

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JONATHAN COBB,

Plaintiff,

v.

Case No. 1:08-CV-0483 (MHS)

GOOGLE INC. and
WORKFORCE LOGIC LLC,

Defendants.

AFFIDAVIT OF ERIC P. SCHROEDER IN SUPPORT OF
GOOGLE INC.'S RESPONSE TO PLAINTIFF'S
MOTION TO COMPEL DISCOVERY

I, Eric P. Schroeder, affirm as follows:

1. I am more than eighteen (18) years of age and am competent to give testimony and make this Affidavit.
2. I am a partner with the law firm Powell Goldstein LLP.
3. I represent Defendant Google Inc. as lead counsel in the above-styled action.
4. I have knowledge of the facts stated herein.
5. Michael Zwibelman, formerly of the law firm Brune & Richard LLP, originally served as lead counsel for Defendant Google Inc in this action.

6. Attached as Tab 1 is a true and correct copy of a letter dated June 10, 2008, from Michael Zwibelman to Michael Dailey.
7. Attached as Tab 2 is a true and correct copy of a letter dated June 16, 2008, from Michael Dailey to Michael Zwibelman.
8. Attached as Tab 3 is a true and correct copy of a letter dated June 17, 2008, from Michael Zwibelman to Michael Dailey.
9. Attached as Tab 4 is a true and correct copy of a letter dated June 19, 2008, from Michael Dailey to Michael Zwibelman.
10. Attached as Tab 5 is a true and correct copy of a letter dated June 20, 2008, from Michael Zwibelman to Michael Dailey.
11. On or about August 20, 2008, Michael Zwibelman left Brune & Richard LLP to work with the Office of Attorney General for the State of California.
12. In late August 2008, Google began transitioning the case to me to act as new lead counsel.
13. On September 2, 2008, I communicated to Michael Dailey that, due to transition issues and the fact that Google's in-house counsel was on vacation and would be out-of-the-country until the week of September 15, Google intended to address the outstanding discovery dispute and produce documents by or on

September 19, 2008. It was my understanding that Mr. Dailey agreed with the “by September 19” production date.

14. On September 17, Plaintiff filed his motion to compel. Plaintiff did not consult with or inform me that the Motion would be filed that day.

15. Attached as Tab 6 is a true and correct copy of a letter dated September 18, 2008, from Michael Dailey to Eric Schroeder.

16. On October 1, 2008, Google produced to Plaintiff documents Bates-stamped G010001 through 10767, a supplemental witness list pursuant to Defendant’s Initial Disclosure No. 5 and Attachment A, and a supplemental list of document categories pursuant to Attachment C of Defendant’s Initial Disclosures.

17. On October 15, 2008, Google produced to Plaintiff documents Bates-stamped G010768 through 12144 and supplemental responses to Plaintiff’s First Continuing Interrogatories and First Continuing Requests For Production of Documents and Things.

This 15th day of October, 2008.


Eric P. Schroeder

This 15th day of October, 2008, in the presence of:


Notary Public

My Commission Expires:

