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January 6, 2013

Hon. Judge Patti B. Saris  
Hon. Magistrate Judge Jennifer Boal  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 2300  
Boston, MA 02210

Subject: *In re Trustees of Boston University Patent Cases*  
Civil Action Nos. 12-cv-11938; 13-cv-10659, 13-cv-11097;  
13-cv-11575; 13-cv-11832; 13-cv-11831; 13-cv-11963; 13-cv-12321;  
13-cv-12325, 13-cv-12327; 13-cv-12329; 13-cv-12330; 13-cv-12334;  
13-cv-12338; 13-cv-12339; 13-cv-12340; 13-cv-12341; 13-cv-12342;  
13-cv-12343; 13-cv-12344; 13-cv-12346; 13-cv-12347; 13-cv-12350;  
and 13-cv-12353

Dear Judge Saris and Magistrate Judge Boal:

The Trustees of Boston University have finalized a settlement with the following Defendants through a license with RPX Corporation:

Acer America Corp., Acer, Inc.  
Amazon.com, Inc.  
Apple, Inc.  
AU Optronics Corp. and AU Optronics Corp America  
Blackberry Ltd. and Blackberry Corp.  
Canon, Inc. and Canon U.S.A., Inc.  
Dell Products LP, Dell Inc., and Dell USA Corp.  
Hewlett-Packard Co.  
HTC America, Inc. and HTC Corp.  
Innolux USA, Inc. and Innolux Corp.  
LG Display America, Inc. and LG Display Co., Ltd.  
LG Electronics U.S.A., Inc. and LG Electronics, Inc.  
LG Innotek Co. Ltd. and LG Innotek USA Inc.  
Microsoft Corp.  
Motorola Mobility, Inc.  
NEC Corp. of America, Inc., NEC Display Solutions of America, Inc., and  
NEC Display Solutions, Ltd.  
Nokia Inc. and Nokia Corp.



January 6, 2014  
Page 2

Nikon, Inc.  
Olympus Corp. and Olympus America, Inc.  
Panasonic Corp. of North America and Panasonic Corp.  
Samsung Electro-Mechanics Co. Ltd., Samsung Electro-Mechanics America Inc., Samsung  
Electronics, Samsung Electronics America, Samsung LED, and Samsung LED America, Inc.  
Seoul Optodevice Co. Ltd, Seoul Semiconductor Inc., and Seoul Semiconductor Co. Ltd.  
Sharp Electronics Manufacturing Co. of America, Inc., Sharp Corp., and  
Sharp Electronics Corp.  
Sony Corp., Sony Corp. of America, and Sony Electronics, Inc.  
Toshiba America Electronic Components, Inc., Toshiba America, Inc., and Toshiba Corp.

For those entities that have answered, dismissal papers are being circulated today and tomorrow. For those who have not yet answered, Rule 41 dismissals will be filed today. The form of the dismissal papers are part of the settlement agreement, so Boston University does not anticipate any delay in their entry.

The remaining Defendants in the first consolidated action are:

Arrow Electronics, Inc., ComponentsMax, Inc., NRC Electronics, Inc., and Nu Horizon  
Electronics, Corp.  
Epistar Corp.  
Everlight Electronics Co., Ltd. and Everlight Americas, Inc.  
Lite-On, Inc., Lite-On Service USA, Inc., Lite-On Trading USA, Inc., and Lite-On Technology  
Corp.

Many, if not all, of these remaining Defendants are or will be represented by the law firm Finnegan Henderson Farabow & Dunner ("FHFD") under indemnity agreements. Boston University has filed a motion seeking the disqualification of FHFD (Dkt. No. 244 in Cause No. 12-cv-11935), as well as the disqualification of its only designated expert, Dr. Joan Redwing (Dkt. No. 202 in Cause No. 12-cv-11935). Several of the clients represented by FHFD have previously consented to having their cases severed and placed in the later consolidated actions (Dkt. No. 253 in Cause No. 12-cv-11935). Boston University objects to the participation in any Markman hearing or tutorial by FHFD lawyers subject to disqualification.



January 6, 2014  
Page 3

A status conference is currently scheduled for January 13, 2014. To allow the settlements to be finalized, Boston University requests that the Court suspend all other deadlines in the Consolidated Action scheduling order (Dkt. No. 195 in Cause No. 12-cv-11935), until after the currently scheduled status conference so the parties can reorganized the case to reflect these vastly changed circumstances.

Boston University also requests that Judge Saris personally participate, if possible in the upcoming status conference due to the substantially change in circumstances.

Respectfully,



Michael W. Shore

MWS:cj

cc. All Counsel of Record, via electronic mail