

THE HONORABLE THOMAS S. ZILLY

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U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

STRIKE 3 HOLDINGS, LLC, a Delaware corporation,

Plaintiff,

vs.

JOHN DOE, subscriber assigned IP address 73.225.38.130,

Defendant.

NO. 2:17-cv-01731-TSZ

**DECLARATION OF J. CURTIS EDMONDSON IN SUPPORT OF DEFENDANT’S RENEWED MOTION TO COMPEL PRODUCTION OF SOFTWARE OR EXCLUDE EXPERT AND LAY TESTIMONY WHICH DEPENDS ON ITS RELIABILITY**

JOHN DOE subscriber assigned IP address 73.225.38.130,

Counterclaimant,

vs.

STRIKE 3 HOLDINGS, LLC,

Counterdefendant.

I, J. Curtis Edmondson, hereby declare the following:

1. I am counsel of record in this case. I am a member of the bar of this Court and a member of the Patent Bar. I have personal knowledge of the facts set forth in this declaration and could testify competently to them if called upon to do so.

DECLARATION OF J. CURTIS EDMONDSON IN SUPPORT OF DEFENDANT’S RENEWED MOTION TO COMPEL PRODUCTION OF SOFTWARE OR EXCLUDE EXPERT AND LAY TESTIMONY WHICH DEPENDS ON ITS RELIABILITY - 1



CERTIFICATE OF SERVICE

I, J. Curtis Edmondson, hereby certify that on June 20, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Lincoln D. Bandlow, *Admitted Pro Hac Vice*  
Email: lincoln@bandlowlaw.com  
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John C. Atkin, *Admitted Pro Hac Vice*  
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THE ATKIN FIRM, LLC  
55 Madison Avenue, Suite 400  
Morristown, New Jersey 07960  
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Jeremy E. Roller, WSBA #32021  
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*Attorneys for Plaintiff*

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*Attorneys for Non-Party John Doe's Son*

DECLARATION OF J. CURTIS EDMONDSON IN  
SUPPORT OF DEFENDANT'S RENEWED MOTION TO  
COMPEL PRODUCTION OF SOFTWARE OR EXCLUDE  
EXPERT AND LAY TESTIMONY WHICH DEPENDS ON  
ITS RELIABILITY - 3

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12 *Attorneys for Attorneys for Third-Party Witnesses Tobias Fieser, IPP*  
13 *International UG, Bunting Digital Forensics, LLC, Stephen M. Bunting*

14 DATED this 20th day of June, 2019.

15 EDMONDSON IP LAW

16  
17 By: /s/ J. Curtis Edmondson, WSBA #43795  
18 J. Curtis Edmondson, WSBA #43795  
Email: jcedmondson@edmolaw.com  
19 399 NE John Olsen Avenue  
Hillsboro, Oregon 97124  
20 Telephone: (503) 336-3749

21 *Attorneys for Defendant*

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27 DECLARATION OF J. CURTIS EDMONDSON IN  
SUPPORT OF DEFENDANT'S RENEWED MOTION TO  
COMPEL PRODUCTION OF SOFTWARE OR EXCLUDE  
EXPERT AND LAY TESTIMONY WHICH DEPENDS ON  
ITS RELIABILITY - 4

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EXHIBIT 1  
Subpoena served on Lincoln Bandlow, counsel for Strike  
3 Holdings, LLC

THE HONORABLE THOMAS S. ZILLY

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U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

STRIKE 3 HOLDINGS, LLC, a Delaware corporation,

Plaintiff,

vs.

JOHN DOE, subscriber assigned IP address 73.225.38.130,

Defendant.

NO. 2:17-cv-01731-TSZ

**NOTICE OF INTENT TO SERVE  
SUBPOENA**

JOHN DOE subscriber assigned IP address 73.225.38.130,

Counterclaimant,

vs.

STRIKE 3 HOLDINGS, LLC,

Counterdefendant.

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT pursuant to Rule 45 of the Federal Rules of Civil Procedure, Defendant JOHN DOE subscriber assigned IP address 73.225.38.130, in the above-captioned action, demand by subpoena, a copy of which is attached hereto, the production of

1 documents from IPP International UG. You are being provided with a copy of the attached  
2 subpoena before it is served pursuant to Rule 45(a)(4).

3 PLEASE TAKE FURTHER NOTICE that IPP International UG is a non-party to the  
4 action. So far as it is known to the Defendant, IPP International UG'S address is as follows:

5 IPP International UG  
6 Jeremy E. Roller  
7 ARETE LAW GROUP PLLC  
8 1218 Third Avenue, Suite 2100  
9 Seattle, Washington 98101

10 The requested documents are to be produced by **June 6, 2019**, electronically via Email  
11 or Sharefile.

12 J. Curtis Edmondson, WSBA #43795  
13 Email: jcedmondson@edmolaw.com  
14 EDMONDSON IP LAW  
15 399 NE John Olsen Avenue  
16 Hillsboro, Oregon 97124

17 RESPECTFULLY SUBMITTED AND DATED this 7th day of May, 2019.

18 TERRELL MARSHALL LAW GROUP PLLC

19 By: /s/ Adrienne D. McEntee, WSBA #34061  
20 Beth E. Terrell, WSBA #26759  
21 Email: bterrell@terrellmarshall.com  
22 Adrienne D. McEntee, WSBA #34061  
23 Email: amcentee@terrellmarshall.com  
24 936 North 34th Street, Suite 300  
25 Seattle, Washington 98103-8869  
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J. Curtis Edmondson, WSBA #43795  
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EDMONDSON IP LAW  
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Hillsboro, Oregon 97124  
Telephone: (503) 336-3749

*Attorneys for Defendant*



CERTIFICATE OF SERVICE

I, Adrienne D. McEntee, hereby certify that on May 7, 2019, I electronically transmitted the foregoing to the following:

Lincoln D. Bandlow, *Admitted Pro Hac Vice*  
Email: lincoln@bandlowlaw.com  
LAW OFFICES OF LINCOLN BANDLOW, P.C.  
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3 WEIDE & MILLER, LTD.  
4 10655 Park Run Drive, Suite 100  
5 Las Vegas, Nevada 89144  
6 Telephone: (702) 382-4804

7 Derek A. Newman, WSBA #26967  
8 Email: dn@newmanlaw.com  
9 NEWMAN DU WORS LLP  
10 2101 4th Avenue, Suite 1500  
11 Seattle, Washington 98121  
12 Telephone: (206) 274-2800  
13 Facsimile: (206) 274-2801

14 *Attorneys for IPP International UG*

15 DATED this 7th day of May, 2019.

16 TERRELL MARSHALL LAW GROUP PLLC

17 By: /s/ Adrienne D. McEntee, WSBA #34061  
18 Adrienne D. McEntee, WSBA 34061  
19 Email: amcentee@terrellmarshall.com  
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21 Seattle, Washington 98103-8869  
22 Telephone: (206) 816-6603  
23 Facsimile: (206) 319-5450

24 *Attorneys for Defendant*

UNITED STATES DISTRICT COURT

for the

Western District of Washington

STRIKE 3 HOLDINGS, LLC,

*Plaintiff*

v.

JOHN DOE, subscriber assigned IP  
address 73.225.38.130,

*Defendant*

Civil Action No. 2:17-cv-01731-TSZ

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: IPP International UG  
c/o Jeremy E. Roller, ARETE LAW GROUP PLLC, 1218 Third Avenue, Suite 2100, Seattle, Washington 98101

*(Name of person to whom this subpoena is directed)*

**Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

See Attached Exhibit A

Place: Electronically via Email or Sharefile to jcedmondson@edmolaw	Date and Time: 06/06/2019 5:00 pm
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**Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/07/2019

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk*

/s/ J. Curtis Edmondson, WSBA #43795

*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Defendant

JOHN DOE, subscriber assigned IP address 73.225.38.130, who issues or requests this subpoena, are:

J. Curtis Edmondson, WSBA #43795, 399 NE John Olsen Avenue, Hillsboro, Oregon 97124, (503) 336-3749

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 2:17-cv-01731-TSZ

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_ .

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_ *Server's signature*

\_\_\_\_\_ *Printed name and title*

\_\_\_\_\_ *Server's address*

Additional information regarding attempted service, etc.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**— EXHIBIT A —**

THE HONORABLE THOMAS S. ZILLY

U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

STRIKE 3 HOLDINGS, LLC, a Delaware corporation,

Plaintiff,

vs.

JOHN DOE, subscriber assigned IP address 73.225.38.130,

Defendant.

NO. 2:17-cv-01731-TSZ

**EXHIBIT "A" – SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION OR OBJECTS ISSUED TO IPP INTERNATIONAL UG**

JOHN DOE subscriber assigned IP address 73.225.38.130,

Counterclaimant,

vs.

STRIKE 3 HOLDINGS, LLC,

Counterdefendant.

Please take notice that on or before June 6, 2019, at 5:00 p.m., pursuant to Rule 45 of the Federal Rules of Civil Procedure, **IPP INTERNATIONAL UG** shall produce documents identified below in accordance with the attached subpoena.

Pursuant to the May 3, 2019 Order (Dkt. 118), (1) a copy of the object code of the Infringement Detection Software used on the Dates Of Alleged Infringements; (2) a copy of the

1 source code of the Infringement Detection Software that was used on the Dates Of Alleged  
2 Infringements; (3) a copy of all third-party software licenses that were used for Infringement  
3 Detection Software on the Dates Of Alleged Infringements; (4) a copy of all build files of the  
4 Infringement Detection Software that was used on the Dates Of Alleged Infringements; and (5)  
5 a copy of all validation test files for the Infringement Detection Software that was used on the  
6 Dates Of Alleged Infringements. Please use the definitions set forth in Exhibit 1.



**— EXHIBIT 1 —**

The Honorable Thomas S. Zilly

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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

STRIKE 3 HOLDINGS, LLC, a Delaware corporation,

Plaintiff,

v.

JOHN DOE, subscriber assigned IP address 73.225.38.130,

Defendant.

Case No. 2:17-cv-01731-TSZ

**PLAINTIFF’S OBJECTIONS AND  
RESPONSES TO DEFENDANT’S FIRST  
REQUESTS FOR PRODUCTION**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiff Strike Three Holdings, LLC (“Plaintiff”) hereby responds and objects to Defendant John Doe’s, subscriber assigned IP address 73.225.38.130 (“Defendant”), First Requests for Production (“Requests”).

**PRELIMINARY STATEMENT**

1. By responding to these Requests, Plaintiff neither waives nor intends to waive, and in fact expressly reserves all objections to these Requests, including: (1) all objections as to competency, relevancy, materiality and admissibility; (2) all objections as to vagueness, ambiguity and undue burden; (3) all rights to object on any ground to the use of any of these answers, documents that may be produced, or the subject matter thereof in any subsequent

1 proceeding or at trial of this case; and (4) all rights to object on any ground to any request for  
2 further answers to these or any other discovery requests.

3 2. Plaintiff's investigation of the facts and law relating to this case is continuing and  
4 has not been completed. Nor has discovery or preparation for trial been completed. Therefore,  
5 this response is being provided without prejudice to Plaintiff's right to add, modify or otherwise  
6 change or amend these responses and is subject to Plaintiff's right to produce evidence of any  
7 subsequently-discovered fact or document.

8 3. Plaintiff's response to each Request is submitted without prejudice to, and without  
9 in any way waiver of the General Objections listed below, whether or not each such General  
10 Objection is expressly set forth in response to a particular Request. The assertion of any  
11 objection or any other response below is neither intended as, nor shall in any way be deemed, a  
12 waiver of Plaintiff's right to assert any other objections at a later date.

13 4. Plaintiff's responses to these Requests are subject to and without waiving, but on  
14 the contrary reserving, Plaintiff's right to object to other discovery procedures relating to the  
15 subject matter of the Requests. Further, information and documents that Plaintiff may produce  
16 will be produced subject to Plaintiff's right to object to the introduction of such information or  
17 document at any hearing or at the trial of this matter. The fact that Plaintiff may produce  
18 responsive documents that can be located after a reasonable search should not be taken as an  
19 admission that any such documents exist. The fact that Plaintiff has responded to part or all of  
20 any Request is not intended to be, and shall not be construed to be, a waiver by Plaintiff of any  
21 objection to any Request.

### 22 GENERAL OBJECTIONS

23 1. Plaintiff expressly incorporates the following General Objections and the above  
24 Preliminary Statement into Plaintiff's responses to each Request. They are set forth here to  
25 avoid the unnecessary repetition of restating them for each individual answer. Failure to  
26

1 specifically incorporate a General Objection shall not be construed as a waiver of it with respect  
2 to any specific Request.

3           2.       Plaintiff objects to each Request to the extent that it calls for the production of  
4 information or documents by Plaintiff which are not in Plaintiff's custody, possession or control  
5 or attempts to impose a duty on Plaintiff to obtain information from third parties. Specifically,  
6 Plaintiff objects to Defendant's definitions of "Strike 3 Holdings, LLC," "You," and "Your"  
7 insofar as they purport to require Plaintiff to produce information in the hands of third parties.  
8 Plaintiff answers these Requests only on its own behalf and not on behalf of any other party.

9           3.       Plaintiff objects to Plaintiff's Definitions and Instructions to the extent they are  
10 inconsistent with, or purport to impose any burden or obligation on Plaintiff in excess of, the  
11 requirements of the Federal Rules of Civil Procedure, such as Rules 26, 33 and 34, and the Local  
12 Rules of the Court and the Court's orders. Plaintiff will rely upon the Federal Rules of Civil  
13 Procedure, the Local Civil Rules, the Court's orders and governing case law with respect to the  
14 appropriate scope of its responses.

15           4.       Plaintiff objects to each Request to the extent they purport to require disclosure of  
16 Plaintiff's confidential and/or proprietary business information and trade secrets without  
17 sufficient safeguards or protections to maintain the confidential and/or proprietary nature of the  
18 information. Likewise, Plaintiff will not produce the confidential, proprietary or trade secret  
19 information of third parties with whom Plaintiff transacts business. Similarly, Plaintiff will not  
20 produce confidential personal information in violation of the privacy rights of its officers,  
21 employees or any third parties.

22           5.       Plaintiff objects to each Request to the extent that it seeks information that is  
23 protected by the attorney-client privilege, the work product privilege or other privileges, or  
24 which constitute material prepared in anticipation of litigation and/or which are exempt from  
25 disclosure pursuant to Fed. R. Civ. P. 26, upon the grounds that privileged matter is exempt from  
26 discovery and trial preparation material may only be discoverable upon satisfaction of the

1 prerequisites delineated in Fed. R. Civ. P. 26(b)(3) and (b)(4), which prerequisites have not been  
2 satisfied.

3 6. Plaintiff objects to the use throughout the Requests of words and phrases that are  
4 vague, ambiguous, not sufficiently definite, or susceptible to varying interpretations. Plaintiff's  
5 responses to these Requests are based upon its understanding of such words and phrases.

6 7. The inadvertent or mistaken provision of information subject to the protections of  
7 the attorney-client privilege, work product doctrine, or other privilege shall not constitute a  
8 general, inadvertent, implicit, subject matter, separate, independent or other waiver of such  
9 privilege or protection, and does not put in issue or constitute the affirmative use of the advice of  
10 counsel or of any privileged communications. All such inadvertently provided information shall  
11 be returned to Plaintiff's counsel, along with any copies made thereof.

### 12 **DOCUMENTS REQUESTED**

13 **REQUEST FOR PRODUCTION NO. 1:** A copy of the object code of the  
14 Infringement Detection Software used on the Dates Of Alleged Infringements.

### 15 **RESPONSE:**

16 In addition to its general objections, which are incorporated herein by reference, Plaintiff  
17 objects to this request as premature. This case is in its infancy. Defendant did not answer  
18 Plaintiff's Complaint, nor has Defendant answered or otherwise responded to Plaintiff's  
19 forthcoming First Amended Complaint. Instead, Defendant moved for a more definite statement  
20 and asserted counterclaims. *See* Dkt. # 21 & 22. Plaintiff filed a motion to dismiss those  
21 counterclaims and parties are currently awaiting the Court's decision on that motion. *See* Dkt. #  
22 35. In the meantime, the Court granted Defendant's motion for a more definite statement and  
23 ordered Plaintiff to file an amended complaint. *See* Dkt. # 36. In other words, the precise causes  
24 of action, issues (legal and factual), admissions, denials, and affirmative defenses have not even  
25 been framed or alleged. This case is still in the pleading stage, not the discovery phase.  
26 Defendant's responsive pleading or motion to Plaintiff's First Amended Complaint is due July

1 17, 2018. *See* Dkt. # 36. Accordingly, the Court struck the previously scheduled status  
2 conference and ordered the parties to conduct a Fed.R.Civ.P. 26(f) conference and file a Joint  
3 Status Report on or before July 21. *Id.* Fed.R.Civ.P 26(d)(1) expressly states that “[a] party may  
4 not seek discovery from any source before the parties have conferred as required by Rule 26(f).”

5 For that reason, the other reasons stated above, and the procedural and nascent posture of  
6 this case, this request is premature. It is a waste of resources to substantively respond to  
7 discovery at this point, especially since Defendant’s identity remains unknown and the  
8 heightened potential for misuse of produced information since the precise causes of action, issues  
9 (legal and factual), admissions, denials, and affirmative defenses have not even been framed or  
10 alleged. Plaintiff further objects to this request for production as seeking confidential,  
11 proprietary, and/or trade secret information, which Plaintiff will not produce unless and until  
12 after entry of an appropriate and mutually agreeable protective order.

13 Subject to and without waiving its general and specific objections, Plaintiff will  
14 supplement its response to this request for production at an appropriate, later date.

15  
16 **REQUEST FOR PRODUCTION NO. 2:** A copy of the source code of the  
17 Infringement Detection Software that was used on the Dates Of Alleged Infringements.

18 **RESPONSE:**

19 *See* response to Request for Production No. 1, which response is incorporated here by  
20 reference.

21  
22 **REQUEST FOR PRODUCTION NO. 3:** A copy of all third-party software licenses  
23 that were used for Infringement Detection Software on the Dates Of Alleged Infringements.

24 **RESPONSE:**

25 *See* response to Request for Production No. 1, which response is incorporated here by  
26 reference.

1           **REQUEST FOR PRODUCTION NO. 4:** A copy of all build files of the Infringement  
2 Detection Software that was used on the Dates Of Alleged Infringements

3           **RESPONSE:**

4           *See* response to Request for Production No. 1, which response is incorporated here by  
5 reference.

6  
7           **REQUEST FOR PRODUCTION NO. 5:** A copy of all validation test files for the  
8 Infringement Detection Software that was used on the Dates Of Alleged Infringements.

9           **RESPONSE:**

10           *See* response to Request for Production No. 1, which response is incorporated here by  
11 reference.

12  
13           **REQUEST FOR PRODUCTION NO. 6:** A copy of all documentation for  
14 Infringement Detection on the Dates Of Alleged Infringements.

15           **RESPONSE:**

16           *See* response to Request for Production No. 1, which response is incorporated here by  
17 reference.

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19           **REQUEST FOR PRODUCTION NO. 7:** A copy of all expert reports regarding the  
20 testing, validation, and/or inspection of the Infringement Detection Software on the Dates Of  
21 Alleged Infringements.

22           **RESPONSE:**

23           *See* response to Request for Production No. 1, which response is incorporated here by  
24 reference.

1           **REQUEST FOR PRODUCTION NO. 8:** A copy of all expert reports regarding the  
2 testing, validation, and/or monitoring of Infringement Detection.

3           **RESPONSE:**

4           *See* response to Request for Production No. 1, which response is incorporated here by  
5 reference.

6  
7           **REQUEST FOR PRODUCTION NO. 9:** A copy of any and all Documents that  
8 reference IP Addresses used to monitor the BitTorrent Swarm for Infringement Detection on the  
9 Dates Of Alleged Infringements.

10          **RESPONSE:**

11          *See* response to Request for Production No. 1, which response is incorporated here by  
12 reference.

13  
14          **REQUEST FOR PRODUCTION NO. 10:** A copy of all PCAPs from the BitTorrent  
15 Swarms that were collected for Infringement Detection on the Dates of the Alleged  
16 Infringements.

17          **RESPONSE:**

18          *See* response to Request for Production No. 1, which response is incorporated here by  
19 reference.

20  
21          **REQUEST FOR PRODUCTION NO. 11:** A copy of all Torrent Files accessed by the  
22 Infringement Detection Software corresponding to the Works.

23          **RESPONSE:**

24          *See* response to Request for Production No. 1, which response is incorporated here by  
25 reference.



1           **REQUEST FOR PRODUCTION NO. 12:** A copy of all DMCA notices sent to IP  
2 address 73.225.38.130.

3           **RESPONSE:**

4           *See* response to Request for Production No. 1, which response is incorporated here by  
5 reference.

6  
7           **REQUEST FOR PRODUCTION NO. 13:** A copy of all DMCA notices sent to any  
8 internet service provider, in relation to IP address 73.225.38.130.

9           **RESPONSE:**

10           *See* response to Request for Production No. 1, which response is incorporated here by  
11 reference.

12  
13           **REQUEST FOR PRODUCTION NO. 14:** A copy of all copyright certificates related  
14 to the Works.

15           **RESPONSE:**

16           *See* response to Request for Production No. 1, which response is incorporated here by  
17 reference.

18  
19           **REQUEST FOR PRODUCTION NO. 15:** A copy of all copyright depository copies  
20 related to the Works.

21           **RESPONSE:**

22           *See* response to Request for Production No. 1, which response is incorporated here by  
23 reference.

1           **REQUEST FOR PRODUCTION NO. 16:** All Documents, for the last three years,  
2 supporting your allegation in paragraph 3 of the Complaint that SH3 has “...more than 20 million  
3 unique visitors to its websites each month...”

4           **RESPONSE:**

5           In addition to its general objections, which are incorporated herein by reference, Plaintiff  
6 objects to this request as premature. This case is in its infancy. Defendant did not answer  
7 Plaintiff’s Complaint, nor has Defendant answered or otherwise responded to Plaintiff’s  
8 forthcoming First Amended Complaint. Instead, Defendant moved for a more definite statement  
9 and asserted counterclaims. *See* Dkt. # 21 & 22. Plaintiff filed a motion to dismiss those  
10 counterclaims and parties are currently awaiting the Court’s decision on that motion. *See* Dkt. #  
11 35. In the meantime, the Court granted Defendant’s motion for a more definite statement and  
12 ordered Plaintiff to file an amended complaint. *See* Dkt. # 36. In other words, the precise causes  
13 of action, issues (legal and factual), admissions, denials, and affirmative defenses have not even  
14 been framed or alleged. This case is still in the pleading stage, not the discovery phase.  
15 Defendant’s responsive pleading or motion to Plaintiff’s First Amended Complaint is due July  
16 17, 2018. *See* Dkt. # 36. Accordingly, the Court struck the previously scheduled status  
17 conference and ordered the parties to conduct a Fed.R.Civ.P. 26(f) conference and file a Joint  
18 Status Report on or before July 21. *Id.* Fed.R.Civ.P 26(d)(1) expressly states that “[a] party may  
19 not seek discovery from any source before the parties have conferred as required by Rule 26(f).”

20           For that reason, the other reasons stated above, and the procedural and nascent posture of  
21 this case, this request is premature. It is a waste of resources to substantively respond to  
22 discovery at this point, especially since Defendant’s identity remains unknown and the  
23 heightened potential for misuse of produced information since the precise causes of action, issues  
24 (legal and factual), admissions, denials, and affirmative defenses have not even been framed or  
25 alleged. Plaintiff further objects to this request for production as seeking confidential,  
26 proprietary, and/or trade secret information, which Plaintiff will not produce unless and until

1 after entry of an appropriate and mutually agreeable protective order.

2 Plaintiff further objects to this request for production as citing an allegation in a  
3 Complaint that is no longer the operative complaint in this action, and therefore seeks  
4 information that is not relevant or reasonably calculated to lead to the discovery of admissible  
5 evidence. *See* Dkt. # 36.

6 Subject to and without waiving its general and specific objections, Plaintiff will  
7 supplement its response to this request for production at an appropriate, later date.

8  
9 **REQUEST FOR PRODUCTION NO. 17:** All Documents supporting your allegations  
10 in paragraph 4 of the Complaint that Defendant “...has been recorded infringing 80 movies over  
11 an extended period of time”.

12 **RESPONSE:**

13 *See* response to Request for Production No. 16, which response is incorporated here by  
14 reference.

15  
16 **REQUEST FOR PRODUCTION NO. 18:** All Documents supporting your allegations  
17 in paragraph 9 of the Complaint that “...Plaintiff used IP address geolocation technology by  
18 Maxmind Inc. (“Maxmind”)”.

19 **RESPONSE:**

20 *See* response to Request for Production No. 16, which response is incorporated here by  
21 reference.

1           **REQUEST FOR PRODUCTION NO. 19:** All Documents supporting your allegations  
2 in paragraph 13 of the Complaint that “Strike 3's subscription based websites proudly boast a  
3 paid subscriber base that is one of the highest of any adult-content sites in the world.”

4           **RESPONSE:**

5           *See* response to Request for Production No. 16, which response is incorporated here by  
6 reference.

7  
8           **REQUEST FOR PRODUCTION NO. 20:** All Documents supporting your allegations  
9 in paragraph 13 of the Complaint that "Strike 3 also licenses its motion pictures to popular  
10 broadcasters".

11           **RESPONSE:**

12           *See* response to Request for Production No. 16, which response is incorporated here by  
13 reference.

14  
15           **REQUEST FOR PRODUCTION NO. 21:** All Documents supporting your allegations  
16 in paragraph 13 of the Complaint that “Strike 3's motion pictures are the number one selling  
17 adult DVDs in the United States”.

18           **RESPONSE:**

19           *See* response to Request for Production No. 16, which response is incorporated here by  
20 reference.

1           **REQUEST FOR PRODUCTION NO. 22:** All Documents supporting your allegations  
2 in paragraph 16 of the Complaint that “Often appearing among the most infringed popular  
3 entertainment content on torrent websites, Strike 3's motion pictures are among the most pirated  
4 content in the world.”

5           **RESPONSE:**

6           *See* response to Request for Production No. 16, which response is incorporated here by  
7 reference.

8  
9           **REQUEST FOR PRODUCTION NO. 23:** All Documents supporting your allegations  
10 that Defendant distributed S3H's Works, as alleged in paragraph 23 of the Complaint.

11           **RESPONSE:**

12           *See* response to Request for Production No. 16, which response is incorporated here by  
13 reference.

14  
15           **REQUEST FOR PRODUCTION NO. 24:** All Documents supporting your allegations  
16 in paragraph 26 of the Complaint that “A full copy of each digital media file was downloaded  
17 from the BitTorrent file distribution network, and it was confirmed through independent  
18 calculation that the file hash correlating to each file matched the file hash downloaded by  
19 Defendant.”

20           **RESPONSE:**

21           *See* response to Request for Production No. 16, which response is incorporated here by  
22 reference.

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**REQUEST FOR PRODUCTION NO. 25:** All Documents supporting your allegations in paragraph 27 of the Complaint that “Defendant downloaded, copied, and distributed a complete copy of Plaintiff’s Works”.

**RESPONSE:**

*See* response to Request for Production No. 16, which response is incorporated here by reference.

**REQUEST FOR PRODUCTION NO. 26:** All Documents supporting your allegations in paragraph 29 of the Complaint that “The digital media files have been verified to contain a digital copy of a motion picture that is identical (or alternatively, strikingly similar or substantially similar) to Plaintiff’s corresponding original copyrighted Works”.

**RESPONSE:**

*See* response to Request for Production No. 16, which response is incorporated here by reference.

**REQUEST FOR PRODUCTION NO. 27:** All Documents supporting your allegations in paragraph 30 of the Complaint that “Absent this lawsuit, Plaintiff knows of no way to effectively prevent Defendant from infringing Plaintiff’s motion pictures.”

**RESPONSE:**

*See* response to Request for Production No. 16, which response is incorporated here by reference.

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1 DATED this 3<sup>rd</sup> day of July, 2018.

2 FOX ROTHSCHILD LLP

3  
4 s/ Bryan J. Case

5 Bryan J. Case, WSBA #41781

6 Lincoln D. Bandlow, *admitted Pro Hac Vice*

7 (CSBA #170449)

8 Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on July 3, 2018, I served the foregoing document on the following individuals via the method described below:

J. Curtis Edmondson, WSBA #43795  
399 NE John Olsen Avenue  
Hillsboro, Oregon 97124  
Telephone: (503) 336-3749  
Email: [jcedmondson@edmolaw.com](mailto:jcedmondson@edmolaw.com)  
[kiren@edmolaw.com](mailto:kiren@edmolaw.com)

- Via CM/ECF
- Via U.S. Mail
- Via Messenger Delivery
- Via Email (per agreement)
- Via Facsimile

DATED this 3<sup>rd</sup> day of July, 2018.

/s/ Christine F. Zea  
Christine F. Zea  
Floating Legal Administrative Assistant



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EXHIBIT 2  
Dallas Buyers Club, LLC vs. Huszar  
Court entered Protective Orders

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**DALLAS BUYERS CLUB, LLC,**

Plaintiff,

v.

**JOHN HUSZAR,**

Defendant.

Case No: 3:15-cv-00907-AC

STIPULATED  
PROTECTIVE ORDER  
(Computer Source Code)

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STIPULATED PROTECTIVE ORDER  
(Computer Source Code)

Relevant to this case are documents and information from third-parties Excipio GmbH, and Maverickeye, UG including proprietary and confidential software source code and machine code for the software used to identify the IP address used by the defendant to infringe plaintiff's rights in its motion picture. Excipio and Maverickeye maintain the requested documents and information as confidential, even as to each other, and subject to protection under Federal Rule of Civil Procedure 26(c).

As an addendum to the current Protective Order (Ecf. 106) in this action, all matters that may apply to the computer source code / software of Excipio or Maverickeye are to be subject to the further restrictions of including, but not limited to:

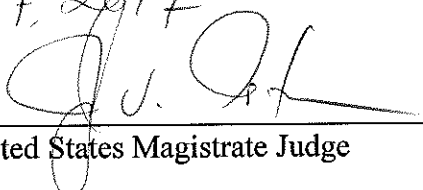
1. Plaintiff's expert is designated as Robert D. Young of Ability Systems, Corp. / Johnson-Laird, Inc.: PO Box 6593 Aloha OR 97007 Tel: (503) 259-2614 FAX: (503) 802-9711 Robert@AbilitySys.com.

2. Defendant's expert is designated as Kal Toth, 304-1132 SW 19<sup>th</sup> Ave, Portland, Oregon, Tel: (503) 984-3531, kalmanctoth@gmail.com.

3. Prior to obtaining access, each expert shall expressly agree to be bound by the terms of the protective orders in this action and other orders of the court with the return of the acknowledgement attached as Exhibit A.

4. Only the disclosed specific experts and the listed counsel for the parties, Carl D. Crowell, J. Curtis Edmondson, and Michael O. Stevens personally, and no other party, including affiliated counsel and staff shall have access to the Excipio and Maverickey software / source code. This limitation of parties with access to be strictly construed.

IT IS SO ORDERED.

DATED: August 7, 2017  
  
United States Magistrate Judge

So Stipulated:

/s/ Carl D. Crowell  
Carl D. Crowell, OSB #982049

/s/ Joseph Curtis Edmondson  
Joseph Curtis Edmondson, PHV

EXHIBIT A

I, \_\_\_\_\_, have been advised by counsel of record for \_\_\_\_\_ in  
Dallas Buyers Club, LLC v. Huszar, Case 15-cv-00907-AC in the United States District Court  
for the District of Oregon, of the Protective Orders (including those at to Computer Source Code)  
governing third party documents including computer software, source code and machine code, to  
be produced for my review in this litigation. I have read a copy of the relevant orders and agree  
to abide by the terms of the orders

Signed: \_\_\_\_\_

Printed: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

Email: \_\_\_\_\_

Retained expert for: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**DALLAS BUYERS CLUB, LLC,**

Plaintiff,

v.

**JOHN HUSZAR**

Defendants.

Case No.: **3:15-cv-0907-AC**

**STIPULATED MOTION TO EXTEND  
TIME AND TO MODIFY PROTECTIVE  
ORDER**

**JOINT STIPULATED MOTION TO EXTEND TIME AND TO MODIFY THE  
PROTECTIVE ORDER**

The parties stipulate as follows:

1. The parties have stipulated to extend the time for briefing on Defendant's cross-motion for summary judgment, and move the Court to alter the previous briefing schedule as follows:
  - a. Defendant will file his Motion for Summary Judgment on 2/28/2018;
  - b. Plaintiff will file its Opposition to Defendant's Motion for Summary Judgment on 03/14/2018; and
  - c. Defendant will file his reply on the Motion for Summary Judgment on 03/21/2018.
2. The Software Protective Order at Docket 116, paragraph 4 should be modified as follows:

For those portions of the Excipio and Maverickeye software/source code that are not open source, only the disclosed specific experts, all counsel of record for the

**STIP. MOT. TO EXT. TIME**

parties, and their staff, shall have access to that portion of the code. The limitations of parties with access shall be strictly construed.


Respectively submitted,

/s/ Kiren Rockenstein *Attorney for*  
*Defendant*

/s/ John Mansfield

*Attorney for Plaintiff*

SO ORDERED this 23 day of February, 2018.



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John V. Acosta  
United States Magistrate Judge

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EXHIBIT 3  
June 20, 2019, email correspondence with  
Chris Austin, counsel for IPP.

J. Curtis Edmondson <jcedmondson@edmolaw.com>

6/20/2019 1:00 PM

## IPP Source Code Protective Order (our file DIS 1.002)

To Adrienne McEntee <amcentee@terrellmarshall.com> • F. Christopher Austin <caustin@weidemiller.com> Copy  
Lincoln Bandlow <lincoln@bandlowlaw.com> • dn@newmanlaw.com • rachel@newmanlaw.com •  
John Atkin <jatkin@atkinfirm.com> • Jeremy Roller <jroller@aretelaw.com> •  
Brianna Show <bshow@weidemiller.com> • jcedmondson@edmolaw.com

---

Chris,

On my drive back from Sacramento, we spoke on the phone regarding three points about the proposed protective order from IPP that I wish to have modified:

- 1) The inspecting parties are myself and Kal Toth,
- 2) The software would be a stand alone computer in my office,
- 3) We can print more than 50 pages, but all pages would be retained and destroyed at the end of the case or turned over to your office.

Mr. Perino (Guardeley, Maverickeye, IPP, Excipio, etc) provided use with a thumb drive with the code in the DBC case before Judge Simon and Judge Acosta in the Dist of Oregon. That code was 95+% open source and what was not open source was a few lines in each subroutine that appeared to be modified by Mr. Perino, Patzer, etc. Judge Acosta and Mr. Perino agreed that there was no restrictions on the open source code and the only restrictions were on the subroutines modified by Mr. Perino, Mr. Patzer, etc. The DBC protective order was a reasonable protective order since IPP cannot claim that open source code, freely available, is confidential. I have sent you copies of those protective orders.

I have not heard from you regarding Mr. Perino's/IPP position regarding the source code inspection. Please let me know by noon what Mr. Perino/IPP intends to do.

In Best Regards,

J. Curtis Edmondson, Patent Attorney, Edmondson IP Law  
Venture Commerce Center, 3699 NE John Olsen Ave, Hillsboro OR 97124  
ph: (503) 336-3749 | fax: (503) 482-7418 | jcedmondson@edmolaw.com | www.edmolaw.com  
Licenses: CA SBN 236105 | WA SBN 43795 | DC BAR NO 998407 | OR SBN 190356 | USPTO 57027 | CA PE 13377 | WA PE 43728

> On June 20, 2019 at 10:30 AM Adrienne McEntee wrote:

>

> Chris, I know that you and Curt discussed changes and understood you would get back with us yesterday about those changes. As I explained to you previously, if we cannot present an agreed order today, we will have no option but to seek court intervention. Given the time change in Germany, it seems that we should know one way or the other by noon.

>

> Sent from my iPhone

>



> On Jun 18, 2019, at 12:27 PM, F. Christopher Austin < caustin@weidemiller.com mailto:caustin@weidemiller.com > wrote:

>

>

>>>

>> Curtis:

>>

>>

>>

>> Thank you. IPP sent me a revised version Sunday that I did not see until today. I've attached the redline here so you can see the changes they have made. Let me know if you have any issues with these changes.

>>

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>>

>> Chris

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>> F. Christopher Austin

>>

>> Weide & Miller, Ltd.

>>

>>

>>

>> 10655 Park Run Drive

>>

>> Suite 100

>>

>> Las Vegas NV 89144

>>

>> 702.610.9094 Mobile

>>

>> 702.382.4804 Office

>>

>> 702.382.4805 Fax

>>

>> caustin@weidemiller.com mailto:caustin@weidemiller.com | www.weidemiller.com

[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.weidemiller.com\\_&d=DwMGaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A\\_CdpgnVfiiMM&r=ou98Vp0UvCvCAG7nclukQuOB8GANDSEgzXgHglg9LYQ&m=KbypqETH9iUj7PIhQC3DpZnp3GO2TZ4bKioCU1loEug&s=C\\_s5ke-Zwmb25O\\_mxRb9o\\_MDZq1tCUh4-YIBX7uocQs&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.weidemiller.com_&d=DwMGaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=ou98Vp0UvCvCAG7nclukQuOB8GANDSEgzXgHglg9LYQ&m=KbypqETH9iUj7PIhQC3DpZnp3GO2TZ4bKioCU1loEug&s=C_s5ke-Zwmb25O_mxRb9o_MDZq1tCUh4-YIBX7uocQs&e=)

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>> This communication is for its intended recipient only, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any unauthorized use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (702-382-4804) or e-mail reply,

delete it from your system, and destroy any hard copy you may have printed. Thank you. Pursuant to IRS Circular 230, any tax information or written tax advice contained herein (including any attachments) is not intended to be and can neither be used by any person for the purpose of avoiding tax penalties nor used to promote, recommend or market any tax-related matter addressed herein.

>>

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>>

>> From: J. Curtis Edmondson

>> Sent: Tuesday, June 18, 2019 12:03 PM

>> To: F. Christopher Austin ; Adrienne McEntee ; Lincoln Bandlow ; dn@newmanlaw.com  
mailto:dn@newmanlaw.com ; rachel@newmanlaw.com mailto:rachel@newmanlaw.com

>> Cc: John Atkin ; Jeremy Roller ; Brianna Show

>> Subject: RE: Subpoena to IPP

>>

>>

>>

>> Chris,

>>

>> My edits are pretty minor. We would designate Kal Toth and the inspection room would be at my office on a separate computer.

>>

>> - Curt

>>

>> J. Curtis Edmondson, Patent Attorney, Edmondson IP Law

>> Venture Commerce Center, 3699 NE John Olsen Ave, Hillsboro OR 97124

>> ph: (503) 336-3749 | fax: (503) 482-7418 | jcedmondson@edmolaw.com mailto:jcedmondson@edmolaw.com |  
www.edmolaw.com https://urldefense.proofpoint.com/v2/url?u=http-3A\_\_www.edmolaw.com&d=DwMGaQ&  
c=euGZstcaTDIlvimEN8b7jXrwqOf-v5A\_Cdp gnVfiiMM&

r=ou98Vp0UvCvCAG7nclukQuOB8GANDSEGzXgHglg9LYQ&

m=KbypqETH9iUj7PIhQC3DpZnp3GO2TZ4bKioCU1loEug&

s=NbO1mAxp7khcl3AMw4HqH4CN0bl3Zn4CVCog2hzwpp4&e=

>> Licenses: CA SBN 236105 | WA SBN 43795 | DC BAR NO 998407 | OR SBN 190356 | USPTO 57027 | CA PE  
13377 | WA PE 43728

>>

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>>>>>

>>> On June 17, 2019 at 9:35 PM "F. Christopher Austin" wrote:

>>>

>>> Yes

>>>

>>>

>>>

>>> F. Christopher Austin

>>>

>>> Weide & Miller, Ltd.

>>>

>>>

>>>

>>> 10655 Park Run Drive

>>>

>>> Suite 100

>>>

>>> Las Vegas NV 89144

>>>

>>> 702.610.9094 Mobile

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>>> 702.382.4804 Office

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>>> 702.382.4805 Fax

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>>> caustin@weidemiller.com mailto:caustin@weidemiller.com | www.weidemiller.com

[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.weidemiller.com\\_d=DwMGaQ&](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.weidemiller.com_d=DwMGaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=ou98Vp0UvCvCAG7nclukQuOB8GANDSEGzXgHglg9LYQ&m=BkypqETH9iUj7PlhQC3DpZnp3GO2TZ4bKioCU1loEug&s=C_s5ke-Zwmb250_mxRb9o_MDZq1tCUh4-YIBX7uocQs&e=)

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>>> From: J. Curtis Edmondson

>>> Sent: Monday, June 17, 2019 6:34 PM

>>> To: F. Christopher Austin ; Adrienne McEntee ; Lincoln Bandlow ; dn@newmanlaw.com

mailto:dn@newmanlaw.com ; rachel@newmanlaw.com mailto:rachel@newmanlaw.com ;

jcedmondson@edmolaw.com mailto:jcedmondson@edmolaw.com

>>> Cc: John Atkin ; Jeremy Roller ; Brianna Show

>>> Subject: RE: Subpoena to IPP

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>>>

>>> Chris,

>>>

>>> Our call w/ Lincoln is at 11am, can you still make 1130-1200? - Curt

>>>

>>> J. Curtis Edmondson, Patent Attorney, Edmondson IP Law

>>> Venture Commerce Center, 3699 NE John Olsen Ave, Hillsboro OR 97124

>>> ph: (503) 336-3749 | fax: (503) 482-7418 | jcedmondson@edmolaw.com mailto:jcedmondson@edmolaw.com

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PE 13377 | WA PE 43728

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>>>> On June 17, 2019 at 9:32 PM "F. Christopher Austin" wrote:

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>>>> Curtis:

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>>>> 11 AM is fine. I'll look for your call then.

>>>>

>>>>

>>>>

>>>> Chris

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>>>>

>>>> F. Christopher Austin

>>>>

>>>> Weide & Miller, Ltd.

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>>>> 10655 Park Run Drive

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YIBX7uocQs&e=

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>>>> From: J. Curtis Edmondson

>>>> Sent: Monday, June 17, 2019 6:11 PM

>>>> To: F. Christopher Austin ; Adrienne McEntee ; Lincoln Bandlow ; dn@newmanlaw.com

mailto:dn@newmanlaw.com ; rachel@newmanlaw.com mailto:rachel@newmanlaw.com ;

jcedmondson@edmolaw.com mailto:jcedmondson@edmolaw.com

>>>> Cc: John Atkin ; Jeremy Roller ; Brianna Show

>>>> Subject: RE: Subpoena to IPP

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>>>> Chris,

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>>>> Let's target 11:30am - Noon. We have a meet and confer with Lincoln at 11:00 that should last around 1/2 hour.

>>>>

>>>> B. Regards,

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>>>> J. Curtis Edmondson, Patent Attorney, Edmondson IP Law

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s=NbO1mAxp7khcl3AMw4HqH4CN0bl3Zn4CVCog2hzwpp4&e=

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