



Lisa Borodkin &lt;lborodkin@gmail.com&gt;

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## AEI v. Xcentric

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Lisa Borodkin &lt;lborodkin@gmail.com&gt;

Fri, Jul 30, 2010 at 9:41 PM

To: David@ripoffreport.com

Cc: Maria Crimi Speth &lt;mcs@jaburgwilk.com&gt;, blackertesq@yahoo.com

David and Maria,

Not the whole website.

The relevant ESI is the front and back-end code for the 58 web pages referred to in the pleadings. That is **less than a tenth of one percent** (0.009238%) of the total over 627,870 web pages on the website.

Please save it and be prepared to provide all backups since January 28, 2009.

Also, we request that you immediately voluntarily insert a <meta name="ROBOTS" content="NOINDEX,NOFOLLOW"> meta tag on the HTML for the web pages containing reports 417493, 423987, 457433, 502429, 57123.

That will preserve the status quo and protect our clients from harm from any future system-wide optimization you may undertake during this litigation.

Since the meta tag I requested is exclusively in the HTML, that should not affect your ability to claim that reports are not removed or altered.

Lisa

On Fri, Jul 30, 2010 at 7:00 PM, David Gingras <david@ripoffreport.com> wrote:

Lisa,

I think Maria knows what ESI means. That wasn't her question.

Rather, the question was what specific electronically stored information do you want preserved? We have asked you this question numerous times in the past and every time we do, you refuse to answer it.

As we have already said, we don't normally delete data but the Ripoff Report is a massive dynamic interactive site which is constantly changing and growing due to new user submissions, etc. My impression is that you want us to preserve a "snapshot" of the entire website for some unknown purpose.

If so, please review Rule 26(b)(2)(B) entitled "Specific Limitations on Electronically Stored Information". In addition to being irrelevant, preserving a copy of the entire website is unduly burdensome and costly and therefore we're not obligated to provide discovery on this point even if it was relevant, which it's not.

David Gingras, Esq.

General Counsel

Xcentric Ventures, LLC

<http://www.ripoffreport.com/>

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**From:** Lisa Borodkin [mailto:[lborodkin@gmail.com](mailto:lborodkin@gmail.com)]

**Sent:** Friday, July 30, 2010 6:11 PM

**To:** Maria Crimi Speth

**Cc:** <[blackertesq@yahoo.com](mailto:blackertesq@yahoo.com)>; <[david@ripoffreport.com](mailto:david@ripoffreport.com)>

**Subject:** Re: AEI v. Xcentric

Electronically stored information as referenced in the Rule 26f report and our prior correspondence with you and David and conferences.

On Jul 30, 2010, at 5:54 PM, "Maria Crimi Speth" <[mcs@jaburgwilk.com](mailto:mcs@jaburgwilk.com)> wrote:

Also, I do not know what ESI stands for in this context? Please explain. David told me about your conversation regarding our demand letter to Kenton, but he did not mention anything that would clarify for me what ESI is a reference to.

Maria Crimi Speth, Esq.  
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**From:** Lisa Borodkin [mailto:[lbodrodkin@gmail.com](mailto:lbodrodkin@gmail.com)]  
**Sent:** Friday, July 30, 2010 5:08 PM  
**To:** Maria Crimi Speth  
**Cc:** <[blackertesq@yahoo.com](mailto:blackertesq@yahoo.com)>; <[david@ripoffreport.com](mailto:david@ripoffreport.com)>  
**Subject:** Re: AEI v. Xcentric

I apologize. You will be the primary point of contact in the future.

We will also apply ex parte for a TRO on ESL.

I don't know when the transcript is coming. I agree it is taking a while.

On Jul 30, 2010, at 3:19 PM, "Maria Crimi Speth" <[mcs@jaburgwilk.com](mailto:mcs@jaburgwilk.com)> wrote:

Lisa:

It is my understanding that you called David Gingras earlier today to seek his stipulation to an order preventing us from harassing witnesses. When we last met, I explained to you that I was taking the lead in this case and that although David may continue to assist, he would not be handling the matter. Despite that, you contacted David without even trying to contact me first. In addition, the subject of your request was a demand letter that was sent to Attorney Kenton Hutcherson by me, not David. My understanding is that you indicated to David that you prefer to not speak with me. Despite your personal feeling, I am once again asking that you direct your communications to me. If you attempt again to speak with David about such matters, he will simply refer you to me.

Also, shortly after the court hearing, you indicated that you were going to order the transcript and asked if I would share the cost. I agreed to do that. I haven't heard anything back from you on that. Did you order it? When did you order it? Have you gotten it yet? Have they given you an idea of when it will be done? It seems to be taking a long time.

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No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 9.0.851 / Virus Database: 271.1.1/3039 - Release Date: 07/30/10 06:13:00

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