EXHIBIT 8

AO88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ALCATEL USA RESOURCES, INC., et al.

V.

FOUNDRY NETWORKS, INC.

SUBPOENA IN A CIVIL CASE
U.S. District Court for the District of Delaware

Case Number: 05-418-SLR

TO: **John M. May, Esq.**
c/o Fulbright and Jaworski LLP
~~865 S. Figueroa Street, 29th Floor~~ 555 S. Flower 41st Fl.
Los Angeles, CA 90017 La, Ca. 90071

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **SEE ATTACHED SCHEDULE A.**

PLACE	DATE AND TIME
Orrick, Herrington & Sutcliffe LLP 777 South Figueroa Street, Suite 3200 Los Angeles, CA 90017-5855	May 24, 2006

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
Michael F. Heafey — Attorney for Defendant	May 10, 2006

ISSUING OFFICER'S ~~NAME, ADDRESS AND~~ PHONE NUMBER

Michael F. Heafey, ORRICK, HERRINGTON & SUTCLIFFE LLP, 1000 Marsh Road, Menlo Park, CA 94025, (650) 614-7400

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

AO88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE 5/17/6 TIME 11:00 am.

SERVED

SERVED ON (PRINT NAME) Personal Service
MANNER OF SERVICE

SERVED BY (PRINT NAME) DENA HILL For John May c/o Folbright and Jaworski
TITLE

ANTONIO DA SILVA Fed Rep

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 5-17-06
DATE

SIGNATURE OF SERVER

5231 Ocean Park Blvd.
ADDRESS OF SERVER

Santa Monica, Ca. 90405

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

SCHEDULE A

DEFINITIONS

1. The term "PATENTS" means the following patents and patent applications, as well as, ALL patents, patent applications, continuation applications, continuation in part applications, and divisional applications, whether published or unpublished, U.S. or foreign, that cite the PATENTS-IN-SUIT, incorporate them by reference or otherwise, claim priority from or are used as a basis for the priority date for these patent applications:

Application No.	Patent No.	Filing Date
565310	U.S. 5,214,639	08-09-1990
668582	U.S. 5,418,780	03-13-1991
703771	U.S. 5,247,513	05-21-1991
07/756,230	U.S. 5,301,192	08-30-1991
776337	U.S. 5,237,565	12-13-1991
992935	U.S. 5,323,395	12-18-1992

2. The term "DOCUMENTS" means all papers and other tangible items or material upon which information is recorded or from which information may be obtained by visual inspection or other means. This definition includes copies, reproductions, facsimiles of documents, and electronic data sources such as electronic versions of documents including all metadata, computer data compilation, electronic mail messages, and voice mail messages. If copies of documents are not identical to the originals for any reason, including handwritten notations, initials, or identifying marks, each non-identical copy is a separate document within this definition.

3. The term "RELATING" means concerning, embodying, containing, comprising, constituting, indicating, referring to, identifying, describing, discussing, involving, supporting, reflecting, evidencing, or otherwise in any way pertaining directly or indirectly to.

4. The term "PERSONS" means any natural persons or any business, legal, or governmental entities or associations.

5. The terms "ANY," "ALL," or "EACH" shall be construed as "any, all and each" inclusively.

6. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

7. The use of the singular form of any word shall include the plural and vice versa.

DOCUMENTS TO BE PRODUCED

ALL DOCUMENTS (including drafts) RELATING to the PATENTS, including but not limited to:

1. The complete prosecution file histories for EACH of the PATENTS;

2. ALL DOCUMENTS RELATING to the conception, reduction to practice, and disclosure of the subject matter claimed in EACH of the PATENTS;

3. ALL prior art references and publications RELATING to the subject matter of the EACH of the PATENTS;

4. ALL results of ALL prior art searches RELATING to EACH of the PATENTS;

5. ALL correspondence and communications by and between the attorneys prosecuting EACH of the PATENTS (including ANY agents thereof) and the listed inventors, the client, the patent office, and third parties, including correspondence and communications among the attorneys prosecuting EACH of the PATENTS, between the attorneys prosecuting EACH of the PATENTS and ANY agents thereof, and ANY memoranda to file or notes; and

6. ALL files RELATING to ANY opinion, study, or analysis relating to the validity, infringement, or enforceability of EACH of the PATENTS.

US_WEST:260010665 1

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.	)	

CERTIFICATE OF SERVICE

I, Shella Zapp, hereby certify that on May 15, 2006, true and correct copies of the within document were served on the following counsel of record at the addresses and in the manner indicated: By Facsimile and U.S. Mail.

Josy W. Ingersoll, Esq.
Elena Norman, Esq.
YOUNG CONAWAY STARGATT & TAYLOR, LLP
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
Tel. No.: (302) 571-6600
Fax: (302) 571-1253

Timothy J. Haller, Esq.
Rob Greenspoon, Esq.
Sally Wiggins, Esq.
NIRO, SCAVONE, HALLER & NIRO
181 W. Madison Street, Suite 4600
Chicago, IL 60602
Tel. No.: (312) 236-0733
Fax: (312) 236-3137

SZapp
Shella Zapp

EXHIBIT 9

Issued by the

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

ALCATEL USA RESOURCES, INC., et al.

V.

FOUNDRY NETWORKS, INC.

SUBPOENA IN A CIVIL CASE
U.S. District Court for the District of Delaware

Case Number: 05-418-SLR

TO: **BLAKE, CASSELS & GRAYDON LLP**
65 East 55th Street
Suite 2304, Park Avenue Tower
New York, NY 10022

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **SEE ATTACHED SCHEDULE A.**

PLACE	DATE AND TIME
Orrick, Herrington & Sutcliffe LLP 666 Fifth Avenue New York, NY 10103-0001	May 24, 2006

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
Michael F. Heafey — Attorney for Defendant	May 10, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Michael F. Heafey, ORRICK, HERRINGTON & SUTCLIFFE LLP, 1000 Marsh Road, Menlo Park, CA 94025, (650) 614-7400

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

\O88 (Rev. 1/94) Subpoena in a Civil Case United States District Court SDNY

PROOF OF SERVICE

SERVED	DATE 5/10/06	TIME 5:10pm
	By Hand	at 65 East 55th St Park Avenue Tower New York, NY 10022
SERVED ON (PRINT NAME)	MANNER OF SERVICE	
Stephin Karam - Administrative Assistant		
SERVED BY (PRINT NAME) Vlad Frants	TITLE Clerk	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 5/10/06
DATE

Vlad Frants
SIGNATURE OF SERVER 666 Fifth Ave. New York, NY 10103

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

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SCHEDULE A

DEFINITIONS

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Application No.	Patent No.	Filing Date
09/321,195	6,697,329	05-27-1999

2. The term "DOCUMENTS" means all papers and other tangible items or material upon which information is recorded or from which information may be obtained by visual inspection or other means. This definition includes copies, reproductions, facsimiles of documents, and electronic data sources such as electronic versions of documents including all metadata, computer data compilation, electronic mail messages, and voice mail messages. If copies of documents are not identical to the originals for any reason, including handwritten notations, initials, or identifying marks, each non-identical copy is a separate document within this definition.

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4. The term "PERSONS" means any natural persons or any business, legal, or governmental entities or associations.

5. The terms "ANY," "ALL," or "EACH" shall be construed as "any, all and each" inclusively.

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7. The use of the singular form of any word shall include the plural and vice versa.

DOCUMENTS TO BE PRODUCED

ALL DOCUMENTS (including drafts) RELATING to the PATENTS, including but not limited to:

1. The complete prosecution file histories for EACH of the PATENTS;

2. ALL DOCUMENTS RELATING to the conception, reduction to practice, and disclosure of the subject matter claimed in EACH of the PATENTS;

3. ALL prior art references and publications RELATING to the subject matter of the EACH of the PATENTS;

4. ALL results of ALL prior art searches RELATING to EACH of the PATENTS;

5. ALL correspondence and communications by and between the attorneys prosecuting EACH of the PATENTS (including ANY agents thereof) and the listed inventors, the client, the patent office, and third parties, including correspondence and communications among the attorneys prosecuting EACH of the PATENTS, between the attorneys prosecuting EACH of the PATENTS and ANY agents thereof, and ANY memoranda to file or notes; and

6. ALL files RELATING to ANY opinion, study, or analysis relating to the validity, infringement, or enforceability of EACH of the PATENTS.

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.	)	

CERTIFICATE OF SERVICE

I, Shella Zapp, hereby certify that on May 15, 2006, true and correct copies of the within document were served on the following counsel of record at the addresses and in the manner indicated: By Facsimile and U.S. Mail.

Josy W. Ingersoll, Esq.
Elena Norman, Esq.
YOUNG CONAWAY STARGATT & TAYLOR, LLP
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
Tel. No.: (302) 571-6600
Fax: (302) 571-1253

Timothy J. Haller, Esq.
Rob Greenspoon, Esq.
Sally Wiggins, Esq.
NIRO, SCAVONE, HALLER & NIRO
181 W. Madison Street, Suite 4600
Chicago, IL 60602
Tel. No.: (312) 236-0733
Fax: (312) 236-3137

S/ Zapp
Shella Zapp

EXHIBIT 10

)88 (Rev 1/94) Subpoena in a Civil Case

Issued by the

UNITED STATES DISTRICT COURT

DISTRICT OF COLORADO

AI CATEL USA RESOURCES, INC., et al.

V.

FOUNDRY NETWORKS, INC.

SUBPOENA IN A CIVIL CASE
U.S. District Court for the District of Delaware

Case Number: 05-418-SLR

TO: **SCOT READER, ESQ.**
1320 Pearl Street, Suite 228
Boulder, CO 80302

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **SEE ATTACHED SCHEDULE A.**

PLACE	DATE AND TIME
Orrick, Herrington & Sutcliffe LLP 1000 Marsh Road Menlo Park, Ca 94025	May 25, 2006

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
Michael F. Heafey — Attorney for Defendant	May 11, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Michael F. Heafey, ORRICK, HERRINGTON & SUTCLIFFE LLP, 1000 Marsh Road, Menlo Park, CA 94025, (650) 614-7400

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

C-256

AO88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE 05/11/06	TIME 3:20pm
SERVED SCOT REACER	MANNER OF SERVICE HAND DELIVERY TO SCOT REACER
SERVED ON (PRINT NAME)	
SERVED BY (PRINT NAME) ELLIOTT LESLIE	TITLE PROCESS SERVER

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 05/12/06

NOTARY PUBLIC STATE OF COLORADO

My Commission Expires 03/11/2008

Elliott Leslie
SIGNATURE OF SERVER

1722 14th ST #105
ADDRESS OF SERVER

Boulder, CO 80302

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

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(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

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(i) fails to allow reasonable time for compliance,
(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

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(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

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SCHEDULE A

DEFINITIONS

1. The term "PATENTS" means the following patents and patent applications, as well as, ALL patents, patent applications, continuation applications, continuation in part applications, and divisional applications, whether published or unpublished, U.S. or foreign, that cite the PATENTS-IN-SUIT, incorporate them by reference or otherwise, claim priority from or are used as a basis for the priority date for these patent applications:

Application No.	Patent No.	Filing Date
08/874,754	U.S. 6,070,243	06-13-1997
09/525,506	U.S. 6,339,830	03-15-2000
09/886,930	U.S. 6,874,090	06-21-2001
10/958,620		10-05-2004

2. The term "DOCUMENTS" means all papers and other tangible items or material upon which information is recorded or from which information may be obtained by visual inspection or other means. This definition includes copies, reproductions, facsimiles of documents, and electronic data sources such as electronic versions of documents including all metadata, computer data compilation, electronic mail messages, and voice mail messages. If copies of documents are not identical to the originals for any reason, including handwritten notations, initials, or identifying marks, each non-identical copy is a separate document within this definition.

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5. The terms "ANY," "ALL," or "EACH" shall be construed as "any, all and each" inclusively.

6. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

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DOCUMENTS TO BE PRODUCED

ALL DOCUMENTS (including drafts) RELATING to the PATENTS, including but not limited to:

1. The complete prosecution file histories for EACH of the PATENTS;

2. ALL DOCUMENTS RELATING to the conception, reduction to practice, and disclosure of the subject matter claimed in EACH of the PATENTS;

3. ALL prior art references and publications RELATING to the subject matter of the EACH of the PATENTS;

4. ALL results of ALL prior art searches RELATING to EACH of the PATENTS;

5. ALL files RELATING to ANY opinion, study, or analysis relating to the validity, infringement, or enforceability of EACH of the PATENTS;

6. ALL documents related to items 1-5 above, including ALL notes, correspondence, communications, and ANY memoranda;

7. ALL correspondence and communications by and between the attorneys prosecuting EACH of the PATENTS (including ANY agents thereof) and the listed inventors, the client, the patent office, and third parties, including correspondence and communications

among the attorneys prosecuting EACH of the PATENTS, between the attorneys prosecuting EACH of the PATENTS and ANY agents thereof, and ANY memoranda to file or notes; and

8. ALL documents related to EACH of the PATENTS, including ALL drafts of communications with any patent authority, ALL draft patent applications, ALL drafts of responses to office actions, ALL drafts of Information Disclosure Statements, and ALL comparisons with prior art.

US_WEST:260016352.1
15903-8 SB0/SB0

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.	)	

CERTIFICATE OF SERVICE

I, Shella Zapp, hereby certify that on May 15, 2006, true and correct copies of the within document were served on the following counsel of record at the addresses and in the manner indicated: By Facsimile and U.S. Mail.

Josy W. Ingersoll, Esq.
Elena Norman, Esq.
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181 W. Madison Street, Suite 4600
Chicago, IL 60602
Tel. No.: (312) 236-0733
Fax: (312) 236-3137

S Zapp
Shella Zapp

EXHIBIT 11

)88 (Rev 1/94) Subpoena in a Civil Case

Issued by the

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

ALCATEL USA RESOURCES, INC., et al.

V.

FOUNDRY NETWORKS, INC.

SUBPOENA IN A CIVIL CASE
U.S. District Court for the District of Delaware

Case Number: 05-418-SLR

TO: **WARE, FRESSOLA, VAN DER SLUYS & ADOLPHSON LLP**
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below o testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **SEE ATTACHED SCHEDULE A.**

PLACE	DATE AND TIME
Orrick, Herrington & Sutcliffe LLP 666 Fifth Avenue New York, NY 10103-0001	May 24, 2006

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
Michael F. Heafey — Attorney for Defendant	May 10, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Michael F. Heafey, ORRICK, HERRINGTON & SUTCLIFFE LLP, 1000 Marsh Road, Menlo Park, CA 94025, (650) 614-7400

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

PROOF OF SERVICE

DATE	TIME
SERVED 5/11/06	3:32 PM

SERVED ON (PRINT NAME)	MANNER OF SERVICE
K. Bradford Adolphson, Attorney for Ware, Fressola, Van Der Sluys & Adolphson LLP	Personal Service

SERVED BY (PRINT NAME)	TITLE
Alan Jones	Private Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 5/11/06
DATE

Alan E. Jones
SIGNATURE OF SERVER

32 Eagle Rock Hill
Bethel, CT 06801
ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

SCHEDULE A

DEFINITIONS

1. The term "PATENTS" means the following patents and patent applications, as well as, ALL patents, patent applications, continuation applications, continuation in part applications, and divisional applications, whether published or unpublished, U.S. or foreign, that cite the PATENTS-IN-SUIT, incorporate them by reference or otherwise, claim priority from or are used as a basis for the priority date for these patent applications:

Application No.	Patent No.	Filing Date
918450	U.S. 5,309,430	07-22-1992
123513	U.S. 5,491,728	09-17-1993
156021	U.S. 5,506,840	11-19-1993

2. The term "DOCUMENTS" means all papers and other tangible items or material upon which information is recorded or from which information may be obtained by visual inspection or other means. This definition includes copies, reproductions, facsimiles of documents, and electronic data sources such as electronic versions of documents including all metadata, computer data compilation, electronic mail messages, and voice mail messages. If copies of documents are not identical to the originals for any reason, including handwritten notations, initials, or identifying marks, each non-identical copy is a separate document within this definition.

3. The term "RELATING" means concerning, embodying, containing, comprising, constituting, indicating, referring to, identifying, describing, discussing, involving, supporting, reflecting, evidencing, or otherwise in any way pertaining directly or indirectly to.

4. The term "PERSONS" means any natural persons or any business, legal, or governmental entities or associations.

5. The terms "ANY," "ALL," or "EACH" shall be construed as "any, all and each" inclusively.

6. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

7. The use of the singular form of any word shall include the plural and vice versa.

DOCUMENTS TO BE PRODUCED

ALL DOCUMENTS (including drafts) RELATING to the PATENTS, including but not limited to:

1. The complete prosecution file histories for EACH of the PATENTS;

2. ALL DOCUMENTS RELATING to the conception, reduction to practice, and disclosure of the subject matter claimed in EACH of the PATENTS;

3. ALL prior art references and publications RELATING to the subject matter of the EACH of the PATENTS;

4. ALL results of ALL prior art searches RELATING to EACH of the PATENTS;

5. ALL correspondence and communications by and between the attorneys prosecuting EACH of the PATENTS (including ANY agents thereof) and the listed inventors, the client, the patent office, and third parties, including correspondence and communications among the attorneys prosecuting EACH of the PATENTS, between the attorneys prosecuting EACH of the PATENTS and ANY agents thereof, and ANY memoranda to file or notes; and

6. ALL files RELATING to ANY opinion, study, or analysis relating to the validity, infringement, or enforceability of EACH of the PATENTS.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

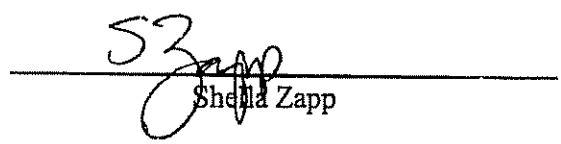
ALCATEL USA RESOURCES, INC. a Delaware Corporation, and ALCATEL INTERNETWORKING, INC., a California Corporation, Plaintiffs, v. FOUNDRY NETWORKS, INC., a Delaware Corporation, Defendant.	)	Civil Action No. 05-418-SLR (JURY TRIAL DEMANDED)

CERTIFICATE OF SERVICE

I, Shella Zapp, hereby certify that on May 15, 2006, true and correct copies of the within document were served on the following counsel of record at the addresses and in the manner indicated: By Facsimile and U.S. Mail.

Josy W. Ingersoll, Esq.
Elena Norman, Esq.
YOUNG CONAWAY STARGATT & TAYLOR, LLP
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
Tel. No.: (302) 571-6600
Fax: (302) 571-1253

Timothy J. Haller, Esq.
Rob Greenspoon, Esq.
Sally Wiggins, Esq.
NIRO, SCAVONE, HALLER & NIRO
181 W. Madison Street, Suite 4600
Chicago, IL 60602
Tel. No.: (312) 236-0733
Fax: (312) 236-3137



Shella Zapp

EXHIBIT 12

B 88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

Alcatel USA Resources, Inc. and Alcatel Internetworking, Inc.

v.

Foundry Networks, Inc.

SUBPOENA IN A CIVIL CASE

Case Number:[1] 1:05 CV 418
U.S.D.C, District of Delaware

TO: Lucent Technologies
600 Mountain Avenue
Murray Hill, NJ 07974-0636

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **SEE ATTACHED SCHEDULE A.**

PLACE	DATE AND TIME
Orrick, Herrington & Sutcliffe LLP 666 Fifth Avenue New York, NY 10103-001	05/24/2006

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
Michael F. Heafey — Attorney for Defendant	05/10/2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Michael F. Heafey, Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road, Menlo Park, CA 94025-1015, Phone Number: (650) 614-7400

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

[1] If action is pending in district other than district of issuance, state district under case number.

AO88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

	DATE	TIME
SERVED	MAY 11 2006	2:50 P.M.

SERVED ON (PRINT NAME): Michael Jasiello / Lucent Technologies

MANNER OF SERVICE: Via Hand Delivery

SERVED BY (PRINT NAME): VINCENT TALMO

TITLE: Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on MAY 11 2006
DATE

VINCENT TALMO
SIGNATURE OF SERVER

47 Bloomfield Ave.
ADDRESS OF SERVER

Caldwell, N.J. 07006

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

05/11/2006 09:31 818-878-9851 US LEGAL SUPPORT PAGE 04/04

SCHEDULE A – DOCUMENTS TO BE PRODUCED

Category I – For the time period prior to June 1996 please produce:

1. Documents sufficient to identify and describe the features of all Lucent switches that implemented user authentication in June 1996 or earlier.

   a) Lucent means Lucent Technologies and/or its past or present divisions, affiliates, predecessors, successors, parents or subsidiaries, including but not limited to Livingston Enterprises.

   b) The term user authentication means authenticating a user based on a user id and password entered by the user, or based on a MAC address associated with a device that is used by the user.

   c) The term "Lucent switches," means any device including, for example, bridges, switches, routers, or hubs) that performed network interconnection at Layer 2 (according to the International Organization for Standardization) which was made or sold by Lucent.

Category II – For the time period prior to June 1996, please produce:

1. Documents sufficient to identify and describe the features of all Lucent switches that implemented port-based VLANs in June 1996 or earlier.

   a) The term "VLAN," means virtual local area networks.

   b) The term "port-based," means associated with a collection of switch ports on one or more switches across a hub.

2. Documents (including, for example, brochures, bulletins, case studies, data sheets, instruction guides, presentations, product manuals, release notes, technical specifications, and white papers) sufficient to identify and describe the features of "switching products" made or sold by Lucent and/or its past or present divisions, affiliates, predecessors, successors, parents or subsidiaries in June 1996 or earlier, including:

   a) PortMaster PM-2 / PortMaster 2;

   b) PortMaster 25;

   c) PortMaster ISDN Office Router;

   d) PortMaster ISDN communications server;

   e) PortMaster IRX;

   f) ChoiceNet; and

g) PM Vision.

3. Product manuals (dated June 1996 or earlier) of the products identified in Item 2 of Category II.

4. Documents (including purchase orders, invoices, and sales records) sufficient to show that the products identified in item 2 of Category II were sold prior to June 13, 1996.

5. Documents (including price quotations, and responses to requests for quotations) sufficient to show that the products identified in item 2 of Category II were offered for sale prior to June 13, 1996.

Category III – For the time period prior to June 1996, please produce:

1. Documents (including, for example, brochures, bulletins, case studies, data sheets, instruction guides, presentations, product manuals, release notes, technical specifications, and white papers) sufficient to identify and describe the features of switches made or sold by Lucent in June 1996 or earlier, including switches that implemented support for either TACACS, or TACACS+ authentication.

2. Documents (including, for example, brochures, bulletins, case studies, data sheets, instruction guides, presentations, product manuals, release notes, technical specifications, and white papers) sufficient to identify and describe the features of switches made or sold by Lucent in June 1996 or earlier, including switches that implemented support for RADIUS authentication.

3. Documents (including, for example, brochures, bulletins, case studies, data sheets, instruction guides, presentations, product manuals, release notes, technical specifications, and white papers) sufficient to identify and describe the features of "PortMaster" switches made or sold by Lucent in June 1996 or earlier, including switches that implemented support for user authentication.

4. Documents (including purchase orders, invoices, and sales records) sufficient to show that the products identified in items 1-4 of Category III were sold prior to June 13, 1996.

5. Documents (including price quotations, and responses to requests for quotations) sufficient to show that the products identified in items 1-4 of Category III were offered for sale prior to June 13, 1996.

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.	)	

CERTIFICATE OF SERVICE

I, Shella Zapp, hereby certify that on May 15, 2006, true and correct copies of the within document were served on the following counsel of record at the addresses and in the manner indicated: By Facsimile and U.S. Mail.

Josy W. Ingersoll, Esq.
Elena Norman, Esq.
YOUNG CONAWAY STARGATT & TAYLOR, LLP
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
Tel. No.: (302) 571-6600
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Fax: (312) 236-3137

SZapp
Shella Zapp