

# Exhibit C

# **Exhibit F**

**Monagas, Enrique A.**

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**Subject:** RE: Unnamed Member of the Proposition 8 Committee

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

From: Kaylan Phillips [mailto:kphillips@bopplaw.com]  
Sent: Tuesday, December 29, 2009 1:50 PM  
To: Dettmer, Ethan D.  
Cc: jboppjr@aol.com; Boutrous Jr., Theodore J.  
Subject: RE: Unnamed Member of the Proposition 8 Committee

Mr. Dettmer,

Respectfully, it was your decision not to conduct the deposition within a reasonable time frame. You waived your opportunity to depose our client pursuant to the subpoena by not accepting our proposed dates or requesting additional dates within the discovery period. Our initial objections to the subpoena were made in good faith and were timely submitted.

Please keep us informed, as necessary, of any actions you intend on undertaking regarding this matter.

Kaylan Lytle Phillips  
Bopp, Coleson & Bostrom  
1 South 6th Street  
Terre Haute, IN 47807-3510  
voice: 812-232-2434 (ex. 42)  
fax: 812-234-3736  
email: kphillips@bopplaw.com

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To the extent this e-mail message contains legal advice it is solely for the benefit of the client(s) of Bopp, Coleson & Bostrom represented by the Firm in the particular matter that is the subject of this message and may not be relied upon by any other party.

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

From: Dettmer, Ethan D. [mailto:EDettmer@gibsondunn.com]  
Sent: Tuesday, December 29, 2009 12:15 PM  
To: kphillips@bopplaw.com  
Cc: jboppjr@aol.com; Boutrous Jr., Theodore J.  
Subject: RE: Unnamed Member of the Proposition 8 Committee

Dear Kaylan:

Thanks for your email, which I forwarded to the Cooper & Kirk lawyers.

We now have the unredacted documents.

We do intend to take your client's deposition and obtain the requested documents, and we will request relief from the Court if necessary. Your objections to the subpoena and the prohibitive conditions you placed on any deposition were based on an assertion that your client's identity was confidential, never publicly disclosed, and subject to First Amendment protection. We had no reason to doubt the factual basis of this assertion at the time, but as is now clear, that assertion was not correct and your client's identity had been sent to at least two media outlets including the Wall Street Journal. Given that your assertions of privilege and confidentiality were based on incorrect representations of fact, your procedural objections are not well taken.

Please let me know whether you intend to produce documents and make your client available for deposition, or whether we should seek relief from the Court.

Thanks very much and I look forward to hearing from you.

Ethan

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

From: kphillips [mailto:kphillips@bopplaw.com]  
Sent: Tuesday, December 22, 2009 2:21 PM  
To: Dettmer, Ethan D.; Boutrous Jr., Theodore J.  
Cc: jboppjr@aol.com; kphillips@bopplaw.com  
Subject: Unnamed Member of the Proposition 8 Committee

Mr. Dettmer,

We have decided not to seek a protective order for the two documents in question. We will inform Defendant-Intervenors that they may produce the documents without the redactions.

Regarding the deposition, we sent you a list of possible deposition dates along with our timely subpoena objections. It was then your responsibility to respond and let us know which of those available dates would work for a deposition. We did not hear back from your office. Since you served us with a subpoena duces tecum, any documents would have been produced at the deposition. The court ordered that discovery be completed by November 30th. So, the time for discovery is now closed.

Thank you.

Kaylan Phillips  
Bopp, Coleson & Bostrom  
1 South 6th Street  
Terre Haute, IN 47807-3510  
voice: 812-232-2434 (ex. 42)  
fax: 812-234-3736  
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