

# EXHIBIT H

**Esau, David B.**

---

**From:** alex siegal [alby1969\_98@yahoo.com]  
**Sent:** Saturday, December 04, 2010 3:03 PM  
**To:** Esau, David B.  
**Subject:** Re: Segal/Chaparova v. Amazon.com (Case No. 10-cv-20718, U.S. District Court for the Southern District of Florida)

The depositions will not take place this month. Your request needs to be more specific. Keep in mind that many of the non-party witnesses do not reside in Miami. I will update the witness list as additional information becomes available and will work with you to provide the relevant information, such as the topics on which the witnesses will testify.

---

**From:** "Esau, David B." <desau@carltonfields.com>  
**To:** alby1969\_98@yahoo.com  
**Sent:** Sat, December 4, 2010 9:29:21 AM  
**Subject:** RE: Segal/Chaparova v. Amazon.com (Case No. 10-cv-20718, U.S. District Court for the Southern District of Florida)

Please provide me with specific deposition dates (any time in December) for each of the non-party witnesses on your witness list. Once you provide with me with their availability, I will select the deposition dates.

Just to be clear, I am not authorized to accept service of non-party witnesses subpoenas. You will have to serve the individual witnesses with subpoenas if you want their testimony.

I also have no obligation under the federal rules to let you know who Amazon's corporate representative is, nor could Amazon possibly identify who its corporate representative(s) will be based on your wildly broad deposition topics below. If you narrow your topics to describe the matters for examination with reasonable particularity, as required by Rule 30(b)(6), Amazon will provide one or more corporate representatives for deposition. Thank you.

---

**From:** alex siegal [mailto:alby1969\_98@yahoo.com]  
**Sent:** Friday, December 03, 2010 9:16 PM  
**To:** Esau, David B.  
**Subject:** Re: Segal/Chaparova v. Amazon.com (Case No. 10-cv-20718, U.S. District Court for the Southern District of Florida)

You need to be more specific in your request. Exactly which dates do you have in mind? Also, you may subpoena the non-party witnesses through us, just as we will have to arrange deposing Amazon's representative(s) and witnesses through you. By the way, we intend to make arrangements to depose Amazon's designated representative shortly and expect your full cooperation.

Please let us know who Amazon's designated representative is, and whether he/she will be able to testify regarding all matters raised in our Amended Complaint, including Amazon's management, operational, and financial matters. Also, please indicate whether you intend to comply with our discovery request of November 4, 2010.

---

**From:** "Esau, David B." <desau@carltonfields.com>  
**To:** alby1969\_98@yahoo.com  
**Sent:** Fri, December 3, 2010 7:42:02 PM  
**Subject:** Re: Segal/Chaparova v. Amazon.com (Case No. 10-cv-20718, U.S. District Court for the Southern District of Florida)

I need to subpoena the witnesses for deposition and/or for trial, so I need their contact information. The court will agree that I am entitled to that.

Please provide me with specific deposition dates for each of the non-party witnesses on your witness list. Thank you.

---

**From:** alex siegal  
**To:** Esau, David B.  
**Sent:** Fri Dec 03 19:46:59 2010  
**Subject:** Re: Segal/Chaparova v. [Amazon.com](http://Amazon.com) (Case No. 10-cv-20718, U.S. District Court for the Southern District of Florida)

Those witnesses who have expressed an interest in participating in this case have also agreed to be contacted through us. We have in fact reassured them that they will not be contacted directly by Amazon and/or Amazon's counsel. Therefore, all listed non-party witnesses will be contacted through us only. You have previously threatened to contact them, depose them (in your words: "each and every one of them"), et cetera, so you do not need to repeat your threats. You may contact these non-party witnesses to request additional information, schedule depositions, etc., but you will contact them through us, pursuant to the applicable procedural rules. Additional information will be made available as soon as that information is received.

What is unfairly prejudicial is your failure to produce any of the documents/materials that you are required to produce by FRCP 26(a) and the documents/materials as requested under FRCP 34.

---

**From:** "Esau, David B." <desau@carltonfields.com>  
**To:** alex siegal <alby1969\_98@yahoo.com>  
**Sent:** Fri, December 3, 2010 2:12:31 PM  
**Subject:** RE: Segal/Chaparova v. [Amazon.com](http://Amazon.com) (Case No. 10-cv-20718, U.S. District Court for the Southern District of Florida)

Please provide me with contact information for each of your potential witnesses. You are not an attorney, and you cannot represent their interests. If they are on your witness list, I must have an opportunity to contact them, depose them, and seek documents and information from them (which I intend to do). Please correct your witness list immediately, as the discovery period is quickly coming to an end, and your refusal to provide their contact information is unfairly prejudicial. If you do not correct your list immediately, I will ask the court to require you to do so. Thank you.

-David

---

**From:** alex siegal [mailto:alby1969\_98@yahoo.com]  
**Sent:** Friday, December 03, 2010 3:01 PM  
**To:** Esau, David B.  
**Subject:** Re: Segal/Chaparova v. [Amazon.com](http://Amazon.com) (Case No. 10-cv-20718, U.S. District Court for the Southern District of Florida)

Mr. Esau,

Attached, please find our potential witness list as well as additional relevant documents/materials, which we are hereby producing pursuant to Judge Cooke's Scheduling Order dated August 19, 2010.

Albert Segal