

# EXHIBIT A



**Subject:** Courthouse News Service v. Planet

**From:** Erica L Reilley

10/07/2011 04:19 PM

**To:** rachel.matteo-boehm

**Cc:** david.greene, leila.knox

Rachel:

I just left a voicemail at your office. My name is Erica Reilley; I'm a partner with Jones Day down in Los Angeles, and we are representing Mr. Planet in the action your office recently filed on behalf of Courthouse News.

I'd like to talk with you as soon as possible concerning some urgent scheduling issues. As you know, you've filed a motion for preliminary injunction set for hearing on November 7, which makes Mr. Planet's opposition due a week from Monday, October 17. Our responsive pleading to the complaint, however, is not due until October 25, given effective service on the court on October 4. Moreover, it is likely we will file a motion to dismiss as our responsive pleading, and it is prudent to have that heard before the preliminary injunction motion. Separately, given that the court just received service of all the papers a few days ago, we need additional time to respond to the preliminary injunction motion.

To that end, I'm hopeful we can reach a stipulation taking into account these issues that would set up a schedule that permits the court's responsive motion to be heard prior to full briefing and hearing on Courthouse News's preliminary injunction. Please contact me as soon as possible to discuss, at 818.359.1076. If we are not able to reach a workable arrangement, we will need to seek ex parte relief from the Court early next week.

I hope to hear from you soon. Many thanks in advance --

Erica L. Reilley  
JONES DAY  
555 S. Flower Street, Fiftieth Floor  
Los Angeles, CA 90071  
213.243.2394 (direct dial)  
213.243.2539 (facsimile)

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# **EXHIBIT B**



**Subject:** RE: Courthouse News Service v. Planet  
**From:** Rachel Matteo-Boehm  
**To:** Erica L Reilley

10/07/2011 05:18 PM

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**History:** This message has been forwarded.

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Dear Erica,

I am heading out the door but would be happy to speak with you about this on Monday morning. Courthouse News will most likely be willing to grant Mr. Planet a short extension of time to respond to the complaint and to file its opposition to the motion for preliminary injunction as part of a stipulation that also gives Courthouse News additional time to file its reply brief, but we do not agree that Mr. Planet's intended motion to dismiss should be heard before the motion for a preliminary injunction.

I must also add for the record that per the applicable Government Code provisions, Mr. Planet was effectively served through the Attorney General's office the same day we filed our complaint and motion for preliminary injunction - i.e., on September 29, 2011.

Have a good weekend.

Regards,

Rachel Matteo-Boehm  
Holme Roberts & Owen LLP  
560 Mission Street, Suite 2500  
San Francisco, CA 94105  
415-268-1996 (phone)  
415-268-1999 (fax)  
rachel.matteo-boehm@hro.com

-----Original Message-----

**From:** Erica L Reilley [mailto:elreilley@jonesday.com]  
**Sent:** Friday, October 07, 2011 4:19 PM  
**To:** Rachel Matteo-Boehm  
**Cc:** David Greene; Leila Knox  
**Subject:** Courthouse News Service v. Planet

Rachel:

I just left a voicemail at your office. My name is Erica Reilley; I'm a partner with Jones Day down in Los Angeles, and we are representing Mr. Planet in the action your office recently filed on behalf of Courthouse News.

I'd like to talk with you as soon as possible concerning some urgent scheduling issues. As you know, you've filed a motion for preliminary injunction set for hearing on November 7, which makes Mr. Planet's opposition due a week from Monday, October 17. Our responsive pleading to the complaint, however, is not due until October 25, given effective service on the court on October 4. Moreover, it is likely we will file a

motion to dismiss as our responsive pleading, and it is prudent to have that heard before the preliminary injunction motion. Separately, given that the court just received service of all the papers a few days ago, we need additional time to respond to the preliminary injunction motion.

To that end, I'm hopeful we can reach a stipulation taking into account these issues that would set up a schedule that permits the court's responsive motion to be heard prior to full briefing and hearing on Courthouse News's preliminary injunction. Please contact me as soon as possible to discuss, at 818.359.1076. If we are not able to reach a workable arrangement, we will need to seek ex parte relief from the Court early next week.

I hope to hear from you soon. Many thanks in advance --

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# **EXHIBIT C**



**Subject:** Courthouse News Service v. Planet: Notice of Ex Parte Application 

**From:** Erica L Reilley  
Extension: 3-2394

10/10/2011 10:53 AM

**To:** Rachel Matteo-Boehm, David Greene

Rachel & David:

I write to follow up on our 10:30 am call today, wherein the parties were not able to reach agreement on the scheduling of Defendant Michael Planet's anticipated motion to dismiss and Plaintiff Courthouse News Service's Motion for Preliminary Injunction.

As a result, I informed you that Defendant intends to file today an *ex parte* application seeking a continuance of Plaintiff's Motion for Preliminary Injunction.

You stated Plaintiff would oppose the motion. I informed you that Plaintiff has twenty-four (24) hours from receipt of the papers to file its opposition.

If you have any questions, please contact me.

Thank you --

Erica L. Reilley  
JONES DAY  
555 South Flower Street, Fiftieth Floor  
Los Angeles, California 90071  
213.243.2394 (direct dial)  
213.243.2539 (facsimile)

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# **EXHIBIT D**





Subject:  
RE: Courthouse News Service v. Planet: Notice of Ex Parte Application

From:  
Rachel Matteo-Boehm  
10/10/2011 11:13 AM

To:  
Erica L Reilley

Cc:  
"David Greene"  
Show Details

Dear Erica,

As to Courthouse News Service's motion for a preliminary injunction, as I stated at the outset of our call, Courthouse News Service had been prepared to grant Mr. Planet a short extension of time to respond to that motion, and had also been willing to agree to a schedule that would have put the hearing on the motion for a preliminary injunction and Mr. Planet's anticipated motion to dismiss on the same date. Our difference of opinion is only as Mr. Planet's desire to have his anticipated motion to dismiss heard before Courthouse News' motion for preliminary injunction and Mr. Planet's desire to push back the hearing date on the motion for preliminary injunction by two months. Because I did not have a chance during our call to share with you the proposed briefing and hearing schedule I had drawn up earlier this morning, I wanted to make you aware of what we'd had in mind. Our proposal was and is as follows:

- Extend the hearing date on motion for preliminary injunction by two weeks, to November 21. If Mr. Planet wished, he could schedule his motion to dismiss for hearing on the same date.
- Opposition briefs to both motion due October 31
- Reply briefs to both motions due November 7.

In addition, we would have been happy to give Mr. Planet an additional extension of time to file his response to the complaint.

Regards,  
Rachel

Rachel Matteo-Boehm  
Holme Roberts & Owen LLP  
560 Mission Street, Suite 2500  
San Francisco, CA 94105  
415-268-1996 (phone)  
415-268-1999 (fax)  
rachel.matteo-boehm@hro.com

D-14

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**From:** Erica L Reilley [mailto:elreilley@jonesday.com]  
**Sent:** Monday, October 10, 2011 10:53 AM  
**To:** Rachel Matteo-Boehm; David Greene  
**Subject:** Courthouse News Service v. Planet: Notice of Ex Parte Application

Rachel & David:

I write to follow up on our 10:30 am call today, wherein the parties were not able to reach agreement on the scheduling of Defendant Michael Planet's anticipated motion to dismiss and Plaintiff Courthouse News Service's Motion for Preliminary Injunction.

As a result, I informed you that Defendant intends to file today an *ex parte* application seeking a continuance of Plaintiff's Motion for Preliminary Injunction.

You stated Plaintiff would oppose the motion. I informed you that Plaintiff has twenty-four (24) hours from receipt of the papers to file its opposition.

If you have any questions, please contact me.

Thank you --

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