EXHIBIT F

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

IN RE SONY PS3 "OTHER OS" LITIGATION

Case No. CV-10-1811-RS

RESPONSES AND OBJECTIONS OF PLAINTIFF ANTAL HERZ TO SCEA'S REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS

PROPOUNDING PARTY: DEFENDANT SONY COMPUTER ENTERTAINMENT AMERICA LLC

RESPONDING PARTY: PLAINTIFF ANTAL HERZ

SET NO: ONE

Pursuant to Federal Rule of Civil Procedure 34, Plaintiff Antal Herz ("Plaintiff") hereby responds to Defendant Sony Computer Entertainment America LLC's ("SCEA" or "Defendant") First Request for Production of Documents and Things ("Requests") dated September 24, 2010.

I. GENERAL OBJECTIONS

A. Plaintiff objects to these Requests insofar as they purport to impose any obligations on them that are not required by law, or are inconsistent with Federal Rule of Civil Procedure 34, and Plaintiff objects to the Instructions and Definitions insofar as they conflict with or seek to impose obligations on him beyond those of the Federal Rules of Civil Procedure.

B. Plaintiff objects to these Requests insofar as they fail to state with sufficient particularity the materials and categories of materials to be produced.

C. Plaintiff objects to the Requests to the extent they require the production of documents or things that are not in Plaintiff's possession, custody, or control.

D. Plaintiff objects to these Requests insofar as they seek or require the disclosure of documents that are protected from discovery by the attorney-client privilege, the work product doctrine, or any other applicable privilege or immunity. Plaintiff further objects to these Requests to the extent they seek materials reflecting legal advice or reflecting requests for legal advice. The inadvertent production of any document protected by an applicable privilege or doctrine, or to whose production is otherwise objected, is not intended to constitute, and shall not constitute, a waiver in whole or in part of such privilege, doctrine, or objection.

E. Plaintiff objects to these Requests insofar as they seek information that is protected by Plaintiff's right to privacy, financial or otherwise, including, but not limited to, personal financial documentation and other similar information.

F. Plaintiff objects to these Requests insofar as they are overly broad and unduly burdensome.

G. Plaintiff objects to these Requests insofar as they are vague or ambiguous.

H. Plaintiff objects to these Requests insofar as the requested documents are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

I. By responding to these Requests, Plaintiff intends to preserve, and not waive, the following:

1. all objections to the competency, relevancy, materiality, and admissibility of any of the Requests, the Responses and their subject matter;

2. all objections to the vagueness, ambiguity or other infirmity in the form of any of the Requests, and any objections based on the undue burden imposed by them;

3. all rights to object on any ground to the use of any of the Responses, or their subject matter, in any subsequent proceedings, including the trial of this or any other action;

4. all rights to object on any ground to any other discovery requests involving or related to the subject matter of the Requests;

5. the right to supplement Responses to the Requests prior to trial; and

6. any and all privileges and rights under the applicable Federal Rules of Civil Procedure, the Local Rules of the Court or other statutes or common law.

J. Insofar as Plaintiff provides documents in response to these Requests, such production shall not constitute a waiver of any objection to the relevancy of such documents, all such objections being expressly reserved. Plaintiff also expressly reserves the right to object to further discovery, to the subject matter of these Requests, and to the introduction of any Response to these Requests or any portion thereof, or any document produced herein, into evidence in this or any other action.

K. A response to any Request stating that Plaintiff will produce such documents does not mean such documents do, in fact, exist, or are in the possession, custody or control of Plaintiff.

L. Plaintiff reserves the right to supplement, add to, amend, or modify these responses. In responding to these Requests, Plaintiff reserves the right to specify documents generally, without having to characterize the contents thereof.

M. Plaintiff objects to the definition of "Personal Computer" as overbroad and in that it seeks information that is not relevant to a claim or defense of any party.

N. Plaintiff objects to the definition of "Communication" and "Communications" as overly broad because it includes Plaintiff's counsel, and would require production of documents protected by the attorney-client privilege and work product doctrine, and would require production of documents from Plaintiff's counsel, who are non-parties to this litigation. Unless otherwise noted, such documents will not be produced.

O. Plaintiff objects to the definition of "You", "Your", and "Yourself" as overly broad because it includes Plaintiff's counsel, and would require production of documents protected by the attorney-client privilege and work product doctrine, and would require production of documents from Plaintiff's counsel, who are non-parties to this litigation. Unless otherwise noted, such documents will not be produced.

II. OBJECTIONS TO SPECIFIC REQUESTS

REQUEST FOR PRODUCTION NO. 1:

ANY and ALL DOCUMENTS CONCERNING Sony, SCEA, and/or the PS3.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Plaintiff incorporates by reference his General Objections and further objects to this Request as it is overly broad, unduly burdensome, vague and ambiguous, seeks documents irrelevant to the claims or defenses of any party to this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff objects to this Request to the extent that it seeks information protected by the attorney-client privilege and attorney work product doctrine.

Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 2:

ANY and ALL DOCUMENTS CONCERNING COMMUNICATIONS YOU have made, read, seen, sent, received, viewed, or heard CONCERNING SCEA; the PS3, including any hack or "jailbreak" of the PS3; or this litigation, including, but not limited to, ANY and ALL DOCUMENTS CONCERNING COMMUNICATIONS made in public or private, in writing or electronic, including anywhere on the Internet.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Plaintiff incorporates by reference his General Objections and further objects to this Request to the extent that it seeks information protected by the attorney-client privilege and attorney work product doctrine. Plaintiff also object to the terms and phrases "HACK or JAILBREAK," which are vague and ambiguous, and when read in conjunction with other defined and undefined terms would impose an undue burden on Plaintiff to speculate as to what documents might possibly relate to the subject of the request, and then produce those documents. Plaintiff also objects to this Request as it is overly broad, unduly burdensome, vague and ambiguous, seeks documents irrelevant to the claims or defenses of any party to this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. In particular, the Request seeks information that is not relevant to any claim or defense in this action insofar as it seeks documents concerning consumer products other than the PS3. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 3:

ANY and ALL PS3s that YOU purchased, received, or otherwise acquired, including, but not limited to, the PS3 referenced in Paragraph 14 of the CONSOLIDATED COMPLAINT.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it violates his right to privacy, is overly broad, unduly burdensome, seeks information irrelevant to the claims or defenses of any party to this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this Request to the extent this Request seeks information in SCEA's possession, custody, or control, as to which SCEA has equal access. Moreover, Plaintiff objects to this Request since it is believed that any testing of Plaintiff's PS3s will ultimately cause harm to the items. Defendants are also directed to the letter from Plaintiffs' counsel dated September 16, 2010 addressed to Luanne Sacks outlining Plaintiffs' objections to Defendant's request for the production of Plaintiffs' PS3 consoles. Therefore, Plaintiff will not produce the PS3s in his possession, custody, or control without an appropriate order from this Court. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 4:

ANY and ALL DOCUMENTS CONCERNING the purchase, receipt and/or acquisition of each PS3 to be identified and produced in response to Request Number 3, including, but not limited to purchase orders, bills of sale, invoices, credit card receipts cancelled checks and money orders.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Plaintiff incorporates by reference his General Objections and further objects to this Request as it is overbroad, unduly burdensome, vague and ambiguous, seeks documents that are irrelevant to the claims or defenses of any party to this litigation and is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing, to the extent responsive documents exist, Plaintiff will produce those documents in his possession, custody, or control, sufficient to evidence the purchase of the PS3 at issue in this litigation.

REQUEST FOR PRODUCTION NO. 5:

ANY and ALL DOCUMENTS and things that, at the time of purchase, receipt and/or acquisition, accompanied each PS3 to be identified and produced in response to Request Number 3, including, but not limited to, boxes, containers, packaging materials, instruction manuals or pamphlets, papers, inserts, promotional materials, disclaimers, warranty cards, reports, brochures, schematics, customer service information, graphics, pictures, cables, controllers, connectors, remote control devices, protective covering, Compact Disc, Digital Versatile Disc. Blu-ray™ Disc, and/or ANY other writings, hardware, software and/or peripherals.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad, unduly burdensome, vague and ambiguous, seeks documents irrelevant to the claims or defenses of any party to this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this Request to the extent

this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO.6:

ANY and ALL DOCUMENTS and/or things not responsive to Request Number 3 CONCERNING ANY data, game, program, operating system, application, file, hard drive, memory storage device, Internet browser, mouse, printer, television, cable, wireless network, hardware, firmware. peripheral, monitor, keyboard, Compact Disc, Digital Versatile Disc, Bluray™ Disc, and or software code that HERZ authored, created, used with, connected to, installed on, downloaded to, backed up to, backed up from, imaged and/or uninstalled on each PS3 to be identified and produced in response to Request Number 3 that did not accompany each PS3 at the time of purchase, receipt and/or acquisition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

Plaintiff incorporates by reference his General Objections and further objects to this Request as it violates Plaintiff's right to privacy and the privacy rights of third parties, is overly broad, unduly burdensome, vague and ambiguous, seeks information irrelevant to the claims or defenses of any party to this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks information in SCEA's possession, custody, or control, as to which SCEA has equal access. Moreover, Plaintiff objects to this Request since it is believed that any testing of these components by SCEA will ultimately cause harm to the items. Defendant is

also directed to the letter from Plaintiffs' counsel dated September 16, 2010 addressed to Luanne Sacks outlining Plaintiffs' objections to Defendant's request for the production such items. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO.7:

A forensic copy of the hard drive for ANY and ALL PERSONAL COMPUTERS used by Antal Herz during the DESIGNATED PERIOD, including, but not limited to, any used by Antal Herz at his place of residence and/or place of business.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

Plaintiff incorporates by reference his General Objections and further objects to this Request as it violates Plaintiff's right to privacy and the privacy rights of third parties, is overly broad, unduly burdensome, harassing, seeks information irrelevant to the claims or defenses of any party to this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Moreover, Plaintiff objects to this Request since it is believed that any testing of these components by SCEA will ultimately cause harm to the items. Defendant is also directed to the letter from Plaintiffs' counsel dated September 16, 2010 addressed to Luanne Sacks outlining Plaintiffs' objections to Defendant's request for the production such items. Therefore, Plaintiff will not produce any of the requested items in his possession, custody, or control without an appropriate order from this Court.

REQUEST FOR PRODUCTION NO. 8:

ANY and ALL DOCUMENTS CONCERNING the purchase, receipt and/or acquisition of ANY and ALL PERSONAL COMPUTERS in Antal Herz's possession, custody or control,

including, but not limited to, any used by Antal Herz at his place of residence and/or place of business during the DESIGNATED TIME PERIOD, including, but not limited to purchase orders, bills of sale, invoices, credit card receipts, cancelled checks and money orders.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

Plaintiff incorporates by reference his General Objections and further objects to this Request on the grounds that it violates his privacy rights and the privacy rights of third parties, is overly broad, unduly burdensome, harassing, seeks documents irrelevant to the claims or defenses of any party to this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine.

REQUEST FOR PRODUCTION NO.9:

ANY and ALL DOCUMENTS CONCERNING agreements you signed, affirmed, or otherwise consented to CONCERNING YOUR use of each PS3 identified and produced in response to Request Number 3, including, but not limited, ANY and ALL DOCUMENTS CONCERNING warranties, license agreements, and terms of use.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

Plaintiff incorporates by reference his General Objections and further objects to this Request as it is overly broad, unduly burdensome, vague and ambiguous, seeks documents irrelevant to the claims or defenses of any party to this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Plaintiff also object to the terms and

phrases "signed, affirmed, or otherwise consented," which are vague and ambiguous, and when read in conjunction with other defined and undefined terms would impose an undue burden on Plaintiff to speculate as to what documents might possibly relate to the subject of the request, and then produce those documents. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 10:

ANY and ALL advertisements, marketing, promotion literature, DOCUMENTS and/or COMMUNICATIONS which YOU contend are "false and/or misleading" as alleged in Paragraph 141 of the CONSOLIDATED COMPLAINT.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

Plaintiff incorporates by reference his General Objections and further objects to this Request as it is overly broad, unduly burdensome and vague and ambiguous. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 11:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 2 of the CONSOLIDATED COMPLAINT that SCEA "advertised the PS3's 'Other OS' feature as an essential and important characteristic."

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 12:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 4 of the CONSOLIDATED COMPLAINT that "Defendant could have taken other less intrusive or extreme measures, other than disabling the 'Other OS' feature, to address its purported 'security' concerns."

RESPONSE TO REQUEST FOR PRODUCTION NO. 12:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 13:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 4 of the CONSOLIDATED COMPLAINT that "Defendant's removal of the 'Other OS' feature eviscerated one of the PS3's primary purposes, *i.e.*. its use as a personal computer."

RESPONSE TO REQUEST FOR PRODUCTION NO. 13:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 14:

ANY and ALL DOCUMENTS that Antal Herz relied upon in purchasing, receiving or acquiring any PS3, including but not limited to, ANY and ALL DOCUMENTS CONCERNING YOUR allegations in Paragraph 14 of the CONSOLIDATED COMPLAINT that "[b]efore purchasing the PS3, Mr. Herz performed extensive research on the Internet. Among other things, Mr. Herz reviewed and relied on the statements on Defendant's website with regard to the PS3's 'Other OS' feature, as well as the PS3's other advertised features such as the ability to access the PSN, play video games, watch movies, and listen to music, among other things" and "Defendant's representations about the PS3's features, including the 'Other Os' feature, played a substantial factor in influencing Plaintiff's decision to purchase a PS3 over the Xbox 360 and Wii."

RESPONSE TO REQUEST FOR PRODUCTION NO. 14:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing, to the extent non-privileged responsive documents exist in the possession, custody, or control of Plaintiff, they will be produced

REQUEST FOR PRODUCTION NO. 15:

ANY and ALL DOCUMENTS CONCERNING Antal Herz's use of each PS3 to be identified and produced in response to Request Number 3, including, but not limited to, ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 14 of the CONSOLIDATED COMPLAINT that "[Antal Herz] uses the PS3 for personal, family and household uses" and "also extensively used his PS3 as a computer, including to browse the Internet, run word processor software, spreadsheet software, email software, other productivity applications, and make his own programs."

RESPONSE TO REQUEST FOR PRODUCTION NO. 15:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 16:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 48 of the CONSOLIDATED COMPLAINT that "[t]he 'Other OS' function was extremely valuable to PS3 purchasers."

RESPONSE TO REQUEST FOR PRODUCTION NO. 16:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 17:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 56 of the CONSOLIDATED COMPLAINT that "Defendant did not adequately notify its customers that all such data would be lost once they installed the update."

RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without

waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 18:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 58 of the CONSOLIDATED COMPLAINT that "[m]any users purchased peripheral devices specifically for use with the 'Other OS' function, such as wireless keyboards and mice and external hard drives. Such devices are rendered superfluous to users that install Update 3.21."

RESPONSE TO REQUEST FOR PRODUCTION NO. 18:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 19:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 59 of the CONSOLIDATED COMPLAINT that "[u]sers who chose not to install Update 3.21 were also damaged in that they lost access to many attributes of PS3 (sic) including their PSN purchases other than gaming. For example, Defendant offers Qore, an online service that offers a variety of content and news concerning PS3 functions. Users pay $24.99 for an annual subscription. However, users that purchased Qore prior to the release of Update 3.21 and who did not install the

update were denied the benefit of their annual subscription. Similarly, users who do not install Update 3.21 lose access to any prepaid PSN account balances."

RESPONSE TO REQUEST FOR PRODUCTION NO. 19:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 20:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 79 of the CONSOLIDATED COMPLAINT that "Defendant expressly warranted via its advertising, statements, brochures, website information, public statements, owner's manuals, and other representations that the functionality of the PS3 would include both the 'Other OS' and the various other advertised functions."

RESPONSE TO REQUEST FOR PRODUCTION NO. 20:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without

waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 21:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 105 of the CONSOLIDATED COMPLAINT that "[b]efore purchasing the PS3, Plaintiff each reviewed and relied on Defendant's affirmative representations about the PS3's features and omissions of material facts, including that Defendant would disable the 'Other OS' feature."

RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 22:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 107 of the CONSOLIDATED COMPLAINT that "Defendant failed to adequately disclose, at the time of purchase, that it might disable the 'Other OS' feature."

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request

on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 23:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 114 of the CONSOLIDATED COMPLAINT that "Defendant also violated Civil Code §1770(19) by inserting one or more unconscionable provisions into a contract."

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 24:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 165 of the CONSOLIDATED COMPLAINT that "[b]y purchasing a PS3, Plaintiff and each member of the Class became owners of their PS3 and all of their PS3's features. Thus, the PS3's features, including the 'Other OS' feature, which was designed, marketed, and built-in to the PS3, were Plaintiffs' and the Class's property."

RESPONSE TO REQUEST FOR PRODUCTION NO. 24:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad and unduly burdensome. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 25:

ANY and ALL DOCUMENTS CONCERNING YOUR allegation in Paragraph 8 of the CONSOLIDATED COMPLAINT that "Plaintiff have suffered injury in fact and have lost money and property as a direct result of Defendant's acts."

RESPONSE TO REQUEST FOR PRODUCTION NO. 25:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad, unduly burdensome, or seeks documents irrelevant to the claims or defenses of any party to this litigation. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 26:

ANY and ALL COMMUNICATIONS with, between or among ANY PERSON, including but not limited to members of the class you propose in Paragraph 70 of the CONSOLIDATED COMPLAINT, that YOU have seen, read, sent, received, viewed, or heard, CONCERNING PS3, SCEA, the PSN, or any matter asserted in this litigation.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Plaintiff incorporates by reference his General Objections and further objects to this Request on the grounds that it is overly broad, unduly burdensome, vague and ambiguous and seeks documents irrelevant to the claims or defenses of any party to this litigation or not reasonably calculated to lead to the discovery of admissible evidence. In particular, the Request seeks information that is not relevant to any claim or defense in this action insofar as it seeks documents concerning products made by SCEA other than the PS3. Plaintiff also objects to this Request on the ground that it seeks information protected by the attorney-client privilege and attorney work product doctrine. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 27:

ANY and ALL agreements Antal Herz has entered into with his counsel in the above-captioned litigation, including, but not limited to, ANY and ALL engagement agreements.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Plaintiff incorporates by reference his General Objections. Plaintiff objects to this Request on the grounds that it is overly broad and seeks documents irrelevant to the claims or defenses of any party to this litigation. Plaintiff also objects to this Request on the ground that it seeks information protected by the attorney-client privilege and attorney work product doctrine.

REQUEST FOR PRODUCTION NO. 28:

ANY and ALL DOCUMENTS CONCERNING an allegedly false posting made on or about June 6, 2010 on the website of Meiselman Denlea Packman Carton & Eberz P.C. CONCERNING this litigation, including, but not limited to, the investigation of the source of that posting, including whether it was the result of hacking: the identity of the individual(s) who allegedly hacked that website to create the posting; and YOUR COMMUNICATIONS CONCERNING the posting, including CONCERNING the alleged hack and the accurate status of this litigation.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Plaintiff incorporates by reference his General Objections and further objects to this Request as it is overly broad, unduly burdensome, harassing, seeks information irrelevant to the claims or defenses of any party to this litigation and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this Request to the extent this Request seeks information in SCEA's possession, custody, or control, as to which SCEA has equal access. Plaintiff also objects to the term "hack" which is vague and ambiguous, and when read in conjunction with other defined and undefined terms would impose an undue burden on Plaintiff to speculate as to what documents might possibly relate to the subject of the request, and then produce those documents. Plaintiff also objects to this Request to the extent it seeks information protected by the attorney-client privilege and/or work product doctrine. To the extent the Request seeks data concerning non-parties, Plaintiff objects that this Request imposes annoyance and embarrassment, and is oppressive as it seeks information the production of which violates state or federal laws or regulations prohibiting the dissemination of certain data, or otherwise seeks private, personal or confidential data concerning non-parties. Defendant is also directed to the

letter from Plaintiffs' counsel dated September 16, 2010 addressed to Luanne Sacks outlining Plaintiffs' objections to Defendant's request for the production such items. Therefore, Plaintiff will not produce any of the requested items in his possession, custody, or control without an appropriate order from this Court

REQUEST FOR PRODUCTION NO. 29:

ANY and ALL DOCUMENTS CONCERNING YOUR nicknames, handles, or other moniker YOU use other than YOUR name when COMMUNICATING on Internet websites, Internet postings, chat rooms, or blog posts.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29:

Plaintiff incorporates by reference his General Objections and further objects to this Request as it is overly broad, unduly burdensome, vague and ambiguous, seeks documents irrelevant to the claims or defenses of any party to this litigation or not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

REQUEST FOR PRODUCTION NO. 30:

ANY and ALL DOCUMENTS CONCERNING any hack or "jailbreak" of the PS3, including ANY and ALL DOCUMENTS CONCERNING COMMUNICATIONS YOU have had with a PERSON who has hacked the PS3.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

Plaintiff incorporates by reference his General Objections and further objects to this Request insofar as it is overly broad, unduly burdensome, vague and ambiguous or seeks documents irrelevant to the claims or defenses of any party to this litigation. Plaintiff also objects to this request on the grounds that it violates the attorney-client privilege and attorney work product doctrine. Plaintiff also object to the terms and phrases "HACK or JAILBREAK," which are vague and ambiguous, and when read in conjunction with other defined and undefined terms would impose an undue burden on Plaintiff to speculate as to what documents might possibly relate to the subject of the request, and then produce those documents. Plaintiff also objects to this Request to the extent this Request seeks documents in SCEA's possession, custody, or control, as to which SCEA has equal access.

REQUEST FOR PRODUCTION NO. 31

DOCUMENTS sufficient to establish Antal Herz's employment history.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

Plaintiff incorporates by reference his General Objections and further objects to this Request as it is violates Plaintiff's privacy rights or the privacy rights of third parties, is overly broad, unduly burdensome, vague and ambiguous, and seeks documents irrelevant to the claims or defenses of any party to this litigation or not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Plaintiff is willing to meet and confer to clarify what this request seeks and/or narrow this request to appropriate relevant areas.

Dated: October 28, 2010

HAUSFELD LLP

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PROOF OF SERVICE

IN RE SONY PS 3 "OTHER OS" LITIGATION

CASE NO. C 10-1811 RS

WASHINGTON, DC

I am employed in Washington, DC. My business address is 1700 K St., NW, Ste 650, Washington, DC 2006. I am over the age of eighteen years and am not a party to the within action;

On October 28, 2010, I served the following document(s) entitled **RESPONSES AND OBJECTIONS OF PLAINTIFF ANTEL HERZ TO SCEA'S REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS** on DEFENDANT in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

Luanne Sacks
Carter Ott
DLA Piper LLP
555 Mission Street, Suite 2400
San Francisco, California 94105

BY OVERNIGHT MAIL: By placing a true copy thereof in a sealed envelope addressed as above, and placing it for and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings and other matters for overnight mailing with Federal Express. The correspondence, pleadings and other matters are deposited with Federal Express with postage thereon fully prepaid in Washington, DC, on the same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this Court, or one admitted pro hac vice, and at whose direction the service was made.

Executed on October 28, 2010, at Washington, DC.

Anna M. Galloway

Anna M. Galloway

4852-7100-8775