

**EXHIBIT A**

**Lewis, Adam A.**

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**From:** Lewis, Adam A.  
**Sent:** Tuesday, November 03, 2009 8:23 AM  
**To:** 'Fatell, Bonnie Glantz'  
**Subject:** SUSE Arbitration

**Attachments:** NovellSUSEArbLtr10.5.09.pdf

Hi, Bonnie. Given recent events (including the latest communications from the Tribunal (copy attached for your convenience) and the Trustee's stated intent to press the Novell litigation), is the Trustee willing to stipulate to stay relief so that the parties can complete the SUSE arbitration in Zurich? We are prepared to make a stay relief motion in the next week, but it seems a needless expense if you believe, as we do, that the Court is not likely to let the litigation proceed without the arbitration. Since the latter will have a major impact on the former, we believe the Court is will agree that leaving the stay in place on the arbitration is neither fair nor efficient.

Let me know what you'd like to do, please.

Thanks.

Adam



NovellSUSEArbLtr10  
.5.09.pdf (4...

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**Lewis, Adam A.**

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**From:** Fatell, Bonnie Glantz [Fatell@BlankRome.com]  
**Sent:** Wednesday, November 04, 2009 6:10 AM  
**To:** Lewis, Adam A.  
**Cc:** Cahn, Edward N.; Kelbon, Regina  
**Subject:** RE: SUSE Arbitration

Adam - thanks for forwarding the attachment from the Tribunal. Can help me understand Novell's position that the Arbitration in Zurich needs to proceed before the trial in the US ? We are discussing your request and will get back to you this week.  
regards - Bonnie

**Bonnie Glantz Fatell | Blank Rome LLP**

Chase Manhattan Centre 1201 Market Street Suite 800 | Wilmington, DE 19801  
Phone: 302.425.6423 | Fax: 302.428.5110 | Email: [Fatell@BlankRome.com](mailto:Fatell@BlankRome.com)

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**From:** Lewis, Adam A. [mailto:[ALewis@mofo.com](mailto:ALewis@mofo.com)]  
**Sent:** Tuesday, November 03, 2009 11:23 AM  
**To:** Fatell, Bonnie Glantz  
**Subject:** SUSE Arbitration

Hi, Bonnie. Given recent events (including the latest communications from the Tribunal (copy attached for your convenience) and the Trustee's stated intent to press the Novell litigation), is the Trustee willing to stipulate to stay relief so that the parties can complete the SUSE arbitration in Zurich? We are prepared to make a stay relief motion in the next week, but it seems a needless expense if you believe, as we do, that the Court is not likely to let the litigation proceed without the arbitration. Since the latter will have a major impact on the former, we believe the Court is will agree that leaving the stay in place on the arbitration is neither fair nor efficient.

Let me know what you'd like to do, please.

Thanks.

Adam  
<<NovellSUSE4rbLtr10.5.09.pdf>>  
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11/5/2009

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**Lewis, Adam A.**

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**From:** Lewis, Adam A.  
**Sent:** Thursday, November 05, 2009 8:23 AM  
**To:** 'Fatell, Bonnie Glantz'  
**Subject:** Stay Relief

Hi, Bonnie. Any new thoughts on the SUSE stay relief issue? We're aiming to file tomorrow and would like to spare all concerned cost and time if we can.

Thanks.

Adam

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**Lewis, Adam A.**

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**From:** Fatell, Bonnie Glantz [Fatell@BlankRome.com]  
**Sent:** Thursday, November 05, 2009 8:25 AM  
**To:** Lewis, Adam A.  
**Cc:** Cahn, Edward N.; Kelbon, Regina  
**Subject:** RE: Stay Relief

Adam - the trustee will oppose stay relief at this time.  
thanks  
Bonnie

**Bonnie Glantz Fatell | Blank Rome LLP**  
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**Sent:** Thursday, November 05, 2009 11:23 AM  
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**Subject:** Stay Relief

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