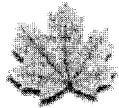


EXHIBIT A



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

From: Erica L Reilley
Extension: 3-2394

10/10/2011 02:48 PM

To: David Greene
Cc: "Rachel Matteo-Boehm"

David & Rachel:

As I mentioned on our call, we believe there are serious questions concerning the propriety of the federal court's jurisdiction over Plaintiff's claims and the viability of certain of the claims individually. We are still evaluating and considering the issues, but we are of the view that various abstention and immunity doctrines counsel against the Court's jurisdiction of claims challenging the administration of a state system, particularly the judicial system, or alleging a violation of state law against the state. We also are of the view that certain of Plaintiff's claims may fail to state a claim against the named defendant. All those issues are separate and distinct from the underlying merits of Plaintiff's claimed constitutional right to "same-day access to all newly filed complaints," and will not overlap substantially with the briefing on Plaintiff's motion for preliminary injunction.

Given that scenario, it makes sense to have those issues resolved prior to forging ahead with the constitutional claims. First, if our jurisdiction/justiciability arguments are well taken, the Court would not have jurisdiction to hear the preliminary injunction motion. Second, by staggering the briefing, the parties can focus on one set of issues at a time, and not expend limited resources developing issues and arguments that may well be mooted. Third, if our motion to dismiss results in amendments to Plaintiff's Complaint, it makes sense to have the pleadings settled before resolving a preliminary injunction motion that will otherwise, at that point, be based on an inoperative pleading.

We appreciate Plaintiff's desire to move forward with its case, and we have sought a schedule that seeks to have the parties' motions heard as timely as possible while still promoting the overall goal that both motions not need to be briefed at the same time. We also appreciate Plaintiff's willingness to provide a brief extension on the preliminary injunction motion, but that courtesy does not address the overarching purpose behind our request--that is, to conserve the already stretched resources of the Superior Court of California, County of Ventura.

Please let me know if you have any questions. 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)

"David Greene"

Hi Erica

10/10/2011 12:16:41 PM

From: "David Greene" <David.Greene@hro.com>
To: "Erica L Reilley" <elreilley@jonesday.com>, "Rachel Matteo-Boehm" <Rachel.Matteo-Boehm@hro.com>
Date: 10/10/2011 12:16 PM
Subject: RE: Courthouse News Service v. Planet: Notice of Ex Parte Application

Hi Erica

Perhaps you can help us understand why your motion to dismiss must be heard before our motion for preliminary injunction. Can you give us a little more detail as to what your jurisdictional or justiciability objections are?

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 --

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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