

From: DiBoise, Jamie
Sent: Thursday, April 04, 2002 8:25 PM
To: Patrick Lynch (E-mail); David Eberhart (E-mail)
Cc: Saunders, Elizabeth
Subject: Offer to Stipulate to Open Discovery
Sensitivity: Confidential



Pat -- after re-reading parts of NDS' opposition to plaintiffs' motion to permit expedited discovery, perhaps I did not communicate clearly or misunderstood your response to my offer to stipulate to the opening of discovery in our telephone conversation on March 19th. I understood you to say that your client was not willing to consider expediting discovery in any fashion. If the response was, as I understand from your opposition papers, that you objected to one way discovery, let me be clear that we are willing to discuss opening two way discovery on a limited basis concerning the grounds and basis upon which Canal+ may seek a preliminary injunction against your clients' continued illegal activities. We are also willing to discuss a broader scope of discovery should that be necessary to accommodate foreign witnesses' schedules and logistics. Please let me know as soon as possible if you are interested in resolving plaintiffs' motion on this basis.

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