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The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

MICROSOFT CORPORATION, a  
Washington corporation,  
  
Plaintiff,  
  
v.  
  
IMMERSION CORPORATION, a Delaware  
corporation,  
  
Defendant.

) Case No. CV07 936RSM  
)  
) **IMMERSION CORPORATION'S NOTICE**  
) **RE: POTENTIAL CONFLICT WITH**  
) **TRIAL DATE**

1 A seven- to ten-day trial is currently scheduled to commence in this case on October 14,  
2 2008. Immersion hereby wishes to call to the Court's attention and to opposing counsel that  
3 Immersion's lead trial counsel at Irell & Manella LLP, Morgan Chu and undersigned counsel  
4 Alan Heinrich, have a potential trial conflict. Both Mr. Chu and the undersigned also are trial  
5 counsel in a case pending in the United States District Court for the Eastern District of Texas,  
6 *Peer Communications Corp. v. Skype Technologies S.A. et al.*, civil action no. 6:06cv370, before  
7 the Hon. Leonard Davis. That case has a previously-scheduled trial date set to commence on  
8 October 13, 2008, pursuant to the court's Agreed Docket Control Order entered on February 14,  
9 2007. Counsel is also notifying the Eastern District of Texas of this potential conflict. Counsel is  
10 willing to make an adjustment to the case schedule to resolve this potential scheduling conflict  
11 now, and if the Court wishes to file a more formal motion, or alternatively to reassess this  
12 scheduling issue at a later date in the event that one of the two cases is not resolved or does not  
13 have a trial postponement for another reason.

14  
15 Dated: April 8, 2008

Respectfully Submitted,

16 IRELL & MANELLA LLP  
17 Morgan Chu  
18 Richard M. Birnholz  
19 Alan J. Heinrich  
20 David R. Kaplan

By /s/ Alan J. Heinrich

21 Alan J. Heinrich  
22 (Admitted *pro hac vice*)  
23 Irell & Manella LLP  
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*Attorneys for Defendant Immersion Corporation*

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**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that on the 8th day of April, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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