

EXHIBIT 1

From: Monterio, Charles [MonterioC@dicksteinshapiro.com]
Sent: Friday, September 13, 2013 8:35 AM
To: David Perlson; Donald C. Schultz (dschultz@cwm-law.com); W. Ryan Snow (wrsnow@cwm-law.com); zz-IP Engine
Cc: QE-IP Engine; Stephen E. Noona (senoona@kaufcan.com)
Subject: RE: I/P Engine: Reply

Follow Up Flag: Follow up
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David,

I/P Engine's proposal to not file a reply was coupled with its request for a prompt hearing where it could reply verbally to Defendants' Opposition directly to the Court. The point of this offer was to facilitate a quick judicial resolution of the issues either last week or early this week. That did not happen. As the Court has not yet set a hearing, and because time is very short for expert witness reports, I/P Engine filed its reply in its ongoing effort to achieve a prompt resolution. I/P Engine is not obligated to withdraw its reply nor does it intend to do so.

Charles
(202) 420-5167

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From: David Perlson [<mailto:davidperlson@quinnemanuel.com>]
Sent: Thursday, September 12, 2013 11:53 PM
To: Donald C. Schultz (dschultz@cwm-law.com); W. Ryan Snow (wrsnow@cwm-law.com); zz-IP Engine
Cc: QE-IP Engine; Stephen E. Noona (senoona@kaufcan.com)
Subject: I/P Engine: Reply

Counsel,

We are in receipt of Plaintiff's Reply in support of to I/P Engine's Motion to Show Cause. In its motion to expedite resolution of its motion, Plaintiff requested that Defendants respond to I/P Engine's Motion to Show Cause on or before September 4, 2013. As part of this request, I/P Engine said it would "waive its right to reply to Defendants' response" for this schedule. Defendants agreed to this and filed their response in Plaintiff's requested timeframe. Plaintiff violates its own commitment represented to the Court in filing its Reply.

Please confirm you will withdraw your Reply by 10 am tomorrow. Defendants reserve all rights from Plaintiff's improper filing.

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