IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALCATEL USA RESOURCES, INC. a Delaware Corporation, and ALCATEL INTERNETWORKING, INC., a California Corporation,	)	
Plaintiffs,	)	Civil Action No. 05-418-SLR
v.	)	(JURY TRIAL DEMANDED)
FOUNDRY NETWORKS, INC., a Delaware Corporation,	)	
Defendant.	)	

FOUNDRY NETWORKS, INC.'S NOTICE OF DEPOSITION OF JOHN W. BAILEY

PLEASE TAKE NOTICE that, pursuant to Rule 45 of the Federal Rules of Civil Procedure, defendant and counterclaimant Foundry Networks Inc. will take the deposition of John W. Bailey, 5940 Grey Rock Road, Agoura Hills, CA 91301-4434 at the offices of Orrick Herrington & Sutcliffe LLP, 777 S. Figueroa Street, Suite 3200, Los Angeles, CA 90017, commencing at 9:00 a.m. on September 8, 2006.

The deposition will be taken upon oral examination before an officer authorized by law to administer oaths, and will continue from day to day thereafter, excluding weekends and holidays, until it is completed. The deposition will be recorded stenographically, by video, and electronically, using LiveNote.

POTTER ANDERSON & CORROON LLP

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(As to Count I of the Amended Complaint)

Dated: August 9, 2006
745389

/s/ Philip A. Rovner
By: _____
Philip A. Rovner (#3215)
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Attorneys for Defendant
Foundry Networks, Inc.

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CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on August 9, 2006, the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following counsel as indicated; and that the document is available for viewing and downloading from CM/ECF.

BY HAND DELIVERY AND E-MAIL

Karen L. Pascale, Esq.
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I hereby certify that on August 9, 2006 I have sent by E-mail the foregoing document to the following non-registered participant:

Timothy J. Haller, Esq.
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