

From: Andrea Fair <andrea@wsfirm.com>
Sent: Friday, April 12, 2024 1:18 PM
To: Jon Ma; Barton, Ross
Cc: Deane, Michael; Ahnhut, Adam; rak_cobblestone@raklaw.com; A&B Cobblestone
Subject: RE: Cobblestone - Witness Proposal

EXTERNAL SENDER – Proceed with caution

Ross, Michael, In talking with our team, we think there's a possible compromise here. From my vantage (admittedly distant), it seems the overlap in carrier aggregation (although different aspects in the two cases) is the source of a few diverging views—including upcoming depositions, infringement reads, and consolidation. As a possible way to cut through these disputes, we reiterate our proposal of moving the '361 patent to the second case, we'd drop our request for 30(b)(6) designees on carrier aggregation in Carrier 1 (reserving the request for Carrier 2), and it would resolve the efficiency concerns raised in your motion to consolidate. Does that sound like a deal for y'all? Otherwise, I think we'll need to move to compel, and also file a motion to clarify/in the alternative amend our contentions as to applicability of carrier aggregation (and we plan to alternatively propose the '361 be moved to the second case). We'd like to get the disputes, if they remain, briefed so this tipping point is addressed at the *Markman* and we all know where things stand moving into expert discovery. Let us know. Thanks!

Andrea L. Fair
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From: Jon Ma <jma@raklaw.com>
Sent: Wednesday, April 10, 2024 11:05 PM
To: Barton, Ross <Ross.Barton@alston.com>
Cc: Deane, Michael <Michael.Deane@alston.com>; Ahnhut, Adam <Adam.Anhhut@alston.com>; rak_cobblestone@raklaw.com; A&B Cobblestone <A&BCobblestone@alston.com>; Andrea Fair <andrea@wsfirm.com>
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Ross,

Carrier aggregation is detailed in our '361 contentions, and Defendants/Intervenors have repeatedly indicated that carrier aggregation is in Carrier 1. Thus carrier aggregation is relevant and discoverable in Carrier 1. At no point until two days ago, did Defendants/Intervenors ever indicate otherwise. There is important context missing from Michael's email. For instance, the '361 patent (involving, for example, assigning or de-activating Scells) involves different aspect(s) of carrier aggregation than the '802 patent (involving, for example, center frequencies). This can be further seen from the patents and contentions. Thus, we reiterate our request that you designate witnesses on carrier aggregation topics. In the alternative, we are also open to consolidating only the '361 patent claims into the Carrier 2 case schedule, which should also alleviate some of your alleged concerns.

To the extent you do not designate witnesses on the carrier aggregation topics, we believe it is your responsibility to move for a protective order. We may also choose to move to compel, or, in the

alternative, request that the Court consolidate only the '361 patent claims into the Carrier 2 case schedule, to avoid prejudicing Cobblestone's ability to conduct discovery on the '361.

Best,
Jon

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On Apr 10, 2024, at 4:16 PM, Barton, Ross <Ross.Barton@alston.com> wrote:

Jon,
As we asked below, please identify what in Michael's email regarding carrier aggregation you disagree with before our call so we can have a productive discussion.
BR,
Ross

Ross R. Barton
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From: Jon Ma <jma@raklaw.com>

Sent: Wednesday, April 10, 2024 7:07 PM

To: Deane, Michael <Michael.Deane@alston.com>

Cc: Ahnhut, Adam <Adam.Anhhut@alston.com>; rak_cobblestone@raklaw.com

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