EXHIBIT A

Steven Lieberman

To: Holdreith, Jake M.

Cc: Morton, Cyrus A.; Arenz, Patrick M.; Terry, Dannah G.; Schutz, Ronald J.

Subject: RE: Dow v. Ablaise: upcoming call

I'm glad to have this representation, but that's not the only issue.
Are you foreswearing any reliance on commercial success? Scepticism of the invention? What about the inventors' knowledge of prior art? Derivation issues? Improper inventorship, etc., etc.

Steven Lieberman

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-----Original Message-----
From: Holdreith, Jake M. [mailto:JMHoldreith@rkmc.com]
Sent: Friday, November 16, 2007 1:39 PM
To: Steven Lieberman
Cc: Morton, Cyrus A.; Arenz, Patrick M.; Terry, Dannah G.; Schutz, Ronald J.
Subject: RE: Dow v. Ablaise: upcoming call

>>>> Please read the confidentiality statement below <<<<

Steve, you are aware, I trust, that we are not seeking to swear behind the May 15, 1995, priority date.

I don't know, but I expect that a large majority of the electronic data are not "the inventors' files from the time period near the alleged conception and reduction to practice." Please confirm if that is what you are seeking in your request for production of the electronic files.

If you are interested in "inventors' files from the time period near the alleged conception and reduction to practice," are you willing to narrow your request to documents in the inventors' files that predate the May 15, 1995 filing date? I believe that would likely eliminate the backup tapes. That would at least substantially narrow our dispute. Are you also willing to bear the cost of restoring files from the remaining media and identifying those that are dated prior to May 16, 1995 and relate to the invention?

Please advise.

Jake

From: Steven Lieberman [mailto:slieberman@rfem.com]
Sent: Friday, November 16, 2007 12:20 PM
To: Holdreith, Jake M.
Cc: Morton, Cyrus A.; Arenz, Patrick M.; Terry, Dannah G.; Schutz, Ronald J.
Subject: RE: Dow v. Ablaise: upcoming call

Your client knows where the relevant documents are most likely to be. You've got an obligation to look in those places. I have no idea where on the different media you identified the documents are so I really can't propose any sort of narrowing.

I can't imagine more important documents than the inventors files from the time period near the alleged conception and reduction to practice.

Steven Lieberman

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-----Original Message-----
From: Holdreith, Jake M. [mailto:JMHoldreith@rkmc.com]
Sent: Friday, November 16, 2007 12:56 PM
To: Steven Lieberman
Cc: Morton, Cyrus A.; Arenz, Patrick M.; Terry, Dannah G.; Schutz, Ronald J.
Subject: Dow v. Ablaise: upcoming call

>>>> Please read the confidentiality statement below <<<<
Steve,

In preparing for our call with the court today, I would like to confirm that your proposal is that Ablaise review the entirety of the archived electronic data (which could be on the order of 9 terabytes) including the backup tapes that may number around 120, and that Ablaise bear the costs of restoring and reviewing the data.

You have not made a proposal to narrow or tailor your request, nor to bear the costs, nor have you articulated to me any showing of your need for the data or how it is particularly important to your case.

As you know, we believe that demand is unreasonable on its face and contrary to the federal rules.

If I have not correctly understood your position, please advise immediately.

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Thank you in advance for your cooperation.

Robins, Kaplan, Miller & Ciresi L.L.P.
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