

# CHOATE

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May 17, 2022

Kenneth R. Stillwell, Jr.  
Chief Operating Officer and  
Chief Financial Officer  
Pegasystems Inc.  
One Main Street  
Cambridge, MA 02142

Re: *Appian Corporation v. Pegasystems Inc. and Youyong Zou*, Case No. CL 2020-07216

Dear Ken:

You have asked whether Pega or Pega's clients are, or can be, precluded from selling or using Pega software as a result of the recent jury verdict in Virginia state court.

Appian has requested, and the court has imposed, no such restriction. In November 2021, for tactical reasons and to gain an advantage in the case, Appian chose to amend its Complaint in the Virginia case so as to remove all of its claims for equitable relief. This removed Appian's request to obtain a court order limiting the right to use, license, or sell Pega software or related services. At a hearing held on December 17, 2021, Appian confirmed, on the record, that it "was no longer seeking any injunctive relief."

Sincerely yours,



Robert S. Frank Jr.

RSF:sf

Attachment

cc: Matthew Cushing, Esq. ([Matthew.Cushing@pega.com](mailto:Matthew.Cushing@pega.com))  
Christopher Roche, Esq. ([Christopher.Roche@pega.com](mailto:Christopher.Roche@pega.com))  
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