

EXHIBIT 4

Fassi, Sheri (Secy-Chi-IP-Tech)

From: Finn, Herbert (Shld-Chi-IP-Tech)
Sent: Thursday, July 15, 2010 6:26 PM
To: 'John Shonkwiler'
Cc: 'P. Andrew Fleming'; 'John B. Haarlow'; 'martym@villageinvestments.com'; Harris, Richard (Shld-Chi-IP); Dunning, Jeffrey (Assoc-Chi-IP-Tech); Nelson, Cameron (Assoc-Chi-IP-Tech)
Subject: Specht/Google - Depositions

John,

This is in furtherance of our discussion earlier this afternoon concerning the remaining depositions to be taken in this case.

As things now stand, we have the deposition of Erich Specht scheduled for July 21st, the deposition of Jordan May scheduled for July 27th, the deposition of Clif Petrovsky scheduled for July 28th (in Arizona), and the deposition of Mr. Murphy scheduled for July 30th. We are also awaiting your confirmation that Warren Crum can be available for his deposition on July 29th, or on another date.

Despite the significant effort that the parties have expended towards agreeing upon a deposition schedule that accommodates both sides' desired depositions prior to the July 30, 2010 close of discovery, you informed me today that Mr. Specht, Mr. Murphy, Mr. May and Mr. Crum, will **not** be attending their scheduled depositions. Your excuse for this last minute change was that you did not want these individuals to have to be deposed twice. Accordingly, you proposed suspending these depositions until the parties named in your Third Amended Complaint have appeared and an entirely new discovery schedule has been entered -- presumably months from now. Naturally, you have proposed this only after you have completed your own Rule 30(b)(6) depositions of Google.

Google does not agree to your proposal. Plaintiffs' Third Amended Complaint is not presently before the Court -- as Plaintiffs' have neither sought or obtained leave to file it. Nor do we believe that the Court, should you seek appropriate leave, will allow the addition of parties and issues that Plaintiffs were aware months, if not years, ago with less than two weeks before the close of discovery. It is clear that Plaintiffs' Third Amended Complaint is nothing more than a carefully planned delay tactic designed for no other purpose but to unnecessarily and vexatiously increase costs and efforts in this litigation.

As I stated in our discussions, we will be moving the Court to compel the depositions to proceed as scheduled.

Herb Finn

Herbert H. Finn
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From: John Shonkwiler [mailto:jshonkwiler@novackmacey.com]

7/16/2010

Sent: Thursday, July 15, 2010 2:35 PM
To: Finn, Herbert (Shld-Chi-IP-Tech)
Subject: RE: Specht/Google - Depositions

Herb, I just left you a voicemail. Please call me when you have a few minutes to talk.

Thanks.

John F. Shonkwiler

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From: FinnH@gtlaw.com [<mailto:FinnH@gtlaw.com>]
Sent: Monday, July 12, 2010 11:52 AM
To: John Shonkwiler
Cc: P. Andrew Fleming; John B. Haarlow; DunningJ@gtlaw.com; NelsonC@gtlaw.com
Subject: Specht/Google - Depositions

John,

In furtherance of our discussions prior to Mr. Eide's deposition, we confirm that we would like to proceed with Mr. May's deposition on July 27th and Mr. Murphy's deposition on July 30th. We do not anticipate Mr. May's deposition being all day. We will provide formal Notices later this week.

With respect to Warren Crum of Northwest Recovery, as of the date of our discussions, you are unable to confirm his availability. While we appreciate your offer to co-ordinate his deposition, unless you are able to confirm available dates by tomorrow, we will proceed with formal service of the subpoena.

With respect to Linda Tong, as advised, she no longer is employed by Google. In view of your confirmation that you will seek her deposition despite her no longer being employed by Google, we are providing her last known address:

1480 Fulton Street, Apt 3
San Francisco, CA 94117

Herb Finn

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7/16/2010



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