

**KEKER & VAN NEST** LLP

633 Battery Street  
San Francisco, CA 94111-1809  
415 391 5400  
kvn.com

**David Silbert**  
(415) 676-2261  
dsilbert@kvn.com

August 19, 2013

Honorable Joseph C. Spero  
UNITED STATES DISTRICT COURT  
Courtroom G, 15<sup>th</sup> Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102

Re: *Bascom Research LLC v. LinkedIn Corp.*, Case No. 12-cv-06294-SI (JCS)

Dear Judge Spero:

I am counsel for LinkedIn in the above-referenced case. I write to request an interpretation of Your Honor's July 25, 2013 Order on discovery disputes, and specifically, to ask that you authorize me, rather than Bob Van Nest, to serve as lead counsel for the purpose of meeting-and-conferring with the Plaintiff.

As background, *Bascom v. LinkedIn* (Case No. 12-cv-06294) and the related case *Bascom v. Facebook* (12-cv-06293) were recently referred to Your Honor by Judge Illston for discovery matters, and in particular, to resolve a long-pending dispute over Bascom's infringement contentions.

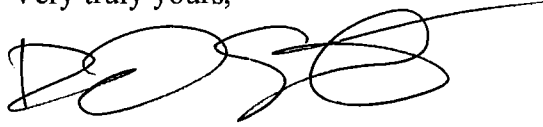
I fully understand and appreciate Your Honor's rule requiring lead counsel to meet-and-confer in person before presenting discovery disputes to the Court. Should this case ever reach trial, Bob Van Nest will serve as lead trial counsel for LinkedIn. However, I will also be deeply involved in any trial. Moreover, I am the day-to-day manager of the case, while Mr. Van Nest has had little or no day-to-day involvement, and none with discovery issues, including the extensive prior meet-and-confer discussions over Bascom's infringement contentions. I have been an attorney at Kecker & Van Nest for more than sixteen years, and a partner for more than ten years. I have made every court appearance in the case to date, while Mr. Van Nest has made none, and I also communicate regularly with the client about the case.

Under these circumstances, I believe that the purpose behind Your Honor's meet-and-confer rule will be best served by allowing me, rather than Mr. Van Nest, to meet-and-confer with the Plaintiff over discovery disputes. Accordingly, I respectfully request that Your Honor permit my participation to satisfy the meet-and-confer requirement in paragraph 1 of the July 25, 2013 Order.

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Thank you very much.

Very truly yours,



David Silbert

DJS:js

cc: Counsel of record (via email only)

Dated 8/21/13

