

# EXHIBIT E

---

**From:** Ott, Carter  
**Sent:** Monday, June 07, 2010 11:11 AM  
**To:** 'Jeffrey Carton'; 'Rebecca Coll'  
**Cc:** Sacks, Luanne  
**Subject:** Ventura v. SCEA - Representations on Meiselman Website

Jeff,

This email confirms that you have taken all steps to preserve information (including electronic data) related to the false posting on your firm's website. As you know, this information may be relevant to this action, and therefore should be preserved.

Please also confirm what information you are currently collecting with regard to the posting. At the very least, we are entitled to information regarding (i) the identity of the individual(s) who made the posting; (ii) when the posting was made; (iii) when your firm deleted the posting; (iv) how many hits your firm received while the posting was active; and (v) the names and contact information of any individuals who contacted you or your firm about the posting.

I am available today to discuss any questions you may have, but we are entitled to this information immediately, on a rolling basis, to allow us to investigate this matter.

Thank you,  
Carter



Carter W. Ott  
Associate

DLA Piper LLP (US)  
555 Mission Street, Suite 2400  
San Francisco, California 94105

T 415-836-2538  
F 415-659-7338  
M 415-336-9408  
[carter.ott@dlapiper.com](mailto:carter.ott@dlapiper.com)  
[www.dlapiper.com](http://www.dlapiper.com)

---

**From:** Ott, Carter  
**Sent:** Sunday, June 06, 2010 3:17 PM  
**To:** Jeffrey Carton; Rebecca Coll; Greg Blankinship; David Meiselman; Jerome Noll  
**Cc:** Richard Baker; Ronald Ball; Rebecca Bates; Michael Berg; Lawrence Brocchini; Barry Cepelewicz; John D'Amico; John Dawson; James Denlea; James Eberz; Peter Freiberg; Richard Nealon; Jill Owens; Myra Packman; Joan Ruddy; Donald Scialabba  
**Subject:** RE: Representations on Meiselman website regarding Ventura v. SCEA

Thank you, Jeff. I'm still not clear why you believe SCEA could be responsible for this posting. I assume you have also taken steps to ensure this does not happen again.

12/14/2010



Carter W. Ott  
Associate

DLA Piper LLP (US)  
555 Mission Street, Suite 2400  
San Francisco, California 94105

T 415-836-2538  
F 415-659-7338  
M 415-336-9408  
[carter.ott@dlapiper.com](mailto:carter.ott@dlapiper.com)  
[www.dlapiper.com](http://www.dlapiper.com)

---

**From:** Jeffrey Carton [<mailto:JCarton@mdpcelaw.com>]  
**Sent:** Sunday, June 06, 2010 3:09 PM  
**To:** Ott, Carter; Rebecca Coll; Greg Blankinship; David Meiselman; Jerome Noll  
**Cc:** Richard Baker; Ronald Ball; Rebecca Bates; Michael Berg; Lawrence Brocchini; Barry Cepelewicz; John D'Amico; John Dawson; James Denlea; James Eberz; Peter Freiberg; Richard Nealon; Jill Owens; Myra Packman; Joan Ruddy; Donald Scialabba  
**Subject:** Re: Representations on Meiselman website regarding Ventura v. SCEA

Carter - as of this email, it is my understanding that the unauthorized post to our website has been removed. I would appreciate you investigating with Sony who may have been responsible for this unauthorized hack, as we will be conducting a similar investigation on our end. Thank you for bringing this to our attention.

Sent using BlackBerry

---

**From:** Ott, Carter <[Carter.Ott@dlapiper.com](mailto:Carter.Ott@dlapiper.com)>  
**To:** Rebecca Coll; Greg Blankinship; Jeffrey Carton; David Meiselman; Jerome Noll  
**Cc:** Richard Baker; Ronald Ball; Rebecca Bates; Michael Berg; Lawrence Brocchini; Barry Cepelewicz; John D'Amico; John Dawson; James Denlea; James Eberz; Peter Freiberg; Richard Nealon; Jill Owens; Myra Packman; Joan Ruddy; Donald Scialabba  
**Sent:** Sun Jun 06 14:27:27 2010  
**Subject:** Representations on Meiselman website regarding Ventura v. SCEA

Counsel,  
We learned this morning that you are making the representations below on your firm's website regarding the *Ventura v. Sony Computer Entertainment America Inc.* action. As you know, these representations are false. Delete this from your firm's website immediately. If we do not receive confirmation by 5 p.m. today that you have done so, we will bring an *ex parte* administrative motion for an order instructing you to do so and we will move to disqualify you as counsel.

### **Sony refunding all PS3 owners for removing an advertised feature**

June 6 2010

In the end of April the firm had filed a class action lawsuit against Sony Computer Entertainment America, Inc., for Sony's decision to force users

of its Playstation 3 console to either install an update that would disable the console's "Other OS" feature or lose the ability to play games with other users in the network. Because Sony failed to defend it's intentions in court, the judge decided that Sony will have to pay every PS3 owner, who bought his PS3 before March 27, 2010, a refund of 50% of the price when purchased.

The firm thanks all the PS3 owners who mailed, which made our voice even louder. PS3 owners that haven't mailed us should make contact with Sony Computer Entertainment America, Inc to claim their refund. An European firm will also file a class action law suit against Sony Computer Entertainment Europe, Inc. We hope that we've done the PS3 owners a service. We are very glad as this is once of the biggest victory's in our firm's history.

Sony will also be at handing out refunds at "E3", a large video-gaming event, to all registered PS3 owners. A new article will be posted very soon on how Sony will be handling this matter.



Carter W. Ott  
Associate

DLA Piper LLP (US)  
555 Mission Street, Suite 2400  
San Francisco, California 94105

T 415-836-2538  
F 415-659-7338  
M 415-336-9408

[carter.ott@dlapiper.com](mailto:carter.ott@dlapiper.com)

[www.dlapiper.com](http://www.dlapiper.com)

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please reply to the sender and destroy all copies of the message. To contact us directly, send to [postmaster@dlapiper.com](mailto:postmaster@dlapiper.com). Thank you.

---

CONFIDENTIALITY NOTICE: This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without our prior permission. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, or if you have received this communication in error, please notify us immediately by return e-mail and delete the original message and

12/14/2010

any copies of it from your computer system.