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Hon. Scott Harris, Clerk Supreme Court of the United States One First Street, NE Washington, DC 20543

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Capella Photonics, Inc. v. Cisco Systems, Inc., et al.; No. 18-314 Re:

Dear Mr. Harris:

Petitioner filed a petition for writ of certiorari in the above-captioned matter on September 6, 2018, and the case was placed on the Court's docket on September 11, 2018.

Because we believe the case plainly fails to raise an issue for review by this Court, Respondent Cisco Systems, Inc. hereby waives the right to file a brief in opposition.

If the Court wishes to see a brief in opposition, we will, of course, promptly file

one.

Respectfully submitted, Aaron M. Freett

Aaron M. Streett Counsel for Respondent Cisco Systems, Inc.

cc: Counsel of Record for Petitioner **Robert Greene Sterne** Sterne, Kessler, et al. 1100 NY Ave, NW, Suite 600 Washington, DC 20005