

# EXHIBIT B

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**From:** Platzer, Luke C  
**Sent:** Thursday, June 02, 2011 7:46 PM  
**To:** TSchoenberg@fbm.com; DGupta@fbm.com  
**Cc:** Pozza, Duane; ALeibnitz@fbm.com; Fabrizio, Steven B; RThompson@fbm.com  
**Subject:** RE: Disney v. Hotfile - Privilege Log Categories

Tony and Deepak –

As per our call today, the parties will agree to continue the initially-proposed (albeit not-yet-entered) June 15 date for the exchange of privilege logs (with the new date to be determined), and you will consider our proposal for both parties to use categorical privilege logs. In order to better understand the categorical privilege logging approach we proposed, you had asked us to provide a few examples of cases in which courts had agreed endorsed this approach. Here are a few cases where this approach has been utilized, although we are aware of several others:

*Orbit One Communications, Inc. v. Numerex Corp.*, 255 F.R.D. 98 (S.D.N.Y. 2008)

*Republic Service Inc. v. American Intern. Specialty Lines Ins. Co.*, No. 07-21991-CIV, 2008 WL 4691836 (S.D. Fla. Oct. 21, 2008)

*In re Imperial Corp. of America*, 174 F.R.D. 475 (S.D. Cal. 1997)

*In re Motor Fuel Temperature Sales Practices Litig.*, No. 07-md-1840, 2009 WL 959491 (D. Kan. April 3, 2009)

Once you have had a chance to think about this issue further (as well as do any research of your own), let's discuss again, perhaps on Monday or Tuesday?

Regards,  
Luke

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**From:** TSchoenberg@fbm.com [mailto:TSchoenberg@fbm.com]  
**Sent:** Wednesday, June 01, 2011 4:50 PM  
**To:** Platzer, Luke C; DGupta@fbm.com; RThompson@fbm.com  
**Cc:** Pozza, Duane; ALeibnitz@fbm.com  
**Subject:** RE: Disney v. Hotfile - Privilege Log Categories

Luke -- We are amenable to extending the June 15 deadline. Let us know what you have in mind for a new deadline. As for the other issue, Deepak and I are available to discuss that with you tomorrow morning at 10 a.m. PST if that works for you.

-----Original Message-----

**From:** Platzer, Luke C [mailto:LPlatzer@jenner.com]  
**Sent:** Tuesday, May 31, 2011 8:55 AM  
**To:** Gupta, Deepak (22) x4419; Thompson, Rod (27) x4445  
**Cc:** Pozza, Duane; Leibnitz, Andrew (21) x4932; Schoenberg, Tony (28) x4963  
**Subject:** Disney v. Hotfile - Privilege Log Categories

Deepak and Rod –

As I mentioned on our call last week, we would like to have a call soon to discuss the upcoming privilege log deadline. In particular, we would like to discuss (1) our proposal to reduce the mutual burdens by utilizing categorical privilege logs for this litigation, and (2) to mutually extend the currently-proposed June 15 deadline.

Please let us know when a good time to discuss might be – we believe that this call should involve attorneys handling both sides of discovery, as it is a global issue involving both parties’ respective productions.

- Luke

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**Luke C. Platzer**

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