

EXHIBIT 1

Nelson, Cameron (Assoc-Chi-IP/Tech)

From: Finn, Herbert (Shld-Chi-IP/Tech)
Sent: Sunday, June 06, 2010 9:40 PM
To: 'andrewf@novackmacey.com'
Cc: 'jhaarlow@novackmacey.com'; 'jshonkwiler@novackmacey.com'; Dunning, Jeffrey (Assoc-Chi-IP/Tech); Nelson, Cameron (Assoc-Chi-IP/Tech); 'martym@villageinvestments.com'
Subject: Specht/Google - Depositions

Andrew,

My apologies for the slower response, but as Jeff advised I was in an all day mediation on Friday.

In any event, the proposed date for conducting the deposition is unrelated to your intent to seek an extension of the oral discovery period. To summarize, you are taking a 30(b)(6) witness on July 9. We have offered July 14 for a second Rule 30(b)(6) witness. Despite being available on July 14, you are refusing to proceed on that day. While we can not keep that date open indefinitely, we will keep it open for a while longer should you reconsider.

As to your intent to seek an extension of oral discovery, we remain of the opinion that it is premature at best. Your cited need for follow-up depositions is pure speculation. There is no reason to believe that the witnesses being presented will not be fully responsive. Accordingly, at this time we will not agree to an extension as you request.

On another note, please confirm that we will receive a substantive response to Interrogatory No. 13 and the correspondence with 3rd parties as Ordered by the Court by the end of the week, namely June 11th.

Herb Finn

 Herbert H. Finn, Esq.
 GREENBERG TRAURIG LLP
 77 West Wacker Drive
 Chicago, Illinois 60601
 312/456-8400 (phone)
 312/456-8435 (fax)
 finnh@gtlaw.com (email)

From: P. Andrew Fleming <andrewf@novackmacey.com>
To: Finn, Herbert (Shld-Chi-IP/Tech)
Cc: John B. Haarlow <JHaarlow@novackmacey.com>; John Shonkwiler <jshonkwiler@novackmacey.com>; martym@villageinvestments.com <martym@villageinvestments.com>; Dunning, Jeffrey (Assoc-Chi-IP/Tech); Nelson, Cameron (Assoc-Chi-IP/Tech)
Sent: Fri Jun 04 10:28:05 2010
Subject: RE: Specht/Google - Depositions

Herb, The reason we need an extension of the discovery cut off date if you will not provide a 30(b)(6) witness for deposition in June should be obvious. We need more than a mere 16 days to conduct any follow up discovery arising from the 30(b)(6) deposition. Indeed, the suggestion that such discovery could be conducted is belied your claim that Google witnesses are generally unavailable for months at a time. Regardless, we will agree to the July 14 deposition date only if you agree to an extension of the discovery cut off date to September 15, 2010. Please let me know your position by the close of business today. Sincerely, Andrew

6/16/2010

P. Andrew Fleming

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From: FinnH@gtlaw.com [mailto:FinnH@gtlaw.com]

Sent: Thursday, June 03, 2010 4:12 PM

To: P. Andrew Fleming

Cc: John B. Haarlow; John Shonkwiler; marty@m@villageinvestments.com; DunningJ@gtlaw.com; NelsonC@gtlaw.com

Subject: Specht/Google - Depositions

Andrew,

Your complaints about the proposed date of July 14th being 2 months after the Notice being served are unwarranted. Remember, it was Plaintiffs who unilaterally withdrew the previously noticed date for the Rule 30(b)(6) deposition. When Plaintiffs withdrew those dates, we had advised you that scheduling depositions of certain witnesses in June would be difficult. As such, our proposed date should be no surprise. Further, you are taking the deposition of a Rule 30(b)(6) witness (Mr. Rubin) that will cover a significant portion of the topics identified in the Notice prior to July 14th.

Indeed, it appears that you are creating an issue merely to justify a request for an extension of oral discovery. Yet, you have not identify why such an extension is required. The proposed July 14th date is prior to close of oral discovery. And nothing has prevented Plaintiffs from arranging or conducting other depositions in June that they may desire to take. If Plaintiffs have a genuine need for and basis to support extending oral discovery, we are certainly willing to consider and discuss it as required under Rule 37.

As you confirm your availability to proceed with the deposition on July 14th, please confirm that we are on that date -- without an extension of oral discovery attached.

Herb Finn

6/16/2010

Herbert H. Finn

Shareholder

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From: P. Andrew Fleming [mailto:andrewf@novackmacey.com]
Sent: Thursday, June 03, 2010 1:19 PM
To: Finn, Herbert (Shld-Chi-IP/Tech)
Cc: John Shonkwiler; John B. Haarlow; Dunning, Jeffrey (Assoc-Chi-IP/Tech); Nelson, Cameron (Assoc-Chi-IP/Tech); martym@villageinvestments.com
Subject: RE: Specht/Google - Depositions

Herb, We will proceed with Mr Rubin's deposition on July 9, 2010 at 8.30am. Your proposed date for the other 30(b)(6) witness is unacceptable, however. As you know, we served the Notice for that deposition on May 7, 2010. For you now to offer a date that is 2 months after the Notice is ridiculous. We, therefore, propose the following two alternatives. Either: 1) provide us with proposed dates for the 30(b)(6) deposition in June; or 2) agree to a 45 day extension of the discovery cut off date and we will take the deposition on July 14, 2010. Please let us know your response by close of business tomorrow. Otherwise, we will file an appropriate Motion with the Court. Sincerely. Andrew

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From: FinnH@gtlaw.com [mailto:FinnH@gtlaw.com]
Sent: Thursday, June 03, 2010 8:06 AM
To: P. Andrew Fleming
Cc: John Shonkwiler; John B. Haarlow; DunningJ@gtlaw.com; NelsonC@gtlaw.com
Subject: Specht/Google - Depositions

6/16/2010

Andrew,

While we understand that traffic difficulties may exist, we will accommodate your request and begin Mr. Rubin's deposition at 8:30 am on July 9th at our East Palo Alto offices. Mr. Rubin will be a Rule 30(b)(6) witness for many of the topics identified in the Notice. We will advise of which particular topics prior to the deposition.

In addition, we propose proceeding with Rule 30(b)(6) witness on other topics identified in the Notice on July 14th. Again, we can proceed at our offices. Please confirm.

Herb Finn

Herbert H. Finn

Shareholder

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