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January 7, 2011

VIA EMAIL

Joshua Sohn (joshuasohn@quinnemanuel.com)
QUINN EMANUEL URQUHART & SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111

Re: *Interserve, Inc. v. Fusion Garage Pte. Ltd.*, No. 09-5812 (N.D. Cal.)

Dear Josh:

I address the three unresolved items from our December 21, 2010 discussion that you reference in your letter to me of the same date.

(1) Production Date. To produce the documents we agreed to produce in response to the Third Set of Requests for Production that Fusion Garage served on October 22, 2010 -- which largely concern interactions with AOL -- we will need to collect and review additional documents, primarily because the AOL deal occurred after TechCrunch's document productions in this case. We anticipate being able to produce these documents in early March.

(2) AOL Acquisition Agreements. Our client cannot agree to produce these agreements based on Fusion Garage's current argument for relevance. It is not clear why the agreements would relate to the need to join AOL as a plaintiff in this case. If you can tell us more specifically what kind of information you are looking for in these agreements and its relevance, we can take that explanation back to our client.

Joshua Sohn
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(3) Flextronics. Our client has authorized us to discuss designation of the Harde and Kindle transcript designations with Flextronics and we will reach out to it.

Best regards,

/s/ Matthew A. Scherb

Matthew A. Scherb