

EXHIBIT S

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FACSIMILE TRANSMISSION COVER SHEET

September 26, 2002

To	Telephone	Facsimile
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From	Telephone	Code
Michael S. Kwun, Esq.	(415) 391-5400	5784/jlc

Re **Overture v. Google**

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COMMENTS

Please see attached correspondence.

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MICHAEL S. KWUN
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September 26, 2002

VIA FACSIMILE

Jack C. Berenzweig, Esq.
Brinks Hofer Gilson & Lione
NBC Tower - Suite 3600
455 N. Cityfront Plaza Drive
Chicago, IL 60611

Re: *Overture vs. Google*

Dear Jack:

Following up on our discussions about phasing discovery, we propose to phase damages discovery only. This would mean that we would defer production of documents responsive to Overture's Request for Production Nos. 26, 31, 32, 36-45 and 51-60. We would also defer topics 3, 5, 6, 7 and 14 from Overture's Rule 30(b)(6) deposition notice. In addition, we propose to redact financial terms from documents such as partner agreements. Finally, for any documents related to unannounced partner agreements (actual agreements and potential agreements), we propose to redact identifying information concerning the non-Google parties.

I look forward to discussing this proposal with you.

Sincerely,



Michael S. Kwun

MSK/jlc

cc: Jon B. Streeter, Esq.