

MORRISON | FOERSTER425 MARKET STREET
SAN FRANCISCO
CALIFORNIA 94105-2482TELEPHONE: 415.268.7000
FACSIMILE: 415.268.7522

WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.NORTHERN VIRGINIA,
ORANGE COUNTY, DENVER,
SACRAMENTO, WALNUT CREEKTOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

October 21, 2008

Writer's Direct Contact
415/268-7265
HMcElhinny@mofo.com**By E-Mail**Dennis M. Cusack
Farella Braun & Martel LLP
235 Montgomery Street
San Francisco, CA 94104
E-Mail: dcusack@fbm.comNeil A. Goteiner
Farella Braun & Martel LLP
235 Montgomery Street
San Francisco, CA 94014
E-Mail: ngoteiner@fbm.comJohn Allan Stottlemire
33013 Lake Garrison Street
Fremont, CA 94555
E-Mail: jstottl@comcast.netRe: *Coupons, Inc. v. Stottlemire*
Case No. C 07-03457 HRL ENE

Dear Counsel:

This will confirm that we will hold the ENE session in this matter at my office beginning at 10:00 a.m. on Thursday, November 13, 2008. Although the session may not last the entire day, please schedule the entire day for the ENE session.

Please have your ENE Statements delivered to me no later than Monday, November 3, 2008.

At the ENE session, plaintiff will make a full presentation of its case on liability and damages. When that is done, defendant will present its case. Plaintiff will have the opportunity to provide a rebuttal.

Once I have heard the case, I will provide an evaluation of the case and a prediction of what is likely to occur should the case proceed to trial. After I prepare my evaluation and present it to you, I will be available to assist the parties in settlement discussions should both sides be interested.

sf-2593474

Dennis M. Cusack
Neil A. Goteiner
John Allan Stottlemire
October 21, 2008
Page Two

If you have any questions or if you need to communicate with me before the hearing, please do so in writing with a copy to opposing counsel. I remind you that I do not have the authority to continue the session.

I look forward to helping you resolve this dispute.

Yours truly,



Harold J. McElhinny

HJM:vrs

cc: Alice Fiel (Via E-Mail)
ADR Case Administrator