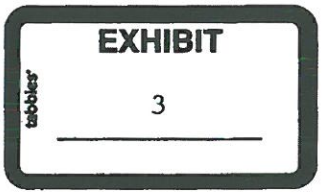
Sheldon, Matthew R.

From: Edmond Bannon [Bannon@fr.com]
Sent: Monday, November 15, 2010 12:09 PM
To: Sheldon, Matthew R.
Cc: Wasserman, Mark W.
Subject: RE: RES/Momentive



Matt,

I have not heard from Dow so I assume we are going forward with them on the 29th. If that changes, I will let you know right away. I would appreciate it if you would let me know the status of the Deutsch deposition in LA and any documents that may be produced pursuant to plaintiff's subpoenas. If I get any documents before the Dow deposition, I will email a copy set to you ASAP. I hope you will agree to do the same with Deutsch.

I believe Dr. Evans retired from GE over 10 years ago, so he was probably referring to an old product. Based on my discussion with current employees, there is no 7300 product in existence today but I'll see what more I can find out. I already have people checking on any additional batch sheets and will send you whatever they come up with as soon as I can.

Mr. Vicari was away all last week and will not return until later this week. When he returns, I will check on the electronic files.

Thanks.
Ed

From: Sheldon, Matthew R. [mailto:MSheldon@ReedSmith.com]
Sent: Monday, November 15, 2010 11:25 AM
To: Edmond Bannon
Cc: Wasserman, Mark W.
Subject: RES/Momentive

Ed, I still do not have the transcript from the depos in Albany, but I wanted to follow up on a few items while they are still somewhat fresh in my mind.

I believe Glenn Vicari testified that his computer has not been electronically searched for responsive documents. Please confirm that his computer has been searched or that you will do so promptly, along with any other custodians who may have responsive ESI.

Dr. Evans testified about a "7300 Grade" product that is similar to FSL 7210 and FSL 7208. I do not believe we have any discovery on this product. I want to make sure we have captured the universe of potentially infringing products so please let me know if there is anything further to be produced.

I believe you touched on this in your letter to Mark Wasserman last week, but I am not sure we have all of the batch sheets relating to the accused products. There appear to be some batch sheet numbers on certain invoices that we cannot locate. Can you check to see if all responsive batch sheets have been produced?

On an unrelated note, is the Dow depo moving forward on the 29th? I hadn't heard anything further since we received a copy of your subpoena. We can make the 29th work, although it is not an ideal date since it follows

the weekend of Thanksgiving.

Thanks,

Matt

Matthew R. Sheldon
703.641.4334
msheldon@reedsmith.com

Reed Smith LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, VA 22042
703.641.4200
703.641.4340

* * *

This E-mail, along with any attachments, is considered confidential and may well be legally privileged. If you have received it in error, you are on notice of its status. Please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. Thank you for your cooperation.

* * *

To ensure compliance with Treasury Department regulations, we inform you that, unless otherwise indicated in writing, any U.S. Federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or applicable state and local provisions or (2) promoting, marketing or recommending to another party any tax-related matters addressed herein.

Disclaimer Version RS.US.1.01.03
pdcl

****
This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized use or disclosure is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

IRS CIRCULAR 230 DISCLOSURE: Any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein. (FR08-i203d)
****