrien@quinnemanuel.com](mailto:emilyobrien@quinnemanuel.com))  
**Subject:**

Charles: as a follow up to my earlier voicemail, I am writing to confer over expediting the briefing of the Motion to Compel the deposition of your damages expert (Dr. Becker) that we are filing today. . I understand that you oppose Dr. Becker's deposition as unnecessary. We propose filing the previously discussed motion to compel the deposition today, seeking the Court to require you to file your opposition by Friday and requiring us to file our Reply on Tuesday (as Monday is a Federal Holiday). Please let me know if you all will agree to this expedited schedule. Thanks,...SEN.

Stephen E. Noona  
**Kaufman & Canoles, P.C.**  
150 W. Main Street, Suite 2100  
Norfolk, VA 23510-1665

T (757) 624.3239  
F (757) 624.3169  
[senoona@kaufcan.com](mailto:senoona@kaufcan.com)  
[www.kaufCAN.com](http://www.kaufCAN.com)

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