

# EXHIBIT H

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**From:** Jeffrey Carton [mailto:JCarton@mdpcelaw.com]  
**Sent:** Thursday, June 10, 2010 5:28 AM  
**To:** Sacks, Luanne  
**Cc:** Rebecca Coll  
**Subject:** RE: Ventura v. SCEA - Website Posting

Dear Luanne:

We acknowledge receipt of your letter of June 9, 2010. We take with the utmost seriousness the fact that our website was hacked and a false posting placed upon it. Fortunately, as you know, we acted with all deliberate speed and removed that post within mere hours of being informed by your colleague that it had been placed upon our site. As I have previously memorialized, our firm has hired a third party forensic IT firm to assist with our investigation as to the facts and circumstances of this unauthorized posting. That investigation is on-going, and the identity of the poster has not yet been revealed. All evidence developed or uncovered during the investigation will be preserved, particularly in the event that a criminal investigation is warranted. I trust that satisfies your preservation request. I am unfamiliar with the name Rick Catano, and can only surmise that he works with the entity responsible for hosting our website. He is not, to my knowledge, working with the forensic experts we retained to assist us. I have had no communication with him and have not authorized him to contact Sony on our behalf. Similarly, we have had no contact with George Hotz, of which anyone at my firm is aware.

While I share your desire to address these matters "efficiently and professionally," your repeated intimations that someone at my firm may have been responsible for the post is repugnant, unprofessional, and defamatory. Comments such as "you have refused to provide any information that shows that no one from your firm is responsible for this posting," are insulting. As a fellow officer of the court, such reckless assertions have no place in this dialogue. Putting aside the challenge in proving a negative, I can say with absolute confidence (for reasons I can share at a subsequent juncture) that the posting was not made by anyone affiliated with my firm.

Finally, you are correct that we have communicated with class members who have inquired as to the hacker's posting, and we have informed such class members that the post was the subject of a malicious hack and that the litigation remains pending. Without waiver of any privilege that such communications may enjoy, that should more than satisfy any professed concerns you have about the subject matter of our communications with class members regarding the post. We will seek to share relevant information regarding our investigation with you as we deem it necessary to protect Sony's legitimate business interests, but we will not allow you to set arbitrary deadlines and/or be the arbiter of what is required to be produced. Naturally, you are free to take up with the Court any application you deem necessary, against which we will steadfastly defend our reputation, honor, and integrity.

If you wish to discuss this matter further in a calm, mature and professional manner, I would welcome your call.

12/14/2010

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**From:** Ott, Carter [mailto:Carter.Ott@dlapiper.com]  
**Sent:** Wednesday, June 09, 2010 4:04 PM  
**To:** Jeffrey Carton  
**Cc:** Rebecca Coll; Sacks, Luanne  
**Subject:** Ventura v. SCEA - Website Posting

Jeff,  
Please see the attached letter from Luanne Sacks.



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12/14/2010