8 Author: Robert Olstad at SERVER1 8/21/97 12:36 PM Priority: Normal TO: Laura F. Lee at Orchid Subject: Re[2]: Meeting Next Week ----- Message Contents ------Yes, I look forward to seeing you. Best Regards, Rob I think this should take us 2-3 hours to work through these issues? Let's meet Tuesday at 2:00pm. FYI, i'm meeting with Luann at 1:00 to drill-down into her AR/AF ops issues. Ok? >----Original Message---->From: Robert Olstad [SMTP:rolstad@smtplink.acer.com] >Sent: Thursday, February 13, 1997 3:25 PM >To: Bob Chapman >Subject: Meeting Next Week Hi bob, got your message. Although Michael Culver will be out all next week on vacation, I am looking forward to our meeting as we have much to discuss. There are a couple of items we need to discuss: 1) Our issue here is that when we initiated the agreement in good faith we were under the plan that we would be shipping about 33K units/month. Unfortunately, the market forces have not been too kind to Acer this past six months. We are now under a run rate of about 10 to 15%/month. Yes, times are tough but we are working on improving this during the year. I can't afford to have another "Office-type" hit like we did last time so we need to put our heads together on this one. Under our current works/Value Pack agreement Acer is on a run rate way under our minimum commitments. I would like to work with you to renegotiate our agreement. To summarize our situation: > Current Unused Royalties as of Dec 31st = \$ 490,000 (Approx) > > Remaining Royalty Commitments **=** \$1,600,000 (Including the Dec 31st Royalty payment > of \$400,000) > = \$2,090,000 I estimate that we will ship about 80K units for Aspire 4 (Jan -> July). Again about 12-15K/month with about 50% Works and 50% Works > Value Pack. So, using an average royalty of about \$8.5/unit, we should be able to consume about $$8.5 \times 80K = $680,000$ > >

This will leave about

= \$1.410.000

of unused royalties Acer may have to write off. Again, Acer cannot

afford this.

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As you may be aware, our unused royalties as of November for Microsoft

Plaintiff's Exhibit 6137

Office was \$2.2 Million. If you count them both we could be 3.6 Million in the hole here.

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I hope together we can come up with some solution to minimize Acer's potential liability on this one.

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2) We have under 300 units of Aspire 2's (Spring 96) and Aspire 3's (Fall 96) still in finished goods inventory that we are trying to liquidate. I would like to talk to you about extending any contracts in question with these models. I.E. to keep things kosher.

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3) We spoke at our last meeting about doing some modifications of MS Authorized part numbers to allow us to have more flexibility in inventory management. Would like to understand any update you may have here.

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4) Still need a formal policy of MS's requirement of spare parts shippments through authorized replicators.

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5) Any proposals you have for White PC. I would like to understand your issues/concerns and overall product and company strategies. Likewise, you need to understand our market position and strategies as well

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6) Introduction to Ricardo Correra (Our software product manager for applications).

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I am available Tuesday Afternoon (all afternoon). Just let me know what time would be good for you.

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Thanks and Best Regards,

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Robert Olstad 2/13/97

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