

# EXHIBIT E

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**From:** Bradford, David J  
**Sent:** Tuesday, March 18, 2008 3:29 PM  
**To:** Blouin, Karen; Vickrey, Paul K  
**Cc:** Truax, Terrence J; Sacks, Eric A; Kachingwe, Wendy T; Cebula, Michael L  
**Subject:** RE: MEET AND CONFER

Karen, thank you.

My proposal is that we meet together in person and have a friendly and constructive exchange of views and information about travel schedules. I am prepared to do that anytime this week. If you prefer to wait for Paul's return, we can do so Monday morning. I am happy to come to your offices for that purpose, or arrange for coffee here.

As part of that dialogue and in consideration of a global resolution of this issue, we are willing to be flexible. Among other things, and without prejudice to our position on location if we can't reach resolution, we would be willing to bring the firm's Managing Partner to Chicago for deposition. We would also be willing to produce our Rule 30(b)(6) witness in Chicago. I also believe that Dorothy Whelan will make herself available in Chicago for deposition.

As we understand it, you have noticed depositions of both Google and Amazon for the west coast. Obviously, they cannot be compelled to come to Chicago under any circumstance. Because it will be necessary for counsel to travel to the west coast for those depositions, we suggest that we organize our schedules so that all the west coast depositions can be accomplished in one trip. This can include Scott Harris's deposition.

In addition, we would like to explore with you whether certain of these depositions can be avoided by stipulating as to what the witnesses will say. Alternatively, we would also like to explore whether certain of the depositions could be conducted by videoconference so as to save travel expense for all concerned.

These ideas are not exhaustive. We are open to other suggestions and practical solutions that you may wish to propose as well. We believe that these are issues that counsel should be able to work out between them without bothering the court.

Thanks for your consideration

David.

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**From:** Blouin, Karen [mailto:kblouin@nshn.com]  
**Sent:** Tuesday, March 18, 2008 2:41 PM  
**To:** Bradford, David J; Vickrey, Paul K  
**Cc:** Truax, Terrence J; Sacks, Eric A; Kachingwe, Wendy T; Cebula, Michael L  
**Subject:** RE: MEET AND CONFER

Paul is traveling right now and asked that you kindly put your proposal in writing.

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**From:** Bradford, David J [mailto:dbradford@jenner.com]  
**Sent:** Tuesday, March 18, 2008 2:25 PM  
**To:** Bradford, David J; Vickrey, Paul K  
**Cc:** Blouin, Karen; Truax, Terrence J; Sacks, Eric A; Kachingwe, Wendy T; Cebula, Michael L  
**Subject:** RE: MEET AND CONFER

Paul, I just received your voice message stating that you were filing a motion within the hour. Please do not file your motion until we can talk. I have a number of ideas on how to resolve the deposition location issue that I believe you will find reasonable. These include, as part of a global resolution of the "deposition location" issue, conducting certain depositions in Chicago, exploring the availability of piggy-backing certain depositions in convenient locations, and the possible use of video-conference depositions to reduce travel costs. I would at least appreciate an opportunity to speak with you about these ideas before you bring this matter to the Court's attention.

Thank you in advance for your courtesy.

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**David J. Bradford**

Jenner & Block LLP  
330 N. Wabash Avenue  
Chicago, IL 60611-7603  
Tel (312) 923-2975  
Fax (312) 840-7375  
dbradford@jenner.com  
[www.jenner.com](http://www.jenner.com)

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**From:** Bradford, David J  
**Sent:** Tuesday, March 18, 2008 10:40 AM  
**To:** vickrey@nshn.com  
**Cc:** blouin@nshn.com; Truax, Terrence J; Sacks, Eric A; Kachingwe, Wendy T; Cebula, Michael L  
**Subject:** MEET AND CONFER

Dear Paul:

Your voice mail to Terry Truax was forwarded to me, because Terry is traveling.

I just called Karen Blouin and advised her that we would like to meet and confer about deposition locations; we would also like to meet and confer about 1) the production of the "targeting of clients" documents and 2) your privilege log; we have been requesting for many weeks now that you meet and confer with us about those two issues.

I suggest that we meet in person and try to resolve all open issues. As you know, I recently had a productive conversation with Ray Niro and we committed to each other that our firms were going to make every effort to resolve all issues in this case in a cooperative and civil manner, including discovery issues. To that end, I am available personally to meet with you or whomever you designate to try to resolve these issues virtually any time this week or next.

We do not think its productive to take open issues piecemeal and in particular, I do not believe it is fair or reasonable for you to insist that we meet and confer on issues that are important to you - while you refuse to concurrently meet and confer on issues that are important to us and as to which we have much more longstanding requests to meet and confer.

Please name a time this week or next when we can get together and try to resolve all these discovery issues. Thank you in advance for your cooperation.

3/20/2008

