

# **Exhibit I**

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**From:** Muino, Daniel P. [DMuino@mofo.com]  
**Sent:** Wednesday, August 03, 2011 2:21 PM  
**To:** Francis, Mark; Christa Anderson  
**Cc:** DALVIK-KVN; dalvik-KS; Oracle MoFo Service List; Oracle-Google@BSFLLP.com  
**Subject:** Oracle v. Google: Google's Topic 11 re '520 and '720 patents

Mark,

After diligent inquiry, Oracle cannot locate an Oracle witness to testify based on personal knowledge as to "actual use" of the inventions of the '520 and '720 patents. (Oracle may, of course, present testimony on this subject from its experts.) As stated in Judge Alsup's September 22, 2010 Supplemental Order, "[i]f an organization cannot reasonably locate a witness to testify based on personal knowledge, there is no requirement under Rule 30(b)(6) for the organization to 'woodshed' or to 'educate' an individual to testify on the subject."

To resolve this issue, we remain willing to agree not to swear behind the prior art that Google is asserting against the '520 and '720 patents.

**Daniel P. Muino**  
Morrison & Foerster LLP  
425 Market Street | San Francisco, CA 94105  
415.268.7475 | 415.268.7522 fax  
dmuino@mofo.com | [www.mofo.com](http://www.mofo.com)

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**From:** Francis, Mark [mailto:MFrancis@KSLAW.com]  
**Sent:** Wednesday, August 03, 2011 10:39 AM  
**To:** Muino, Daniel P.; Christa Anderson  
**Cc:** DALVIK-KVN; dalvik-KS; Oracle MoFo Service List; Oracle-Google@BSFLLP.com  
**Subject:** RE: Oracle v. Google / Court's July 11 Request for Update re: Re-Examination

Dan,

Can you provide us with a date for a 30(b)(6) deposition on Topic 11 with respect to the '520 and '720 patents?

Thanks,

Mark

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**From:** Francis, Mark  
**Sent:** Tuesday, August 02, 2011 2:49 PM  
**To:** Muino, Daniel P.; Christa Anderson  
**Cc:** DALVIK-KVN; dalvik-KS; Oracle MoFo Service List; Oracle-Google@BSFLLP.com  
**Subject:** RE: Oracle v. Google / Court's July 11 Request for Update re: Re-Examination

Dan,

We can agree to have Kessler testify regarding the '104 and '205 patents for Topic 11 on August 4th. With respect to the '520 and '720 patents, we will agree to limit the scope of topic 11 to "actual use of the invention(s) allegedly set forth in the asserted claims" if Oracle agrees not to swear behind the prior art Google is asserting against those patents.

Please let us know if this works for Oracle and provide the remaining deposition dates.

Thanks,

Mark

10/26/2011

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**From:** Muino, Daniel P. [mailto:DMuino@mof.com]  
**Sent:** Monday, August 01, 2011 10:57 PM  
**To:** Christa Anderson; Francis, Mark  
**Cc:** DALVIK-KVN; dalvik-KS; Oracle MoFo Service List; Oracle-Google@BSFLLP.com  
**Subject:** RE: Oracle v. Google / Court's July 11 Request for Update re: Re-Examination

Christa,

For Google's Topic 11, we offer the following compromise: Peter Kessler can testify regarding the '104 and '205 patents. His deposition is already confirmed for Aug. 4. With respect to the '520 and '720 patents, we will agree not to swear behind the prior art Google is asserting against those patents in exchange for Google agreeing to dispense with a Topic 11 depo on those patents. Please let us know if this is agreeable.

We will respond separately regarding the Rubin, Ellison, and Schmidt depositions.

Dan

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**From:** Christa Anderson [mailto:CAnderson@KVN.com]  
**Sent:** Monday, August 01, 2011 11:10 AM  
**To:** Muino, Daniel P.; MFrancis@KSLAW.com  
**Cc:** DALVIK-KVN; dalvik-KS@KSLAW.com; Oracle MoFo Service List; Oracle-Google@BSFLLP.com  
**Subject:** RE: Oracle v. Google / Court's July 11 Request for Update re: Re-Examination

Hi Dan - To followup on the below string and a few other outstanding matters, I don't believe that we have heard Oracle's final position re: topic 11. Would you please advise today? We need to schedule the relevant depositions or submit the matter for resolution to the court. Also, re: the continuation of the topics on which Mr. Rubin was designated, we can make Mr. Rubin available to complete his topics on August 11 for three hours. Finally, to followup further on our discussions regarding time limits for Mr. Ellison's deposition, we are willing to agree to limit Mr. Ellison's deposition to two hours provided that Oracle withdraws its notice of deposition for Mr. Schmidt. Please advise as to your position on these matters.

Thanks,  
Christa

Christa Anderson

Keker & Van Nest LLP  
415 676 2276 direct | [canderson@kvn.com](mailto:canderson@kvn.com)  
633 Battery Street, San Francisco, CA 94111-1809 | 415 391 5400 main | [kvn.com](http://kvn.com)

-----Original Message-----

**From:** Muino, Daniel P. [mailto:DMuino@mof.com]  
**Sent:** Tuesday, July 26, 2011 7:35 PM  
**To:** Christa Anderson; MFrancis@KSLAW.com  
**Cc:** DALVIK-KVN; dalvik-KS@KSLAW.com; Oracle MoFo Service List; Oracle-Google@BSFLLP.com  
**Subject:** RE: Oracle v. Google / Court's July 11 Request for Update re: Re-Examination

Christa,

We are amenable to extending the due date for opening expert reports on patent-related issues to August 8. This should allow the experts sufficient time to incorporate additional deposition testimony into their reports, without impacting other case deadlines. We will circulate a proposed stipulation tomorrow morning or early afternoon covering the extensions of fact discovery and expert report due dates.

On another subject: We are considering your proposal to provide witnesses to cover 4 of the 7 patents under Google's Topic 11. Please let us know which 4 patents you wish to cover.

Thanks.

Daniel P. Muino  
Morrison & Foerster LLP  
425 Market Street | San Francisco, CA 94105  
415.268.7475 | 415.268.7522 fax  
[dmuino@mofocom](mailto:dmuino@mofocom) | [www.mofocom](http://www.mofocom)

-----Original Message-----

From: Muino, Daniel P.  
Sent: Tuesday, July 26, 2011 9:04 AM  
To: 'CAnderson@KVN.com'; 'MFrancis@KSLAW.com'  
Cc: 'DALVIK-KVN@kvn.com'; 'dalvik-KS@KSLAW.com'; Oracle MoFo Service List; '[Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)'  
Subject: Re: Oracle v. Google / Court's July 11 Request for Update re: Re-Examination

Hi Christa,

We're considering your proposal regarding the opening expert reports and we'll respond shortly. We'll send you a draft stipulation today covering the extensions.

We will check Mr. Reinhold's availability. Just to clarify, the depo for this Friday is off, correct?

Dan

----- Original Message -----

From: Christa Anderson <[CAnderson@KVN.com](mailto:CAnderson@KVN.com)>  
To: Muino, Daniel P.; [MFrancis@KSLAW.com](mailto:MFrancis@KSLAW.com) <[MFrancis@KSLAW.com](mailto:MFrancis@KSLAW.com)>  
Cc: DALVIK-KVN <[DALVIK-KVN@kvn.com](mailto:DALVIK-KVN@kvn.com)>; [dalvik-KS@KSLAW.com](mailto:dalvik-KS@KSLAW.com) <[dalvik-KS@KSLAW.com](mailto:dalvik-KS@KSLAW.com)>; Oracle MoFo Service List; '[Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)' <[Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)>  
Sent: Tue Jul 26 08:06:28 2011  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re: Re-Examination

Hi Dan - to followup on yesterday's call, what is Oracle's response on the date for opening expert reports? We should confirm this morning whether or not we can reach an agreement on the deadline extension issues given that we are only a few days from Friday. Also, I can confirm we are going forward with Mr. Rubin's deposition on Wednesday but subject to the caveats expressed on the call yesterday, ie, we expect that Oracle will be doing its best to complete as much of the deposition of Mr. Rubin (individual depo and topics) as possible in that first day and then we can meet and confer regarding some additional time on a second day if necessary. Finally, the date of July 29 does not work for us for the deposition of Mr. Reinhold on the variety of topics for which he was designated. Would you please check with the witness and let us know what other dates work in the first two weeks of August?

Thanks,  
Christa

-----Original Message-----

From: Muino, Daniel P. [<mailto:DMuino@mofocom>]  
Sent: Monday, July 25, 2011 3:05 PM  
To: Muino, Daniel P.; [MFrancis@KSLAW.com](mailto:MFrancis@KSLAW.com); Christa Anderson

10/26/2011

Cc: DALVIK-KVN; dalvik-KS@KSLAW.com; Oracle MoFo Service List; Oracle-Google@BSFLLP.com  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Folks,

Please be sure you're dialed in to the correct conference number:

(800) 650-4949  
passcode 2687475#

-----Original Message-----

From: Muino, Daniel P.  
Sent: Monday, July 25, 2011 12:42 PM  
To: Muino, Daniel P.; 'MFrancis@KSLAW.com'; 'CAnderson@KVN.com'  
Cc: 'DALVIK-KVN@kvn.com'; 'dalvik-KS@KSLAW.com'; Oracle MoFo Service List; 'Oracle-Google@BSFLLP.com'  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Counsel,

Instead of the conference number I sent on Friday, let's use the following conference number:

(800) 650-4949  
passcode 2687475#

Dan

-----Original Message-----

From: Muino, Daniel P.  
Sent: Sunday, July 24, 2011 6:16 PM  
To: 'MFrancis@KSLAW.com'; 'CAnderson@KVN.com'  
Cc: 'DALVIK-KVN@kvn.com'; 'dalvik-KS@KSLAW.com'; Oracle MoFo Service List; 'Oracle-Google@BSFLLP.com'  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Counsel,

We have a few additional items for Monday's call:

- (5) Google's production of non-mobile data (pursuant to Judge Ryu's letter).
- (6) Google's 30(b)(6) Topic 12 re fragmentation (information about Sprint and Vodafone).
- (7) Timing of expert depositions.

Dan

-----Original Message-----

From: Muino, Daniel P.  
Sent: Friday, July 22, 2011 6:20 PM  
To: 'MFrancis@KSLAW.com'; 'CAnderson@KVN.com'  
Cc: 'DALVIK-KVN@kvn.com'; 'dalvik-KS@KSLAW.com'; Oracle MoFo Service List; 'Oracle-Google@BSFLLP.com'  
Subject: Re: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Mark,

Here are Oracle's additional agenda items for Monday's call at 3pm:

- (1) Deposition dates for Schmidt, Page, Lee, and Lindholm.
- (2) Down-designation of AEO documents (7/19 Tipton letter).
- (3) Oracle's RFP 175 (documents from Android litigations).
- (4) Search term: Java w/ Android.

Conference number:  
(800) 650-4949  
passcode 8135878#.

Dan

----- Original Message -----

From: Francis, Mark <[MFrancis@KSLAW.com](mailto:MFrancis@KSLAW.com)>  
To: Muino, Daniel P.; [CAAnderson@KVN.com](mailto:CAAnderson@KVN.com) <[CAAnderson@KVN.com](mailto:CAAnderson@KVN.com)>  
Cc: [DALVIK-KVN@kvn.com](mailto:DALVIK-KVN@kvn.com) <[DALVIK-KVN@kvn.com](mailto:DALVIK-KVN@kvn.com)>; dalvik-KS <[dalvik-KS@KSLAW.com](mailto:dalvik-KS@KSLAW.com)>;  
Oracle MoFo Service List; [Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com) <[Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)>  
Sent: Fri Jul 22 16:19:23 2011  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Dan,

Here is Google's current list of agenda items for Monday's senior m&c call. I don't know what Oracle would like to discuss, but we expect the call to last at least 1.5 hours.

- (1) Protective order issues relating to use of confidential information in court proceedings
- (2) Deadlines for document production, depositions, expert reports, etc.
- (3) Google's 30(b)(6) for Topic 11, inventor depositions
- (4) Deposition date for Kaul
- (5) Document production issues raised in July 14 letter to Oracle
- (6) Gartner/IDC Reports
- (7) Status of Oracle privilege log (percent complete, when completion expected)
- (8) Compliance with Judge Alsup's supplemental order regarding responses to RFPs

Regards,

Mark

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From: Muino, Daniel P. [[DMuino@mofocom](mailto:DMuino@mofocom)]  
Sent: Thursday, July 21, 2011 7:27 PM  
To: [CAAnderson@KVN.com](mailto:CAAnderson@KVN.com)  
Cc: [DALVIK-KVN@kvn.com](mailto:DALVIK-KVN@kvn.com); dalvik-KS; Oracle MoFo Service List; [Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)  
Subject: Re: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Christa,

In light of the three depositions scheduled for tomorrow, we propose moving the senior meet-and-confer call to Monday at 3pm, with agendas to be exchanged tomorrow evening. Please let us know if that works

10/26/2011

for you. Thanks.

Dan

----- Original Message -----

From: Muino, Daniel P.

To: 'Christa Anderson' <CAnderson@KVN.com>; Jacobs, Michael A.

Cc: DALVIK-KVN <DALVIK-KVN@kvn.com>; dalvik-KS <dalvik-KS@KSLAW.com>; Oracle MoFo Service List; [Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com) <[Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)>

Sent: Wed Jul 20 22:54:26 2011

Subject: RE: Oracle v. Google / Court's July 11 Request for Update re: Re-Examination

Christa,

Preliminarily, we note that Google waited until nearly the last month of discovery to notice 9 of its 10 individual depositions and 11 of its 15 30(b)(6) topics. Google's delay has made it difficult to schedule all of these depositions by the close of discovery.

Larry Ellison is available for deposition on August 4. We expect to produce his documents by next week.

Regarding Mr. Schmidt, he is a percipient witness with respect to numerous facts and events of relevance to this case that he uniquely knows about from his personal involvement:

(1) He was involved in the pre-lawsuit Oracle/Google discussions and the 2005-2006 Sun/Google negotiations (including involvement that Mr.

Rubin, Google's 30b6 witness on the discussions, was unable to testify about). The facts of these discussions and negotiations are highly relevant to the damages and willfulness issues in this case, among other things.

(2) Mr. Schmidt was the former CTO of Sun, where he acquired extensive knowledge of Java technologies and Sun's Java licensing practices. We are entitled to question him regarding the incorporation of Java technologies into Android, the extent to which his knowledge of Java was utilized in the development of Android, and Google's decision-making with respect to licensing Java IP rights from Sun. These facts are relevant to infringement and willfulness issues, among others.

(3) We expect to question Mr. Schmidt about his public statements regarding Android, statements attributable to him alone as CEO.

(4) We also expect to question Mr. Schmidt about Google's acquisition of Android, the importance of Android to Google's overall business strategy, and Android-related revenue expectations, all topics that fall within his areas of responsibility and personal knowledge as we understand them.

Accordingly, we are not seeking Mr. Schmidt's deposition because he was an "apex" officer of Google, but because of his direct knowledge of topics of relevance to this litigation. Out of regard for his busy schedule, we are willing to shorten his deposition to 5 hours.

With respect to Mr. Rubin, we cannot agree to complete his individual deposition and three 30(b)(6) topics in 8 hours. Accordingly, we will proceed with his 7-hour individual deposition on July 27 and request that he appear on a later date for the three 30(b)(6) topics. We are willing to complete the three topics in a single 7-hour day. Please let us know if this is agreeable and advise of his availability for deposition on the three topics.

We still await Google's response to our counter-proposal regarding extending the discovery cut-off: We are willing to extend the cut-off to August 15 if Google will agree to allow the depositions of Messrs.

Page, Nishar, Lee, and Lindholm. Is this proposal acceptable to Google?

If not, does Google have a counter-proposal?

10/26/2011

Daniel P. Muino  
Morrison & Foerster LLP  
425 Market Street | San Francisco, CA 94105  
415.268.7475 | 415.268.7522 fax  
[dmuino@mofocom](mailto:dmuino@mofocom) | [www.mofocom](http://www.mofocom)

-----Original Message-----

From: Christa Anderson [mailto:CAnderson@KVN.com]  
Sent: Tuesday, July 19, 2011 4:31 PM  
To: Muino, Daniel P.; Jacobs, Michael A.  
Cc: DALVIK-KVN; dalvik-KS; Oracle MoFo Service List; [Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Dan - Thank you for your email.

First and foremost, we are extremely concerned that we still have no proposed date for Mr. Ellison's deposition even though the deposition cut-off is in eleven days, Google noticed Mr. Ellison a month ago on June 20, and Oracle has listed him on its disclosures as an Oracle witness on a host of material topics. Furthermore, Oracle appears to have intentionally delayed producing his documents until the end of the discovery period, even though Oracle has long-acknowledged that these documents must be produced. Please provide dates for his deposition and produce his documents immediately. If Google is prejudiced by Oracle's continued withholding of such documents, it will seek relief for that prejudice.

Second, in regard to our continued meeting-and-conferring on the subject of Mr. Schmidt's deposition notice, please provide in writing the bases on which you contend this deposition is appropriate under the rules regarding "apex" depositions, and also advise as to how long you would propose to depose Mr. Schmidt. This will inform our decision on the matter. If we determine a motion for protective order is in order, we will commence the joint letter process. If not, we will provide you with a date for his deposition.

Third, Oracle is long overdue in providing dates for the noticed Rule 30(b)(6) deposition topics served almost a month ago on June 21. Please provide remaining dates today.

Fourth, as concerns Mr. Rubin's individual and 30(b)(6) deposition on July 27, we do not agree that more than seven hours is necessary or required under the rules. That said, we have reviewed Oracle's recently-served additional Rule 30(b)(6) deposition notice and have determined that Mr. Rubin is the appropriate witness for topics 10 and 12 as narrowed by Google's objections (which will be served today). These topics are duplicative of other topics already noticed and subject to a number of objections. That said, for the unobjectionable portions of these topics, Mr. Rubin will testify on those subjects as well. Accordingly, we are willing to commence this deposition at 8:30 and make him available for 8 hours of testimony that day. We trust you will be able to complete that deposition in a single day.

Fifth, we have determined Mr. Bornstein is the appropriate witness for Oracle's recently served topic 13, subject to Google's objections. He will be available to testify on that subject on July 22.

Finally, Oracle is aware that Google has opposed Oracle's attempt to take the four depositions that are the subject of the joint letter to the Court. We therefore do not understand the purpose of your query about dates for those four depositions.

Regards,  
Christa

-----Original Message-----

From: Muino, Daniel P. [mailto:DMuino@mofocom]



Sent: Monday, July 18, 2011 6:31 PM  
To: Christa Anderson; Jacobs, Michael A.  
Cc: DALVIK-KVN; dalvik-KS; Oracle MoFo Service List; [Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Christa,

We do not intend to take more time than is necessary with any of Google's witnesses. Given Mr. Rubin's central role with respect to Android, we will have many subjects to cover with him during his individual deposition, apart from the subject of Topic 8. Accordingly, we will likely need more than 7 hours with Mr. Rubin on July 27 to cover all of the pertinent areas. We are willing to proceed with Mr. Rubin's individual and 30(b)(6) depositions on the same day, but we would like Mr. Rubin to be prepared to testify for more than 7 hours if necessary.

To facilitate this, we suggest that the deposition start at 8am. Please let us know if that is acceptable.

With respect to Mr. Schmidt's deposition, we believe that a 7-hour deposition is warranted to cover all topics with him. However, in the spirit of compromise, we are willing to shorten the deposition time if Google agrees to drop its objection to producing him.

Given that Google does not currently intend to call Mr. Hoelzle at trial, we will not insist on deposing him at this time. With respect to Ms. Wojcicki, please let us know her availability for deposition.

We are working on getting dates for Jeet Kaul, Larry Ellison, and Google's Topics 5-7, 9, and 12-13. Please provide dates for Eric Schmidt and Oracle's Topics 10-13.

Finally, please let us know Google's position regarding extending the discovery cut-off to August 15 and allowing the depositions of Messrs. Page, Nishar, Lee, and Lindholm.

Thanks.

Daniel P. Muino  
Morrison & Foerster LLP  
425 Market Street | San Francisco, CA 94105  
415.268.7475 | 415.268.7522 fax  
[dmuino@mofo.com](mailto:dmuino@mofo.com) | [www.mofo.com](http://www.mofo.com)

-----Original Message-----

From: Christa Anderson [mailto:[CAnderson@KVN.com](mailto:CAnderson@KVN.com)]  
Sent: Friday, July 15, 2011 11:08 AM  
To: Muino, Daniel P.; Jacobs, Michael A.  
Cc: DALVIK-KVN; 'dalvik-KS'; Oracle MoFo Service List; '[Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)'  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Dan - Thank you for your email. Here are our responses to the below. Thanks, Christa

1. Mr. Schwartz is confirmed for July 20
2. Mr. Brady is confirmed for July 21
3. Mr. Bornstein is confirmed for July 22. As far as reserving the right to depose Mr. Bornstein for 10.5 hours as you seek to do, we object to such a lengthy deposition, especially given that you have already deposed Mr. Bornstein on a separate day in his individual capacity. We expect you will wrap up his deposition on these topics in a single 7 hour day.

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4. Mr. Rubin is confirmed for July 27 for his individual and Rule 30(b)(6) deposition. As we stated during our last senior counsel call, we object to Oracle deposing Mr. Rubin for more than a seven hour day in his individual capacity and in his capacity as a Rule 30(b)(6) witness on topic 8 given Judge Alsup's rules on such depositions. In other words, we disagree that you have any right to reserve what you claim to reserve. In light of this, please plan your deposition day accordingly.

5. We are confirmed for Mr. Gering and Mr. Cizek as you note below.

6. We can confirm Mr. Risvi for July 28.

7. We can confirm Mr. Lord in DC for July 22.

8. We can confirm July 26 for topic 10.

9. Oracle promised during the Senior Counsel call to have dates for its 30(b)(6) witnesses by Wednesday or Thursday. Please provide them immediately as scheduling is becoming very difficult as a result of Oracle's failures to provide dates. We also have received no date for Mr. Ellison's deposition.

10. With respect to depositions very recently noticed by Oracle, we are working on gathering dates. As far as Mr. Schmidt is concerned, as you know we are evaluating your comments from the last Senior Counsel call to assess whether the notice is appropriate under the apex deposition rule. Toward that end, please advise if it is your intent to take a full 7 hour deposition of Mr. Schmidt.

11. Finally, you requested during our last senior counsel call that Google advise Oracle as to whether Google would be willing to produce for deposition either Mr. Hoelzle or Ms. Wojcicki as a resolution to Oracle's claims of prejudice in connection with Google's supplementing its initial disclosures. As we explained to you, we disagree with Oracle's claims of prejudice, but are willing to discuss options with Oracle. As far as Mr. Hoelzle is concerned, it is inconceivable that Oracle suffered any prejudice in connection with Google adding to its disclosure this name when Oracle had already listed Mr. Hoelzle on its disclosures and with respect to whom Oracle had demanded production of documents (a demand to which Google already agreed). While we do not have a current intention of calling Mr. Hoelzle, Google expressly reserves the right to do so should it see fit and depending upon what evidence Oracle seeks to rely upon at trial.

Therefore, we do not agree to producing Mr. Hoelzle as a witness for deposition above the ten deposition limit already reached by Oracle.

That said, Google is willing to produce Ms. Wojcicki for deposition on a mutually agreeable date to resolve Oracle's disputed complaint regarding prejudice and, as we stated, Google is collecting and producing her documents. Please advise.

Thanks, Christa

Sent with Good (www.good.com)

-----Original Message-----

From: Muino, Daniel P. [mailto:DMuino@mof.com]

Sent: Wednesday, July 13, 2011 11:53 PM Pacific Standard Time

To: Christa Anderson; Jacobs, Michael A.

Cc: DALVIK-KVN; dalvik-KS; Oracle MoFo Service List;

[Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)

Subject: RE: Oracle v. Google / Court's July 11 Request for

Update re: Re-Examination

Christa,

We can confirm the following deposition dates:

10/26/2011

- Jonathan Schwartz on July 20 (Keker SF).
- Patrick Brady on July 21 -- Oracle's Topics 7, 9 (K&S Redwood Shores).
- Dan Bornstein on July 22 -- Oracle's Topics 4-6 (K&S Redwood Shores).
- Andy Rubin on July 27 -- individual depo and Oracle's Topic 8 (K&S Redwood Shores).

For Messrs. for Brady and Bornstein, we reserve the right to take up to 3.5 hours per topic. For Mr. Rubin, we reserve the right to take up to 7 hours for his individual deposition, plus 3.5 hours for Topic 8.

We understand that Google has confirmed the following deposition dates:

- Craig Gering on July 20 (MoFo SF).
- Leo Cizek on July 22 (MoFo PA).

We mistakenly offered Hasan Rizvi on July 29; Mr. Rizvi is actually available on July 28. Please let us know if that date works for you.

Peter Lord's deposition will need to take place in Washington D.C., where he resides. Mr. Lord is available for deposition on July 22 at MoFo's Washington D.C. office.

We can offer July 26 for Google's Topic 10. The witness will be Peter Kessler.

We will get back to you with dates for Edward Screven, Jeet Kaul, Larry Ellison, and Google's Topics 4-9 and 12-13. Please respond with dates for Eric Schmidt and Oracle's Topics 10-13.

Thanks.

Daniel P. Muino  
Morrison & Foerster LLP  
425 Market Street | San Francisco, CA 94105  
415.268.7475 | 415.268.7522 fax  
[dmuino@mofocom](mailto:dmuino@mofocom) | [www.mofocom](http://www.mofocom) <<http://www.mofocom>>

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From: Christa Anderson [mailto:CAnderson@KVN.com]  
Sent: Wednesday, July 13, 2011 2:08 PM  
To: Christa Anderson; Jacobs, Michael A.  
Cc: DALVIK-KVN; dalvik-KS; Oracle MoFo Service List; [Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Hi Michael - I have a correction to below -- Mr. Schwartz is available on July 20 (not the 22nd). Please let us know.  
thanks,  
Christa

---

From: Christa Anderson  
Sent: Wednesday, July 13, 2011 12:28 PM  
To: 'Jacobs, Michael A.'

Cc: DALVIK-KVN; dalvik-KS; Oracle MoFo Service List; [Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Thanks Michael. Also, I just learned that Mr. Schwartz is available to go forward with his deposition on 7/22. Can we confirm that date with the witness' counsel?  
Christa

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From: Jacobs, Michael A. [<mailto:MJacobs@mofo.com>]  
Sent: Wednesday, July 13, 2011 11:40 AM  
To: Christa Anderson  
Cc: DALVIK-KVN; dalvik-KS; Oracle MoFo Service List; [Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)  
Subject: RE: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Christa,

This is fine. We can prepare the first draft of the first page.

Michael

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From: Christa Anderson [<mailto:CAnderson@KVN.com>]  
Sent: Tuesday, July 12, 2011 2:34 PM  
To: Oracle MoFo Service List; [Oracle-Google@BSFLLP.com](mailto:Oracle-Google@BSFLLP.com)  
Cc: DALVIK-KVN; dalvik-KS  
Subject: Oracle v. Google / Court's July 11 Request for Update re:  
Re-Examination

Dear Counsel: In regard to the Court's recent Request for an Update re:  
Re-Examination, we wanted to coordinate on how to structure the five pages. We propose that one page consist of a joint statement on the status, and then each party will have two pages to address respective views as requested by the Court's Order. Is this acceptable to you?  
Thanks,  
Christa

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