

# EXHIBIT B

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November 18, 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:

On November 1, 2013 Plaintiffs noticed comScore CEO Magid Abraham and General Counsel Chris Lin for depositions in the above-referenced matter. comScore objects to these notices and will not produce Mr. Abraham or Ms. Lin for depositions in this matter.

As recognized in the Seventh Circuit and Northern District of Illinois, although high-level executives are not exempt from the discovery process, "courts often decline to compel the deposition of [high level executive] witnesses absent some showing that the executive 'has unique or personal knowledge of the situation.'" *Last Atlantis Capital, LLC v. AGS Specialist Partners*, No. 04-C-0397, 2013 WL 4759581 (N.D. Ill. Sept. 4, 2013). Here, neither Mr. Abraham nor Ms. Lin possess unique or personal knowledge related to Plaintiffs' claims.

Mr. Abraham is not involved the day-to-day development and maintenance of the comScore software, this is handled by employees supervised by Chief Technical Officer Mike Brown. Moreover, comScore's legal department handles issues related to the User License Agreement, and other departments handle issues such as the Third Party Application program, panelist communications, etc. Plaintiffs have already noticed comScore employees who handle these areas. It appears Plaintiffs noticed Mr. Abraham for a deposition for no purpose other than harassment. This is improper.

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Moreover, Ms. Lin also does not have unique or personal knowledge related to Plaintiffs' claims. Richard Weaver, the Deputy Privacy Officer, handles the day-to-day privacy issues for comScore. Ms. Lin's time, as one would imagine, is consumed with other legal affairs that have nothing to do with Plaintiffs' claims in this matter. Once again, this deposition notice appears to be nothing more than harassment.

Plaintiffs have already noticed seven comScore employee witnesses in this matter. Mr. Abraham and Ms. Lin have no "unique or personal knowledge" of issues surrounding Plaintiffs' claims. Therefore, the deposition notices issued by Plaintiffs are improper, and comScore will not produce Mr. Abraham or Ms. Lin for depositions in this matter.

Regards,

*/s/ Robyn Bowland*  
Robyn Bowland

cc: Jay Edelson  
Ari Scharg  
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