

EXHIBIT 3

Bailey, Lila (Perkins Coie)

From: Suzanne Shell [dsshell@wildblue.net]
Sent: Wednesday, January 03, 2007 5:56 PM
To: Bailey, Lila (Perkins Coie)
Subject: Re: Internet Archive v. Shell - Scheduling Order - changes

Ms. Bailey

Am I going to see this before you file it? I'm sure you can understand my reluctance to have my signature put on something I have not seen.

Sincerely
Suzanne Shell

Bailey, Lila (Perkins Coie) wrote:

Ms. Shell,

I have modified the Scheduling Order by adding in your sections and am going to file the document with the court shortly. I noticed that you added in some facts to the "Undisputed Facts" section. Internet Archive does dispute the facts you added. Accordingly, they have not been included in the final draft. The only facts that have been included in that section are those that you admitted in your Answer to Internet Archive's Complaint, and thus cannot now be disputed.

Regards,
Lila Bailey

From: Suzanne Shell [mailto:dsshell@wildblue.net]
Sent: Wednesday, January 03, 2007 9:50 AM
To: Bailey, Lila (Perkins Coie)
Subject: Internet Archive v. Shell - Scheduling Order - changes

If you need to call me and I'm not at my home number, you can reach me at 719-749-0025.

Bailey, Lila (Perkins Coie) wrote:

<<12938350_1.rtf>>

Ms. Shell,

Per your request, here is a .rtf version of the Order.

Regards,

Lila Bailey

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without

copying or disclosing the contents. Thank you.