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June 23, 2011

The Honorable Leonard P. Stark
United States District Court
844 North King Street
Wilmington, DE 19801

BY E-FILING

Re: *Personalized User Model, L.L.P. v. Google, Inc.*
C.A. No. 09-525 (JJF)

Dear Judge Stark:

We appreciate the communication from Your Honor's Chambers during which we were advised that plaintiff Personalized User Model, L.L.P. ("P.U.M.") may seek a later conference once it and its expert have had the opportunity to examine the supplemental source-code-related information that defendant Google provided late yesterday and the yet-to-be provided promised supplemental discovery responses. Google has resisted production of this information for months and last communicated to P.U.M. on June 7 that it would not make any such information available to P.U.M. As such, until receipt of Google's letter of intention late yesterday, P.U.M. had been prepared to move the Court to compel Google to (1) provide complete answers to P.U.M.'s Interrogatory Nos. 24-29, and (2) produce a witness to testify on topics 5-10 of P.U.M.'s April 7, 2011 Notice of 30(b)(6) Deposition ("Notice"). Depending on whether Google's production is complete, P.U.M. may not need to seek the Court's assistance. P.U.M. will also likely be able to narrow the deposition topics in the Notice once it and its expert have reviewed Google's now-promised supplemental responses to these Interrogatories.¹

¹ Google has also promised that it will produce additional source code related to, among other things, its AdSense and YouTube systems. P.U.M., therefore, reserves its right to seek additional relief from the Court to the extent that the promised code reveals additional discovery deficiencies.

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Respectfully,

/s/ Karen Jacobs Louden

Karen Jacobs Louden (#2881)

KJL/cht

cc: Clerk of the Court (by hand)
All Counsel of Record (via e-filing and/or e-mail)

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