

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE PAPST LICENSING GMBH & CO.
KG LITIGATION

This Document Relates To:
ALL CASES

Misc. Action No. 07-493 (RMC)
MDL Docket No. 1880

PAPST'S MDL RULE 26(a)(1) DISCLOSURES

As required by this Court's April 8, 2008 Second Practice & Procedure Order, Papst Licensing GmbH & Co. KG (hereinafter "Papst") makes the following disclosures pursuant to Fed.R.Civ.P. 26(a)(1):

26(a)(1)(A): The following individuals are likely to have discoverable information that Papst may use to support its claims:

1. Michael Tasler
% Welsh & Katz, Ltd.

Mr. Tasler is likely to have discoverable information regarding the inventions disclosed in United States Patent No. 6,895,449 ("the '449 patent") and United States patent No. 6,470,399 (the "399 patent").

2. The currently unknown principals, officers and/or employees of the Defendants (a.k.a. Camera Manufacturers)¹ are likely to have discoverable information concerning such subjects as the infringement (including willfulness and inducement), the alleged

¹ This includes any and all predecessors-in-interest, successors-in-interest, divisions or subsidiaries thereof, all controlling or affiliated companies or corporations, any and all other persons who are, or at any time to which these requests relate were, controlled by, acting or purporting to act on behalf of any of the foregoing, and all present and former officers, directors, employees, agents, shareholders, attorneys, and representatives of any of the foregoing.

prior art, design, development, manufacture, operation, use, sale, commercial success, licensing, importation and/or offer for sale of devices that embody one or more claims of the '449 patent and the '399 patent, and sales, profits and royalties paid or realized by the Defendants, as these subjects relate to commercial success. Papst anticipates that discovery will disclose additional companies and individuals affiliated or related to the Defendants that are likely to have discoverable information on these same and other subjects.

3. Papst Licensing GmbH & Co. KG
Bahnhofstrasse 33
78112 St. Georgen, Germany

The principals, officers and/or employees of Papst are likely to have discoverable information concerning Papst's ownership of the '449 patent and '399 patent.

4. Currently unknown third-party witnesses on such subjects as claim construction, infringement, infringement by inducement, willful infringement, the alleged prior art, the alleged invalidity, the design, development, manufacture, operation, use, sale, commercial success, licensing, importation and/or offer for sale of devices that embody one or more claims of the '449 patent and the '399 patent, and sales, profits and royalties paid or realized by the Defendants as they relate to commercial success.

Papst reserves the right to supplement this disclosure as it discovers additional businesses or individuals with relevant knowledge of disputed facts.

26(a)(1)(B): Papst identifies the following categories of materials which Papst may use to support its claims: (1) materials relating to the '449 patent and the '399 patent; and (2) devices sold and methods used by Defendants that embody one or more claims of the '449 patent and the '399 patent and materials concerning those devices and

related methods. These categories of materials are or will be located principally at the offices of Welsh & Katz, Ltd. and Papst. All responsive documents made available for production will be available at the Papst Document Depository, which is the office of Welsh & Katz, Ltd. in Chicago. Papst reserves the right to supplement this disclosure as it discovers additional relevant materials and/or a protective order is entered with regard to confidential documents.

26(a)(1)(C): Papst has not yet been able to compute its monetary damages with reasonable certainty. Papst reserves the right to supplement this disclosure as its investigation continues.

26(a)(1)(D): Not applicable.

Dated: April 21, 2008

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing PAPST'S MDL RULE 26(a)(1) DISCLOSURES was served on this the 21st day of April, 2008 upon the attorneys for the Camera Manufacturers through the United States District Court for the District of Columbia ECF System unless otherwise noted as follows:

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