

EXHIBIT A

Maria Crimi Speth

From: Maria Crimi Speth
Sent: Thursday, August 19, 2010 8:17 AM
To: 'Lisa Borodkin'
Cc: Daniel Blackert; david gingras
Subject: RE: Meet and Confer of August 18, 2010

Lisa:

I disagree with your analysis. My position continues to be that the provisions that I identified must be stricken. It seems we are at an impasse and I will file the motion.

My motion will not disclose the substance of the discussions. Be advised that if you disclose the substance of the negotiations in your response to my motion, you must file it under seal or I will move to strike your response to my motion. If, in your response, you simply cross-reference the content from documents 118, 120 or 121, without repeating the allegations, that will be one less pleading that will have to be stricken.

Merely arguing that the discussions constituted threats, without repeating the substance of the discussions, is not a disclosure of the substance. Thus, you can make your threats argument without repeating the substance and through cross-reference to the earlier pleadings.

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From: Lisa Borodkin [mailto:lborodkin@gmail.com]
Sent: Wednesday, August 18, 2010 8:02 PM
To: Maria Crimi Speth
Cc: Daniel Blackert; david gingras
Subject: Re: Meet and Confer of August 18, 2010

Dear Maria,

This is to follow up on our telephone conference earlier today. You called us to meet and confer before a proposed motion under Rule 12(f) to strike the material identified below under Federal Rule of Evidence 408.

1. Material Sought to Be Stricken

You identify the material your proposed motion seeks to strike as follows, which I have

9/7/2010