

Exhibit D

From: Christopher Bartolomucci [cbartolomucci@bancroftpllc.com]
Sent: Friday, July 22, 2011 12:29 PM
To: Lin, Rita F.; Hall, Christopher (CIV)
Cc: TBorelli@lambdalegal.org
Subject: RE: Golinski: proposed summary judgment schedule

We stand by our proposed schedule.

From: Lin, Rita F. [mailto:RLin@mofo.com]
Sent: Thursday, July 21, 2011 7:42 PM
To: Christopher Bartolomucci; Hall, Christopher (CIV)
Cc: TBorelli@lambdalegal.org
Subject: RE: Golinski: proposed summary judgment schedule

Chris,

We believe further discovery has not been shown to be necessary, so we will not be withdrawing our summary judgment motion. As I noted in my email, we are presenting this schedule only to allow things to move forward quickly if the Court disagrees.

Please let me know what, if anything, we should represent to the Court about your position on the schedule.

Thanks,
Rita

From: Christopher Bartolomucci [mailto:cbartolomucci@bancroftpllc.com]
Sent: Thursday, July 21, 2011 11:12 AM
To: Hall, Christopher (CIV); Lin, Rita F.
Cc: TBorelli@lambdalegal.org
Subject: RE: Golinski: proposed summary judgment schedule

Rita,

The House is willing to agree to your proposed schedule if you agree to withdraw your motion for summary judgment by the end of this week.

Thanks,

Chris B.

From: Hall, Christopher (CIV) [mailto:Christopher.Hall@usdoj.gov]
Sent: Wednesday, July 20, 2011 1:31 AM
To: Christopher Bartolomucci; Lin, Rita F.
Cc: TBorelli@lambdalegal.org
Subject: RE: Golinski: proposed summary judgment schedule

Rita –

I was out of pocket today and not able to take a look at your proposal. I will aim to do so tomorrow.

Regards,
Chris

From: Christopher Bartolomucci [mailto:cbartolomucci@bancroftpllc.com]

Sent: Tuesday, July 19, 2011 10:25 AM
To: Lin, Rita F.; Hall, Christopher (CIV)
Cc: TBorelli@lambdalegal.org
Subject: RE: Golinski: proposed summary judgment schedule

We will review what you have circulated. Thanks.

From: Lin, Rita F. [mailto:RLin@mofo.com]
Sent: Tue 7/19/2011 3:29 AM
To: Christopher Bartolomucci; christopher.hall@usdoj.gov
Cc: TBorelli@lambdalegal.org
Subject: Golinski: proposed summary judgment schedule

Chris and Chris,

We wanted to touch base with you about the proposed summary judgment schedule attached to BLAG's summary judgment opposition brief. We don't think any further discovery has been shown to be necessary. To allow things to move forward quickly if the Court disagrees, however, we wanted to meet and confer with you regarding the schedule BLAG proposed.

If the Court believes additional discovery to be necessary, we would be amenable to the schedule proposed, with the revisions reflected in the attached proposed order. As you can imagine, we will want to re-file our motion for summary judgment to account for what happens in discovery. To accommodate that, we have suggested some modification of the expert deadlines and the close of discovery. We also added a stipulation regarding the depositions of the experts. Please let me know if you are agreeable to our revisions. We would like to be able to represent your position to the Court in our filing on Friday.

Best,

Rita

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