IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

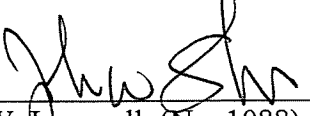
ALCATEL USA RESOURCES, INC., a Delaware Corporation, and ALCATEL INTERNETWORKING, INC., a California Corporation,	)	
Plaintiffs,	)	Civil Action No. 1:05 CV 418
v.	)	
FOUNDRY NETWORKS, INC., a Delaware Corporation,	)	(JURY TRIAL DEMANDED)
Defendant.	)	

NOTICE OF DEPOSITION OF JOHN BURGER

PLEASE TAKE NOTICE that Alcatel USA Resources, Inc. and Alcatel Internetworking, Inc. ("Alcatel") shall take the deposition upon oral examination of John Burger, pursuant to Rule 30, Fed.R.Civ.P., at ORRICK, HERRINGTON & SUTCLIFFE LLP, 1000 Marsh Road, Menlo Park, CA 94025, or other mutually agreeable location, beginning on **September 27, 2006, at 9:00 a.m.**, and continuing from day-to-day until completed.

The deposition will be recorded videographically and stenographically. You are invited to attend and cross examine.

YOUNG CONAWAY STARGATT & TAYLOR, LLP



Josy W. Ingersoll (No. 1088)
John W. Shaw (No. 3362)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19801
(302) 571-6600
jshaw@ycst.com

Attorneys for Alcatel USA Resources, Inc.

Of Counsel:

Timothy J. Haller
Robert P. Greenspoon
Sally J. Wiggins
NIRO, SCAVONE, HALLER & NIRO
181 West Madison Street, Suite 4600
Chicago, Illinois 60602
(312) 236-0733

Dated: August 28, 2006

CERTIFICATE OF SERVICE

I, John W. Shaw, Esquire, hereby certify that on August 28, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Philip A. Rovner, Esquire
Potter Anderson & Corroon LLP
1313 N. Market Street
Wilmington, DE 19801

I further certify that on August 28, 2006, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

BY E-MAIL AND U.S. MAIL

William L. Anthony, Esquire
wanthony@orrick.com
Matthew H. Poppe, Esquire
mpoppe@orrick.com
Michael F. Heafey, Esquire
mheafey@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94025
650-614-7400

Henry C. Bunsow, Esquire
BunsowH@howrey.com
K.T. Cherian, Esquire
cheriank@howrey.com
HOWREY LLP
525 Market Street
Suite 3600
San Francisco, CA 94150
415-848-4900

YOUNG CONAWAY STARGATT & TAYLOR, LLP

Josy W. Ingersoll (No. 1088)
John W. Shaw (No. 3362)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19801
(302) 571-6600
jshaw@ycst.com
Attorneys for Plaintiffs