

# EXHIBIT A

## JONES DAY

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May 7, 2007

PRIVILEGED & CONFIDENTIAL

VIA E-MAIL AND U.S. MAIL

David S. Olson  
STANFORD LAW SCHOOL CYBERLAW CLINIC  
559 Nathan Abbott Way  
Stanford, California 94305-8610

Re: Shloss v. Sweeney, et al.

Dear Mr. Olson:

We have completed a review of the Motion for Award of Attorneys' Fees and Costs and the case law that was cited in support thereof, and we have determined that there is no basis for the filing of this motion. Your attempt to ambush the defendants with this motion after they agreed to settle this matter in good faith is not well taken, and we believe that the Court will similarly find your tactics inappropriate and sanctionable.

Importantly, you have failed to comply with the local rules in filing this motion. Pursuant to Rule 54-6 of the Local Rules of the Northern District of California, counsel is specifically required to "meet and confer for the purpose of resolving all disputed issues relating to attorney's fees before making a motion for award of attorney's fees." Civ. L. R. 54-6(a). However, no attempt was made to confer with us prior to filing this motion. The motion is also not supported by statements attesting to the services rendered and a summary of the time spent by each person for whose services fees are claimed as required by Local Rule 54-6(b). Without such declarations and affidavits, the defendants are not even on notice as to the amount of fees you are claiming in this matter or for what services.

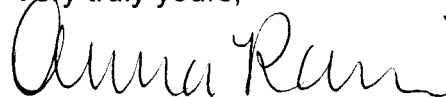
We therefore request that you immediately withdraw this motion. If you do not, we will be forced to file an opposition, and we will request all relief to which defendants are entitled for the filing of such a baseless motion, including costs and attorneys' fees. Specifically, we will request the Court hold you personally liable for filing a motion that unreasonably caused our client to incur additional fees in this action pursuant to 28 U.S.C. § 1927.

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To prevent the unnecessary accrual of additional attorneys' fees in drafting a response to your improperly filed and groundless motion, we request your immediate response as to your willingness to withdraw the motion for attorneys' fees.

Very truly yours,

A handwritten signature in black ink, appearing to read "Anna Raimer". The signature is written in a cursive, flowing style.

Anna E. Raimer