# **EXHIBIT 2**

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

From: P. Andrew Fleming [andrewf@novackmacey.com]

Sent: Wednesday, May 12, 2010 12:33 PM

To: Finn, Herbert (Shld-Chi-IP/Tech)

Cc: John Shonkwiler; John B. Haarlow; martym@villageinvestments.com; Dunning, Jeffrey (Assoc-Chi-

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

Subject: RE: Specht/Google - Rubin Deposition

Herb, June 3<sup>rd</sup> does not work. Please let me know if any of the following dates are available: June 8,9,10, 24,25, 28,29 or 30 or July 1,5,6,7 or 8. Andrew

### P. Andrew Fleming

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

Sent: Wednesday, May 12, 2010 12:24 PM

To: P. Andrew Fleming

Cc: John Shonkwiler; John B. Haarlow; martym@villageinvestments.com; DunningJ@gtlaw.com;

NelsonC@gtlaw.com

Subject: Specht/Google - Rubin Deposition

## Andrew,

As indicated in my prior email, the availability for Mr. Rubin's deposition in June is limited. That said, we can proceed with Mr. Rubin's deposition on June 3rd. Please confirm that we are proceeding on that date.

Herb Finn

Herbert H. Finn
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From: P. Andrew Fleming [mailto:andrewf@novackmacey.com]

**Sent:** Wednesday, May 12, 2010 9:05 AM **To:** Finn, Herbert (Shld-Chi-IP/Tech)

Cc: John Shonkwiler; John B. Haarlow; martym@villageinvestments.com; Dunning, Jeffrey (Assoc-Chi-IP/Tech);

Nelson, Cameron (Assoc-Chi-IP/Tech) **Subject:** RE: Specht/Google - Depositions

Herb, I will be taking the deposition of Mr. Rubin. I will not be taking the deposition of Lucasfilms. Accordingly, it is wrong for you to assume that we do not want to take Mr Rubin's deposition on June 2<sup>nd</sup> because we want to conduct the deposition of Lucasfilms on that date. Also, because of Lucasfilms' previous objection to the Subpoena served upon it, we anticipate that the deposition of Lucasfilms may not go forward absent a Court Order and that any such Order may not be obtained prior to June 2<sup>nd</sup>. Accordingly, please provide us with alternative dates for Mr Rubin's deposition in June. Sincerely. Andrew

#### P. Andrew Fleming

andrewf@novackmacey.com

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

Sent: Tuesday, May 11, 2010 8:47 PM

To: P. Andrew Fleming

Cc: John Shonkwiler; John B. Haarlow; martym@villageinvestments.com; DunningJ@gtlaw.com;

NelsonC@gtlaw.com

Subject: Specht/Google - Depositions

Andrew,

We are a bit confused.

This morning you asked the Court to direct us to look for deposition dates during the week of May 31st. The Court appropriately indicated that its involvement was, at best, premature. Nonetheless, in effort to work together on scheduling, within hours, we provided you an available date for Mr. Rubin's deposition — June 2nd. Two hours after receiving our email, John Haarlow then provides us notice of a subpoena being issued to Lucasfilms — for a deposition on that same day in the San Francisco area. Notably, the subpoena to Lucasfilms was executed today and accordingly we assume that it was, at best, in the process of being served as of the time we provided you Mr. Rubin's availability. Fifteen minutes later, you indicate that you are not available to conduct the

deposition of Mr. Rubin on June 2nd -- presumably because Plaintiffs want to conduct the deposition of Lucasfilms on that date.

Your decision to forego the deposition of Mr. Rubin for an attempt to take the deposition of Lucasfilms is curious at best — especially after you sought some sort of Court involvement in arranging this deposition. The Lucasfilms deposition is not yet set for June 2nd and, based upon Lucasfilms' prior positions and conduct, there is little reason to believe that it will appear without at least some further discussion amongst counsel and/or Court involvement. All of which makes the June 2nd date for Lucasfilms deposition extremely unlikely.

Moreover, I had previously indicated that the availability to conduct Mr. Rubin's deposition was limited in June. If we do not proceed on June 2nd, due to scheduling issues, there is a possibility that we will not be able to proceed with his deposition until July. Accordingly, we ask that you reconsider conducting Mr. Rubin's deposition on June 2nd.

As to the Rule 30(b)(6) deposition, we are working on available dates and will advise you when we have more clarity on the issue.

Herb Finn

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From: P. Andrew Fleming [mailto:andrewf@novackmacey.com]

Sent: Tuesday, May 11, 2010 2:52 PM

**To:** Finn, Herbert (Shld-Chi-IP/Tech); John Shonkwiler; John B. Haarlow **Cc:** Dunning, Jeffrey (Assoc-Chi-IP/Tech); martym@villageinvestments.com

Subject: RE: Specht/Google - Depositions

Herb, We are not available to take Mr Rubin's deposition on June 2<sup>nd</sup>. Please let us know what alternative dates are available for the deposition in June. Also, please let us know what dates are available for the deposition(s) of the Rule 30(b)(6) witness(es). Andrew

#### P. Andrew Fleming

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

Sent: Tuesday, May 11, 2010 12:27 PM

To: P. Andrew Fleming; John Shonkwiler; John B. Haarlow

Cc: DunningJ@gtlaw.com

Subject: Specht/Google - Depositions

Counsel,

In view of your statements in Court this morning regarding deposition dates, we have investigated Mr. Rubin's availability for dates in the week following May 26th. We confirm that Mr. Rubin is available for deposition on June 2nd. In addition, Mr. Rubin requests that the deposition be conducted at the offices of Greenberg Traurig at:

Greenberg Traurig, LLP 1900 University Avenue, 5th Floor East Palo Alto, CA 94303

Should we not be able to proceed on June 2nd, the availability to conduct Mr. Rubin's deposition becomes more limited. Please confirm that we are proceeding on June 2nd.

Herb Finn

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