

EXHIBIT D

Gary, Laura

From: Gary, Laura
Sent: Friday, May 15, 2009 3:44 PM
To: Todd.Larson@weil.com
Cc: krugman@bmelaw.com; Swift, Kristen; rains@bmelaw.com; Schaetzel, Steve; Askew, Tony; randi.singer@weil.com; r.bruce.rich@weil.com
Subject: RE: Cambridge v. GSU/Discovery Agreement
Follow Up Flag: Follow up
Flag Status: Completed
Attachments: Discovery Agreement.DOC^

Todd--

Thanks for getting this back to us. We made one small change. Please see the attached document.

--Laura

Laura Gary

King & Spalding LLP
1180 Peachtree Street, NE
Atlanta, GA 30309

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From: Todd.Larson@weil.com [mailto:Todd.Larson@weil.com]
Sent: Friday, May 15, 2009 2:52 PM
To: Gary, Laura
Cc: krugman@bmelaw.com; Swift, Kristen; Gary, Laura; rains@bmelaw.com; Schaetzel, Steve; Askew, Tony; randi.singer@weil.com; r.bruce.rich@weil.com
Subject: Re: Cambridge v. GSU/Discovery Agreement

Laura,

Thanks for drafting this. Please see the attached for a couple of suggested edits, each in the order of clarification more than any substantive change.

-Todd

Todd Larson | Weil, Gotshal & Manges LLP
767 5th Avenue, Room 3332

6/19/2009

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"Gary, Laura" <LGary@KSLAW.com>

05/15/2009 10:34 AM

To "Todd.Larson@weil.com" <Todd.Larson@weil.com>, "r.bruce.rich@weil.com" <r.bruce.rich@weil.com>, "randi.singer@weil.com" <randi.singer@weil.com>, "Edward B. Krugman" <krugman@bmelaw.com>, "John H. Rains IV" <rains@bmelaw.com>

cc "Askew, Tony" <TAskew@KSLAW.com>, "Schaetzel, Steve" <SSchaetzel@KSLAW.com>, "Swift, Kristen" <KSwift@KSLAW.com>, "Laura" <LGary@KSLAW.com>

Subject Cambridge v. GSU/Discovery Agreement

Counsel--

Attached please find a letter memorializing our discussed agreement. If the agreement is acceptable, we will send you a signed, finalized version for your signature. Thank you.

Laura Gary
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[attachment "5836672_1.DOC" deleted by Todd Larson/NY/WGM/US]

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May 15, 2009

VIA ELECTRONIC MAIL

Todd Larson, Esq.
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153-0119

**RE: *Cambridge University Press, et al. v. Becker, et al.*,
United States District Court for the Northern District of Georgia,
Case No. 1:08-CV-1425-ODE**

Dear Todd:

This letter will memorialize the following agreement between the parties in the above-referenced action:

1) Defendants consent to allow Plaintiffs to take fourteen (14) depositions before the June 30, 2009 deadline for depositions in this matter; and Plaintiffs waive their objection to the timeliness of service of Defendants' Third Request for the Production of Documents and Second Set of Interrogatories to Plaintiffs, and agree to substantively respond to each, subject to any appropriate objections, by June 12, 2009.

2) The time for Defendants to respond to Plaintiffs' Second Set of Requests for Admission (currently due on May 22, 2009) will be tolled as of today's date while the parties draft and negotiate stipulations. If the parties are unable to agree to stipulations, the time period for Defendants' response will resume at that time, and Defendants will respond to Plaintiffs' requests within the remaining time period.

3) For purposes of the Scheduling Order and any applicable Local Rules, the "close of discovery" shall be June 30, 2009. This date, however, shall not extend the ~~May 25, 2009~~ deadline for completing discovery or be construed to allow either Party to serve additional discovery requests after ~~May 25, 2009~~, subject only to Paragraph (1) above and the Court's order extending the time for completing depositions to June 30, 2009.

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4) The parties agree that the deadline for filing Summary Judgment Motions shall be extended to thirty (30) days after the close of discovery, and will jointly move the Court to enter an amended Scheduling Order reflecting that deadline.

Please indicate your agreement to these terms by countersigning below.

Sincerely,

Laura Gary

Signed: _____

Date: May 15, 2009

cc: Edward B. Krugman, Esq.
John H. Rains IV, Esq. (via email)
R. Bruce Rich, Esq. (via email)
Randi W. Singer, Esq. (via email)
Cynthia V. Hall, Esq. (via email)
Kerry Heyward, Esq. (via email)
Burns Newsome, Esq. (via email)
Mary Jo Volkert, Esq. (via email)
Anthony B. Askew, Esq. (via email)
Stephen M. Schaetzel, Esq. (via email)
Kristen A. Swift, Esq. (via email)
Glenda R. Smith (file)