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EDWARD M. EDSON, P. C.

FILE NUMBER

September 20, 1996

Mr. Evan Brown
2705 Chadbourne Dr
Plano TX 75023

Dear Mr. Brown:

I have taken to heart your telephone conference the other day and reviewed our statement for services rendered per your request. I do not find it excessive, based on going over my original records. In fact, I actually spent significantly more time than was indicated in the bills as did David Tseng of this firm completing the legal research for which you were not charged and should have been. Somehow our notes had been misplaced, but we were able to go back through the applicable cases and find citation and authority directly on point which helps you in this matter as recited below.

Accordingly, we believe that the statement as rendered should stand without adjustment. If you still dispute the matter, kindly give me a call to discuss further.

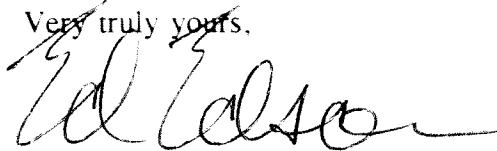
In the interim, we suggest you take a look at the following statutes and cases. Directly on point are Texas Business and Commerce Code Annotated, Section 15.50 dealing with covenants not to compete and the Copyright Act of 1976, 17 U.S.C. Section 102(a) dealing with ownership of copyrighted materials. Then we suggest you review the following Texas cases which seem to be applicable in your fight with DSC Communications: Hill v. Mobil Auto Trim, Inc., 725 SW 2d 168 (Texas, 1987); Martin v. Credit Protection Association, Inc., 793 SW 2d 667 (Texas, 1990); Elcor Chemical Corp. v. Agri-Sol, Inc., 492 SW 2d 204 (Texas Civil Appeals -Dallas, 1973, writ refused, n.r.e.); Electronic Data Systems v. Kincter, 497 F.2d 222 (5th Circuit, 1974); and DeSantis v. Wackenhut, 732 SW 2d 29 (Texas, 1988), reversing 732 SW 2d 29 (Texas App. - Houston, 1987).

There are also three (3) out-of-state cases which seem directly in point: Jamesbury Corporation v. Worchester Valve Company, 443 F.2d 207 (1st Circuit, 1971); Metal Lubricants Company v. Engineered Lubricants Company, 284 F.2d 483 (D.C. Missouri, 1968), affirmed, 411 F.2d 426 (8th Circuit, 1969); and Midland-Ross Corp. v. Yokana, 185 F. Supp. 594 (D.C. New Jersey, 1960), affirmed, 293 F.2d 411 (3rd Circuit, 1961).

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All of the above can be found at any county law library, the Richardson Public Library, Southern Methodist University Law School, Texas Wesleyan Law School, and any Lexis or Westlaw "on line" legal service which you undoubtedly have access to at work. If you can't find them, we'll pull copies for you.

If you have any questions, please do not hesitate to call.

Very truly yours,

EDWARD M. EDSON

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