

**EXHIBIT A**

**Gregory C. Smith**

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**From:** Levy, Marc C. [MLevy@faegre.com]  
**Sent:** Monday, November 23, 2009 2:10 PM  
**To:** Gregory C. Smith  
**Subject:** Motion to file amended response

Greg,  
Regarding your request to file an amended response, Amazon takes no position concerning your request to substitute a new memorandum containing the non-substantive edits shown in your redline. Amazon opposes your request to add the new exhibit (#11) and any edits in the memorandum related to this new exhibit (e.g., your edits to footnote 16).

Marc

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11/23/2009