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,	)	C. A. No. 05-418-SLR
v.	)	(JURY TRIAL DEMANDED)
FOUNDRY NETWORKS, INC., a Delaware corporation,	)	
Defendant.	)	

NOTICE OF RULE 30(b)(6) DEPOSITION

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 30(b)(6), counsel for defendant FOUNDRY NETWORKS, INC. will take the deposition upon oral examination of plaintiff ALCATEL INTERNETWORKING, INC. beginning at 9:00 a.m. on July 31, 2006 at the offices of Orrick, Herrington & Sutcliffe LLP, 777 South Figueroa Street, Suite 3200, Los Angeles, CA 90017-5855, or at such other time and place as may be agreed upon by counsel. The deposition will take place before a Notary Public or other person authorized to administer oaths, and will be recorded by stenographic means and/or video. Attorneys may also use equipment providing for simultaneous stenography during the deposition.

Pursuant to Rule 30(b)(6), ALCATEL INTERNETWORKING, INC. shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf concerning each of the matters set forth in Schedule A attached hereto.

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

William L. Anthony
Matthew H. Poppe
Michael F. Heafey
Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road
Menlo Park, California 94025
(650) 614-7400

(As to Count I of the Amended Complaint)

Henry C. Bunsow
K.T. Cherian
HOWREY LLP
525 Market Street, Suite 3600
San Francisco, CA 94105
(415) 848-4900

(As to Count II only)

Dated: July 21, 2006
742337

/s/ Philip A. Rovner
By: _____

Philip A. Rovner (#3215)
Hercules Plaza
P. O. Box 951
Wilmington, DE 19899
(302) 984-6000
E-mail: provner@potteranderson.com

Attorneys for Defendant
Foundry Networks, Inc.

SCHEDULE A

DEFINITIONS

A. "Foundry" means defendant Foundry Networks, Inc.

B. "Xylan" refers to and includes Xylan Corporation of Calabasas, California, and any of its affiliates, predecessors, or successors.

C. The terms "Alcatel," "Plaintiff," "you," and "your" refer to and include Alcatel Internetworking, Inc., and any past or present divisions, affiliates, predecessors, successors, assigns, officers, directors, parents, subsidiaries, agents, servants, employees, investigators, attorneys and all other persons acting or purporting to act for any of them or on their behalf, including without limitation Xylan.

D. "Check Point" refers to Check Point Software Technologies Ltd. and any of its past or present divisions, affiliates, predecessors, successors, assigns, officers, directors, parents, subsidiaries, agents, servants, employees, investigators, attorneys, and all other persons acting or purporting to act for or on behalf of any of them.

E. The term "Accused Foundry Products" refers to any and all products accused of infringement by Alcatel in this action. If this term is used in connection with a specific patent or patents, then this term refers to any and all products accused by Alcatel of infringing the specified patent or patents in this action.

F. "'090 Patent" refers to U.S. Patent No. 6,874,090, as well as all patents and patent applications (including, but not limited to, continuations, continuations in part, divisional, and reissues), whether published or unpublished, U.S. or foreign, that cite that patent, incorporate it by reference or otherwise, claim priority from it, or are used by it as a basis for the priority date.

G. "Alcatel Accused Product" means any product under development, made, used, sold, offered for sale, licensed, distributed or marketed as "OmniPCX Enterprise," "OmniPCX Office," "OmniPCX 4400," "OmniSwitch 8800," "OmniSwitch 7800," "OmniSwitch 6600," "OmniSwitch 7700," "Alcatel 1540 Litespan," "Alcatel 5020 Softswitch," "Alcatel 7750 SR," "Alcatel 7450 ESS," "Alcatel 7505 Media Gateway," "Alcatel SCP 8690 Application Server," "Sylantro Application feature server," "Alcatel 7670 Routing Switch Platform," "Alcatel 7450 Ethernet Service Switch," "Alcatel 7510 Media Gateway," "Alcatel 7515 Media Gateway," "Alcatel 5620 Management Portfolio," "Alcatel 1350 Management Suite," "Alcatel Open Path to Enhanced Networking (OPEN) Softswitch," "Omni Switch/Router," "OmniAccess 512," "Alcatel VOIP H323 Gateway," including but not limited to all predecessors and successors of these products, and all other products under development, made, sold, offered for sale, licensed, distributed or marketed by Alcatel for incorporation into any telecommunications system that is intended to deliver private branch exchange ("PBX") services, such as call hold, call forwarding, call transfer, call conferencing and the like, VOIP services and/or Centrex services to end-users of such telecommunication system.

H. "OmniSwitch Product" means all versions and releases of the OmniSwitch developed, made, sold, offered for sale, licensed, distributed or marketed by either Xylan or Alcatel, from June 1995 to the present.

I. "PizzaSwitch Product" means all versions and releases of the PizzaSwitch developed, made, sold, offered for sale, licensed, distributed or marketed by either Xylan or Alcatel, from June 1995 to the present.

J. "Standards Body" means all persons worldwide, and all committees, divisions, and subdivisions thereof, engaged in the adoption or promulgation of industry standards in the

area of computer networks or telephony, and more specifically related to user authentication, virtual local area networks (VLANs), link aggregation or trunking, or path creation or selection, including without limitation the Institute of Electrical and Electronics Engineers (IEEE), the Internet Engineering Task Force (IETF), the IEEE 802.1 Working Group, the ATM Forum, and any organizations, committees, divisions, working groups, or other bodies having responsibility with respect to the IEEE 802.1q, 802.1x, and/or 802.3ad standards and/or any standard or RFC associated with any MPLS technology, including without limitation MPLS-TE, Fast Re-Route, MPLS Virtual Leased Line, VPLS, and BGP/MPLS VPNs (RFC 2547bis).

K. The term "User Authentication" means authenticating a user (including a device or application acting on behalf of a user) that requests access to network resources based on user identification information, a password or other user-specific credential, or a MAC address or any other address or identifier associated with the user's device.

DEPOSITION TOPICS

Pursuant to Federal Rule of Civil Procedure 30(b)(6), Alcatel's designee(s) shall be prepared to testify regarding the following subjects:

1. Steps taken by You to identify and produce documents in response to Foundry's Requests for Production relating to Count II.

2. The corporate and/or management structure of the global Alcatel family of companies.

3. The identity of all products under development, made, sold, offered for sale, licensed, distributed or marketed by Alcatel for incorporation into any telecommunications system that is intended to deliver private branch exchange ("PBX") services, such as call hold, call forwarding, call transfer, call conferencing and the like, VOIP services and/or Centrex services to end-users of such telecommunication system, including internal product names and marketing names.

4. For each Alcatel Accused Product, the identity of any other name under which the Alcatel Accused Product was designed, developed, manufactured, or marketed.

5. For each Alcatel Accused Product, the identities and location of all entities who manufactured, sold, offered for sale, leased, or otherwise commercially exploited the Alcatel Accused Product in the United States, or imported it into the United States, by or for Alcatel since July 1, 1999, including the identity and location of the facility or facilities where such activities were carried out.

6. The identities of persons knowledgeable of the installation and/or implementation of each Alcatel Accused Product, including such persons' responsibilities with respect to installation and/or implementation of each Alcatel Accused Product, the period(s) of time said

persons had those responsibilities, and the identity and location of the facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

7. The identity and location of all entities that installed and/or implemented each Alcatel Accused Product.

8. The identities of all types of documents describing the design and/or development of each Alcatel Accused Product.

9. The identities of persons knowledgeable of the design and/or development of each Alcatel Accused Product (including without limitation, all project names and the technologies developed under those project names whether hardware or software), including such persons' responsibilities with respect to design and/or development of each Alcatel Accused Product, the period(s) of time said persons had those responsibilities, and the identity and location of the facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

10. The identities of all types of documents describing the structure, function and/or operation of each Alcatel Accused Product.

11. The identities of persons knowledgeable about the structure, function and/or operation of each Alcatel Accused Product, including such persons' responsibilities with respect to the structure, function and/or operation of each Alcatel Accused Product, the period(s) of time said persons had those responsibilities, and the identity and location of the facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

12. The identities of all types of documents describing any and all product requirements for each Alcatel Accused Product.

13. The identities of persons knowledgeable about any and all product requirements for each Alcatel Accused Product, including such persons' responsibilities with respect to all

product requirements for each Alcatel Accused Product, the period(s) of time said persons had those responsibilities, and the identity and location of the facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

14. The identities of all types of documents describing functional specifications for each Alcatel Accused Product.

15. The identities of persons knowledgeable of any and all functional specifications for each Alcatel Accused Product, including such persons' responsibilities with respect to all functional specifications for each Alcatel Accused Product, the period(s) of time said persons had those responsibilities, and the identity and location of the facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

16. The identities of all types of documents describing or otherwise relating to any testing of each Alcatel Accused Product, including but not limited to any field testing.

17. The identities of persons knowledgeable about any testing of each Alcatel Accused Product, including but not limited to any field testing, and including such persons' responsibilities with respect to any testing of each Alcatel Accused Product, the period(s) of time said persons had those responsibilities, the identity and location of the facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

18. The identities of Alcatel's customers and prospective customers of any Alcatel Accused Product made, used, offered for sale, sold or distributed in the United States, or imported into the United States, since July 1, 1999.

19. The identities of all types of documents provided to Alcatel's customers and prospective customers concerning any Alcatel Accused Product made, used, offered for sale, sold or distributed in the United States, or imported into the United States, since July 1, 1999.

20. The identities of persons knowledgeable of documents provided to Alcatel's customers and prospective customers concerning any Alcatel Accused Product made, used, offered for sale, sold or distributed in the United States, or imported into the United States, since July 1, 1999, including, without limitation, the identities of those persons knowledgeable about the preparation and content of instructions, user guides, manuals, product updates, technical notes, release notes, specifications, white papers, read-only files, and product descriptions concerning each Alcatel Accused Product, including such persons' responsibilities with respect to such documents, the period(s) of time said persons had those responsibilities, and the identity and location of the facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

21. The identities of persons knowledgeable about the preparation and content of documents relating to product specifications and requirements of each Alcatel Accused Product, including such persons' responsibilities with respect to those documents, the period(s) of time said persons had those responsibilities, and the identity and location of each facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

22. The identities of persons knowledgeable about training, instructions for use, and/or technical support for each Alcatel Accused Product, including such persons' responsibilities with respect to such training, instructions for use, and/or technical support, the period(s) of time said persons had those responsibilities, and the identity and location of each facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

23. The identities of services (including implementation, training, technical support, and/or maintenance) provided by Alcatel to each of Alcatel's customers and prospective

customers concerning any Alcatel Accused Product made, used, offered for sale, sold or distributed in the United States, or imported into the United States, since July 1, 1999.

24. The identities of all managers, directors and officers of Alcatel's engineering, marketing, research and development, and sales operations, or any other Alcatel department or group, at all times, who were in any manner involved in the development, engineering, manufacturing, marketing, licensing, testing, support, or sale of, or training in connection with, all or part of any Alcatel Accused Product made, used, sold, leased, offered for sale, or otherwise commercially exploited in the United States, or imported into the United States, by or for Alcatel since July 1, 1999.

25. The identities of all persons who participated in the design or development of any Alcatel Accused Product made, used, sold, leased, offered for sale or otherwise commercially exploited in the United States, or imported into the United States, by or for Alcatel since July 1, 1999.

26. The identities of all types of software architecture documents describing the structure, function, and operation of any software used in the operation of any Alcatel Accused Product, including but not limited to documents describing block diagrams, flow diagrams, data structures, software interfaces, and application programming interfaces (APIs).

27. The identities of all persons knowledgeable of the design and development of any software used in the operation of any Alcatel Accused Product, including such persons' responsibilities with respect to such design and development, the software release number with respect to such design and development, the period(s) of time said persons had those responsibilities, and the identity and location of each facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

28. The identities of all types of documents describing any configuration of any Alcatel Accused Product, including but not limited to documents describing configuration options, documents describing the use of any configuration management software to perform such configuration, and records of configuration options used for specific customers including the identities of such customers.

29. The location, identity, and dates of all releases and versions of any software used in the operation of any Alcatel Accused Product.

30. The location, identity, and dates of any engineering change orders for any Alcatel Accused Product, including but not limited to release notes, bug reports, and bug fixes for any hardware or software used in the operation of such product.

31. The identities of all documents describing the design and/or development of user authentication for each OmniSwitch Product and PizzaSwitch Product from 1995 to 1998.

32. The identities of persons knowledgeable of the design and/or development of each OmniSwitch Product and PizzaSwitch Product (including without limitation, all project names and the technologies developed under those project names whether hardware or software), including said persons' responsibilities with respect to the design and/or development of each OmniSwitch Product and PizzaSwitch Product, the period(s) of time said persons had those responsibilities, and the identity and location of each facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

33. The identities of all types of documents describing the structure, function and/or operation of any feature associated with User Authentication, for each OmniSwitch Product and PizzaSwitch Product from 1995 to 1998.

34. The identities of persons knowledgeable about the structure, function and/or operation of each OmniSwitch Product and PizzaSwitch Product, including said persons' responsibilities with respect to the structure, function and/or operation of each OmniSwitch and PizzaSwitch product, the period(s) of time said persons had those responsibilities, and the identity and location of each facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

35. The identities of all types of documents describing functional specifications for any feature associated with User Authentication, for each OmniSwitch Product and PizzaSwitch Product from 1995 to 1998.

36. The identities of persons knowledgeable of functional specifications for each OmniSwitch Product and PizzaSwitch Product, including said persons' responsibilities with respect to all functional specifications for each OmniSwitch Product and PizzaSwitch Product, the period(s) of time said persons had those responsibilities, and the identity and location of each facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

37. The identities of all types of documents describing or otherwise relating to any testing of any feature associated with User Authentication, for each OmniSwitch Product and PizzaSwitch Product from 1995 to 1998, including but not limited to any field testing.

38. The identities of persons knowledgeable about any testing of each OmniSwitch Product and PizzaSwitch Product, including but not limited to any field testing, and including said persons' responsibilities with respect to any testing of each OmniSwitch Product and PizzaSwitch Product, the period(s) of time said persons had those responsibilities, and the location and identity of each facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

39. The identities of all types of documents provided to Alcatel's customers and prospective customers concerning User Authentication or any feature associated therewith, for each OmniSwitch Product or PizzaSwitch Product from 1995 to 1998.

40. The identities of persons knowledgeable of documents provided to Alcatel's customers and prospective customers concerning any OmniSwitch Product or PizzaSwitch Product, for the time period starting from the conception of these products to the present, including, without limitation, the identities of those persons knowledgeable about the preparation and content of instructions, user guides, manuals, product updates, technical notes, release notes, specifications, white papers, read-only files, and product descriptions concerning each OmniSwitch Product and PizzaSwitch Product, including said persons' responsibilities with respect to such documents, the period(s) of time said persons had those responsibilities, and the location and identity of each facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

41. The identities of all managers, directors and officers of Xylan's or Alcatel's engineering, marketing, research and development, and sales operations, or any other Xylan or Alcatel department or group, at all times, who were in any manner involved in the development, engineering, manufacturing, marketing, licensing, testing, support, or sale of, or training in connection with, all or part of each OmniSwitch Product or PizzaSwitch Product, for the time period starting from the conception of these products to the present.

42. The identities of all persons who participated in the design or development of each OmniSwitch Product or PizzaSwitch Product, for the time period starting from the conception of these products to the present.

43. The identities of all types of software architecture documents describing the structure, function, and operation of any software used in the operation of any feature associated with User Authentication, for each OmniSwitch Product or PizzaSwitch Product from 1995 to 1998, including but not limited to documents describing block diagrams, flow diagrams, data structures, software interfaces, and application programming interfaces (APIs).

44. The identities of persons knowledgeable of the design and development of any software used in the operation of any feature associated with User Authentication, for each OmniSwitch Product or PizzaSwitch Product from 1995 to 1998, including said persons' responsibilities with respect to such design and development, the software release number with respect to such design and development, the period(s) of time said persons had those responsibilities, and the identity and location of each facility (or facilities) at which those persons carried out tasks relating to those responsibilities.

45. The identities of all types of documents describing any configuration related to any feature associated with User Authentication, for each OmniSwitch Product or PizzaSwitch Product from 1995 to 1998, including but not limited to documents describing configuration options, documents describing the use of any configuration management software to perform such configuration, and records of configuration options used for specific customers including the identities of such customers from 1995 to 1998.

46. The location, identity, and dates of all releases and versions of any software used in the operation of any feature associated with User Authentication, for each OmniSwitch Product or PizzaSwitch Product from 1995 to 1998.

47. The search for, location of, and identity of all documents relating to participation by any officer, director, agent, or employee of Xylan or Alcatel in any Standards Body at any time.

48. The search for, location of, and identity of documents relating to the preparation, filing, or prosecution of the '090 patent.

49. Alcatel Internetworking, Inc.'s and Xylan's email and document retention policies and document distribution policies from 1993 to the present.

50. The search for, location of, and identity of all documents exchanged between Xylan and Check Point, including but not limited to all technical documents, software architecture documents, technology exchange documents, documents describing the interface between software developed by Xylan and Check Point, and documents describing the testing of Xylan software in conjunction with Check Point software, and including but not limited to all documents exchanged as part of any agreement entered into between Xylan and Check Point or in the course of negotiating any agreement entered into between Xylan and Check Point.

51. Alcatel Internetworking, Inc.'s and Xylan's electronic records management policies and procedures from 1993 to the present.

52. Alcatel Internetworking, Inc.'s and Xylan's disk and tape labeling conventions from 1993 to the present.

53. Alcatel Internetworking, Inc.'s and Xylan's backup and archival disk or tape inventories, schedules, and logs from 1993 to the present.

54. Alcatel Internetworking, Inc.'s and Xylan's data backup rotation schedules and archiving procedures, including any automatic data recycling programs in use from 1993 to the present.

55. Identities of current and former personnel who have or had responsibility for Alcatel Internetworking, Inc.'s or Xylan's network administration, backup, archiving, or other system operations from 1993 to the present.

56. The disposition of Xylan documents upon and after Xylan's acquisition by Alcatel's parent company.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on July 21, 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.
Young Conaway Stargatt & Taylor, LLP
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19899-0391

I hereby certify that on July 21, 2006 I have sent by E-mail the foregoing document to the following non-registered participant:

Timothy J. Haller, Esq.
Robert Greenspoon, Esq.
Sally Wiggins, Esq.
Niro, Scavone, Haller & Niro
181 W. Madison Street, Suite 4600
Chicago, IL 60602

/s/ Philip A. Rovner

Philip A. Rovner (#3215)
Potter Anderson & Corroon LLP
Hercules Plaza
P.O. Box 951
Wilmington, Delaware 19899
(302) 984-6000
E-mail: provner@potteranderson.com