

EXHIBIT D

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October 3, 2013

VIA E-MAIL

Rafey Balabanian
Edelson LLC
350 N. LaSalle Dr., Ste. 1300
Chicago, IL 60654

Re: Dunstan et al. v. comScore, Inc., Case No. 1:11-cv-5807

Dear Rafey:

I write to confirm our discussions during the parties' meet and confer on September 26, 2013, as well as provide some additional information and clarifications in response to your letter dated September 30, 2013.

First, as discussed during the meet and confer and briefed during class discovery, comScore's production fully complies with Fed. R. Civ. P. 34. Therefore, comScore will not provide a "Roadmap" to its production. Moreover, comScore does not understand Plaintiffs' assertion that comScore failed to produce "certain" metadata with its production, as this was not included in Plaintiffs' deficiency letter nor discussed during the parties meet and confer on September 26, 2013. Moreover, Plaintiffs have not provided comScore any information regarding what metadata they contend is missing. Plaintiffs' position is especially confusing given that comScore's September 9, 2013 document production was made entirely in native format (as requested by Plaintiffs) and is text-searchable. comScore cannot address Plaintiffs' concerns without more information.

Plaintiffs' letter also states that they may serve additional written discovery on comScore in the future. Please note that comScore does not read Judge Kim's order regarding discovery in this case to allow service of written discovery beyond August 9, 2013. Therefore, comScore will object to any additional written discovery requests propounded by Plaintiffs as untimely.

Rafey Balabanian
October 3, 2013

comScore's Responses to Plaintiffs' Discovery

Request for Production Nos. 19, 21, 22, and 26: comScore maintains its objection that comScore's advertisements are not relevant. Moreover, Plaintiffs' proposed "narrowing" is in fact an attempt to re-write the Requests, which is improper. comScore will not supplement.

Request for Production Nos. 34 and 36: During the meet and confer, Plaintiffs narrowed these requests to documents regarding what triggers a decision to purge information and instances in which personally identifiable information was inadvertently collected and either purged or not purged. comScore does not have any documents, including written policies, regarding any such purging. As such, comScore has no documents to produce responsive to these requests.

Request for Production Nos. 56, 57, 58, 59, 60, 61: comScore maintains its objection that comScore's financial information is not relevant to Plaintiffs' claims and will not supplement its production. However, to be clear, comScore does not sell panelists' "Personal Information" as defined by Plaintiffs. Therefore, comScore would have no documents responsive to Request Nos. 56-59. Plaintiffs' attempts to re-write the Requests during the meet and confer to include additional information is improper.

Request for Production Nos. 62 and 63: comScore has produced documents related to third party matching companies. As stated during the parties' meet and confer, comScore does not sell individual-level data. Therefore, comScore has produced all documents relevant to this request and will not supplement.

Request for Production Nos. 64 – 68: comScore agreed during the meet and confer to confirm with our client that Trees for the Future is not a bundling partner and does not distribute comScore's software. We have done so. We are confused by your assertion that we objected on the basis that Trees for the Future is not referenced in the ULA or downloading statements, as that was not the basis for comScore's objection. comScore maintains that Document Requests 64-68 are not relevant because Trees for the Future is not a bundling partner and does not distribute comScore's software, and comScore will not supplement with respect to these Requests.

Request for Production Nos. 74 – 77: Plaintiffs limited this request to "complaints" regarding the existence of comScore's software on a panelists' computer (i.e. "how did this get on my computer?"). In an attempt to resolve the issues between the parties, comScore proposes to produce non-privileged documents in its complaint system that "hit" on one of the search terms listed below. Please note that counsel for comScore is still investigating whether comScore uses standard headers or footers that include one of the terms below. If so, comScore may need to revise the list accordingly. (The "!" character is used below as a wildcard character.)

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October 3, 2013

Software!
!Install!
Damage!
Harm!
Freeze! or Froze!
Slow!
!Consent!
!Agree!
Remove!
!Authorize!

Please let us know if this proposal is acceptable to Plaintiffs no later than October 4, 2013.

Request for Production Nos. 81 and 82: Plaintiffs limited these requests to documents regarding the listed companies' number of employees and/or ability to collect information from panelists. We have confirmed that all documents relevant to these narrowed requests were produced in response to Request for Production No. 83.

Request for Production No. 86: Plaintiffs' once again misstate comScore's position. comScore stated during the meet and confer that comScore did not have any non-privileged documents responsive to this request, even to the Request as improperly rewritten by Plaintiffs, and therefore has no documents to produce. comScore will not supplement.

Request for Production No. 88: Plaintiffs limited this request to liability policies that may cover Plaintiffs' claims in the above matter. comScore will supplement its production with respect to Document Request 88.

Dunstan Interrogatory Nos. 10 and 11: comScore's response to Dunstan Interrogatory Nos. 10 and 11 is based on Plaintiffs' definition of "Personal Information," and as such is complete and accurate. comScore rejects Plaintiffs' attempts to improperly rewrite the Interrogatories during the parties' meet and confer and will not supplement.

Dunstan Interrogatory No. 12: comScore maintains its objections regarding the relevance of comScore's net worth and will not supplement its Response. However, in an effort to resolve a potential disagreement between the parties regarding this issue, comScore points out that it is a publicly-traded company, and the company's Quarterly and Annual Financial Reports are available on its website (<http://ir.comscore.com/financials.cfm>).

Harris Interrogatory No. 2: comScore will supplement its response to this Interrogatory with the names of "Bundling Partners," as defined by the Interrogatory, and the dates comScore's relationship with each "Bundling Partner" began and was terminated.

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Harris Interrogatory Nos. 3 and 4: comScore will supplement its response to Interrogatory No. 4. As comScore's response to Interrogatory No. 3 incorporates comScore's response to Interrogatory No. 4, this supplementation should address Plaintiffs' concerns with comScore's responses to both Interrogatories.

Plaintiffs' Responses to comScore's Discovery

Document Request No. 3: The parties have been unable to reach a compromise regarding this Request. comScore plans on submitting the issue to the Court for resolution.

Interrogatory Nos. 13 and 14: It was comScore's understanding that Plaintiffs had agreed to supplement their Responses to Interrogatory Nos. 13 and 14 during the parties' meet and confer. If Plaintiffs' position has changed (Plaintiffs stated that they will "consider" supplementing in their latest correspondence) please let comScore know before October 4, 2013.

Interrogatory Nos. 15, 16, 17, 20, 21, and 22: It is Plaintiffs' position that comScore's document production include facts Plaintiffs deem necessary for their Responses. However, comScore is entitled to as complete an answer as Plaintiffs can provide at this time. Plaintiffs will have the opportunity, and obligation, to supplement at a later date. Plaintiffs must supplement their Responses with as much information as they have regarding their contentions in this matter.

Request for Admission Nos. 1 and 2: We understand that Plaintiffs will not amend their Responses to these Requests.

Regards,

/s/ Robyn Bowland
Robyn Bowland

cc: Jay Edelson
Ari Scharg
Ben Thomassen
Chandler Givens
David Mindell
Andrew Schapiro
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