

Purchasing Department
Madison County Board of Supervisors
146 West Center Street
Canton, Mississippi 39046

601-855-5503
hardy@madison-co.com

22 June 2017

District 1 Supervisor Sheila Jones
District 2 Supervisor Trey Baxter
District 3 Supervisor Gerald Steen
District 4 Supervisor David Bishop
District 5 Supervisor Paul Griffin

Subject: Declaration of Sole Source for Law Enforcement-Grade Stun Guns (Tasers) and authorize issuance of purchase order for same for constables

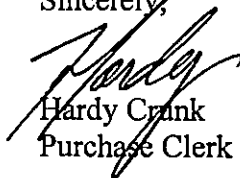
Dear Board Members:

The current constables' budget contains funds to purchase four new Tasers for use by the constables. Constable Brad Harbour has requested that I move forward with the purchase. The total cost would be \$6,178.88, which is greater than \$5,000 and would normally require two written quotes.

Law enforcement-grade stun guns were previously manufactured and sold by both Taser and Karbon Arms. Taser sued Karbon Arms for patent infringement. In 2014 the United States District Court for the District of Delaware issued a permanent injunction in favor of Taser, effectively putting Karbon Arms out of the law enforcement-grade stun gun business. The decision left Taser as the only supplier of law enforcement-grade stun guns. Taser has since changed its corporate name to Axon Enterprises, Inc.

In light of the federal court injunction, I recommend that the board declare Axon Enterprises the sole source provider of law enforcement-grade stun guns and authorize issuance of a purchase order to said company for \$6,178.88 for four Tasers, related supplies, and warranties. This is the same procedure that was used to purchase Tasers for the Sheriff's Department in October 2015.

Sincerely,



Hardy Crunk
Purchase Clerk

Attachments: Axon quote
Copy of Permanent Injunction

Axon Enterprise, Inc.

Protect Life.

17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737
Fax: 480-478-1636

Brad Harbour
(601) 937-2272
brad.harbour@madison-co.com



Quotation

Quote: Q-120686-1
Date: 6/13/2017 1:22 PM
Quote Expiration: 7/13/2017
Contract Start Date*: 6/13/2017
Contract Term: 1 year

AX Account Number:
493433

Bill To:
Madison County Constable-MS
2941 HWY. 51 N.
Canton, MS 39046
US

Ship To:
Brad Harbour
Madison County Constable-MS
2941 HWY. 51 N.
Canton, MS 39046
US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Travis Cole	480-463-2200	tcole@taser.com	Fedex - Ground	Net 30

*Note this will vary based on the shipment date of the product.

Hardware

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
4	11002	HANDLE, BLACK, CLASS III, X26P	USD 964.05	USD 3,856.20	USD 0.00	USD 3,856.20
4	11501	HOLSTER, BLACKHAWK, RIGHT, X26P	USD 57.04	USD 228.16	USD 0.00	USD 228.16
4	22010	PPM, BATTERY PACK, STANDARD, X2/ X26P	USD 58.38	USD 233.52	USD 0.00	USD 233.52
8	34200	Cartridge - 15'	USD 23.78	USD 190.24	USD 0.00	USD 190.24
8	44203	CARTRIDGE - 25' HYBRID	USD 29.30	USD 234.40	USD 0.00	USD 234.40
1	22013	KIT, DATAPORT DOWNLOAD, USB, X2/ X26P	USD 176.49	USD 176.49	USD 0.00	USD 176.49
Hardware Total Before Discounts:						USD 4,919.01
Hardware Net Amount Due:						USD 4,919.01

Extended Warranties

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
4	11004	WARRANTY, 4 YEAR, X26P	USD 297.75	USD 1,191.00	USD 0.00	USD 1,191.00
Extended Warranties Total Before Discounts:						USD 1,191.00
Extended Warranties Net Amount Due:						USD 1,191.00
Subtotal						USD 6,110.01
Estimated Shipping & Handling Cost						USD 68.87
Grand Total						USD 6,178.88

**Axon Enterprise, Inc.'s Sales Terms and Conditions
for Direct Sales to End User Purchasers**

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and Axon's Master Services and Purchasing Agreement posted at www.axon.com/legal. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

Signature: _____ Date: _____
 Name (Print): _____ Title: _____
 PO# (if needed): _____

Quote: Q-120686-1

Please sign and email to Travis Cole at tcole@taser.com or fax to 480-478-1636

THANK YOU FOR YOUR BUSINESS!

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making, using, offering to sell, or selling in or from the United States, or importing into the United States, the Karbon Arms MPID and MPID-C¹, either alone or in combination with any other product, and all other products that are only colorably different from the MPID and MPID-C in the context of claim 2 of the '295 patent, claims 1, 9, 10, 11, 40 and 41 of the '592 patent and claims 7, 8, 9, 10, 12, 15, 18-27, 28 and 29-37 of the '885 patent, whether individually or in combination with other products or as part of another product, and from otherwise infringing, contributing to the infringement of, or inducing others to infringe claim 2 of the '295 patent, claims 1, 9, 10, 11, 40 and 41 of the '592 patent or claims 7, 8, 9, 10, 12, 15, 18-27, 28 and 29-37 of the '885 patent.

4. Karbon Arms, together with its current and former officers, agents, members, managers, parents, subsidiaries, affiliates, shareholders, directors, predecessors, successors, assigns, servants, employees, consultants, engineers, and attorneys, and those persons in active concert or participation with them who receive actual notice of this Permanent Injunction, are hereby restrained and enjoined, pursuant to 35 U.S.C. § 283 and Fed. R. Civ. P. 65, from supplying or causing to be supplied from the United States a substantial portion of the components needed to make, or any components that are especially made or especially adapted for use in, the Karbon Arms MPID or MPID-C or any product that is only colorably different from the MPID and MPID-C in the context of claim 2 of the '295 patent, claims 1, 9, 10, 11, 40 and 41 of the '592 patent and claims 7, 8, 9, 10, 12, 15, 18-27, 28 and 29-37 of the '885 patent.

5. Within 30 days from the entry of this Permanent Injunction, Karbon Arms shall send written notice of this Permanent Injunction to:

¹ The Karbon Arms MPID and MPID-C shall include all Conducted Electrical Weapons ("CEWs") encompassed in the definition of Accused Products, including Representative Accused Products, in the parties' Joint Stipulation for Entry of Judgment.

- A. The employees, officers, members, managers, consultants, engineers and creditors of Karbon Arms as of November 1, 2013 and as of January 9, 2014;
- B. Electronic Design Associates;
- C. Each authorized distributor, each authorized dealer, each authorized reseller, each authorized sales representative, each certified MPID or MPID-C instructor, and each certified MPID or MPID-C armorer as of November 1, 2013 and as of January 9, 2014.

6. Karbon Arms shall provide to TASER within 3 business days of entry of this Permanent Injunction a list of Karbon Arms' customers from November 11, 2010 to the present that includes the following information: customer, agency name, city, state and, if known, contact e-mail address.

7. This Permanent Injunction shall expire upon the expiration of the last to expire of the '295, '592 and '885 patents.

8. The Court shall retain jurisdiction over Karbon Arms and its current and former officers, agents, members, managers, parents, subsidiaries, affiliates, shareholders, directors, predecessors, successors, assigns, servants, employees, consultants, engineers, and attorneys to enforce any and all aspects of this Permanent Injunction.

SO ORDERED this 10th day of January, 2014.


United States District Judge

January 14, 2014

TASER Awarded Permanent Injunction and Judgment Against Karbon Arms for Patent Infringement

Judgment Entered for \$2.3 Million Damages

SCOTTSDALE, AZ -- (Marketwired) -- 01/14/14 -- TASER International (NASDAQ: TASR) today announced that the United States District Court for the District of Delaware entered a final judgment on January 10, 2014 in the patent infringement litigation entitled TASER International v. Karbon Arms, LLC awarding TASER a permanent injunction. The Court's final judgment decreed that Karbon Arms' MPID and MPID-C conducted electrical weapons infringe TASER's U.S. Patent Numbers 6,999,295; 7,782,592 and 7,800,885. The Court further decreed that the above referenced TASER patents are valid and enforceable and awarded TASER \$2,385,366 in damages for infringement.

The permanent injunction restrains and enjoins Karbon Arms and its current and former officers, agents, directors, employees, and affiliates and those persons in participation with them who receive actual notice of the injunction from making, using, offering to sell or selling the Karbon Arms MPID and MPID-C or supplying a substantial portion of the components that are used in the Karbon Arms devices. The permanent injunction requires Karbon Arms to send written notice of the injunction to each distributor, dealer, sales representative, certified MPID or MPID-C instructor or armorer within 30 days of January 10, 2014.

"TASER aggressively pursues any infringement of its extensive patent and intellectual property portfolio and is very pleased that the U.S. District Court entered a permanent injunction and judgment against Karbon Arms for infringement of TASER's patents," said Doug Klint, TASER's President and General Counsel. "This final judgment brings to a close more than six years of various patent litigations between TASER and Karbon Arms and Karbon Arms' predecessor company Stinger Systems, Inc. The Court's order requires Karbon Arms to provide TASER a list of customers who purchased a Karbon Arms MPID or MPID-C within three business days of January 10, 2014 and TASER will be sending notice of the permanent injunction to all such Karbon Arms customers. The company is evaluating the collectability of the judgment," concluded Klint.

About TASER International, Inc.

TASER protects life: TASER Conducted Electrical Weapons (CEWs) have saved more than 119,000 lives from potential death or serious injury. TASER protects truth: We enable greater transparency with the industry-leading TASER CAM and AXON on-officer video systems. Together with our customers, we are defining the future of smart policing by connecting intelligent devices and sensors with the first secure cloud-based digital evidence management solution for law enforcement: EVIDENCE.com.

Since 1994, more than 260,000 private individuals have relied on TASER technology to protect themselves and their loved ones. Learn more about TASER and its solutions at www.TASER.com and www.EVIDENCE.com or by calling (800) 978-2737.

TASER® is a registered trademark of TASER International, Inc., registered in the U.S. All rights reserved. TASER logo, TASER CAM, and AXON are trademarks of TASER International, Inc.

Note to Investors

Please visit <http://investor.taser.com>, <http://blog.taser.com>, www.twitter.com/taser_ir, www.twitter.com/officialtaser, and <https://www.facebook.com/TASERInternational> where TASER discloses information from time to time about the company, its financial information, and its business.

Visit our Investor Relations Safe Harbor Statement at: investor.taser.com/safeHarbor.cfm

For investor relations information please contact Erin Curtis by phone at 480-515-6330 or via email at IR@TASER.com.

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