

# EXHIBIT U

## Campos, Mario

---

**From:** Ellinikos, Maria  
**Sent:** Monday, June 02, 2008 6:21 PM  
**To:** 'Baum, Brandon'; Masur, Joshua M.  
**Cc:** Hemminger, Steve; Campos, Mario; Gagnon, Suzanne; Rowinski, Julie  
**Subject:** Viacom et al. v. YouTube et al.

**Attachments:** scan.pdf



scan.pdf (55 KB)

Please see attached correspondence.

Maria Ellinikos  
Litigation Associate  
Akin Gump Strauss Hauer & Feld LLP  
580 California Street, Suite 1500  
San Francisco, California 94104  
Tel: (415) 765-9560  
Fax: (415) 765-9501  
mellinikos@akingump.com

AKIN GUMP  
STRAUSS HAUER & FELD LLP

Attorneys at Law

MARIA ELLINIKOS  
415.765.9560/fax: 415.765.9501  
mellinikos@akingump.com

June 2, 2008

Brandon Baum, Esq.  
Josh Masur, Esq.  
Mayer Brown LLP  
Two Palo Alto Square, Suite 300  
3000 El Camino Real  
Palo Alto, California 94306-2112

Re: *Viacom International, Inc. v. YouTube, Inc.*, No. 1:07-cv-2103 (S.D.N.Y.) and  
*Premier League v. YouTube*, No. 1:07-cv-3582

Dear Brandon:

We are baffled by your May 30, 2008 letter. First, in your letter dated May 29, you indicated that you would move to compel compliance with the subpoena if we intended to limit our document collection and production to documents retrieved electronically upon application of our search terms. However, as we discussed and stated in our letters dated April 23 and May 2, we collected both hard copy and electronic documents and agreed to extract and produce properly requested information from BayTSP's proprietary databases that is responsive to YouTube's subpoena. As we further discussed, we intend to use the search term list to retrieve properly requested electronic documents that you believe are responsive to YouTube's subpoena. We therefore invited you to suggest additional search terms and agreed to consider adding your suggested terms to our list. Indeed, we agreed to include the terms suggested in your letter dated May 21 and modified them slightly to make them *more* inclusive. Moreover, we repeatedly informed you that we will review all hard copy and electronically retrieved documents for responsiveness, privilege and confidentiality. As you know and our communications regarding YouTube's subpoena reveal, any delay in BayTSP's document production is the result of your unwillingness to negotiate in good faith to narrow the scope of the subpoena.

Second, we do not believe it is appropriate for YouTube at this late date to renege on any of its agreements.

AKIN GUMP  
STRAUSS HAUER & FELD LLP  

---

Attorneys at Law

June 2, 2008  
Page 2

Finally, your letter fails to identify the disputed issues that will be the subject of YouTube's motion to compel. Please let us know your availability to meet and confer pursuant to Local Rule 37-1(a) regarding the disputed issues.

Sincerely,

/s/ Maria Ellinikos

Maria Ellinikos