

Exhibit A

Willsey, Peter

From: Willsey, Peter
Sent: Friday, December 14, 2012 5:06 PM
To: 'Albritton, Douglas A.'
Cc: Hughes, Brendan; Badolato, Vinny
Subject: RE: Facebook; Timelines; Disclosure of Highly Confidential Bokhart Report to Brian Hand

Doug –

I'll be happy to take a look at the motion, but I would be surprised if Facebook agrees to an overarching carve-out from the protective order that allows Brian to see all highly confidential documents and testimony. But I'll confer with Facebook once we see your draft motion.

Peter

From: Albritton, Douglas A. [mailto:DAIbritton@ReedSmith.com]
Sent: Friday, December 14, 2012 3:56 PM
To: Willsey, Peter
Cc: Hughes, Brendan; Badolato, Vinny
Subject: RE: Facebook; Timelines; Disclosure of Highly Confidential Bokhart Report to Brian Hand

I am going to need Brian to participate in all parts of the case, so my plan was to work on a motion over the weekend for him to do that and just seek an exception from the court to the protective order.

I cannot piecemeal it out, unfortunately.

You can take a look at the motion and then let me know if facebook objects.

Thanks,

Douglas A. Albritton
dalbritton@reedsmith.com

From: Willsey, Peter [mailto:pwillsey@cooley.com]
Sent: Friday, December 14, 2012 2:33 PM
To: Albritton, Douglas A.
Cc: Hughes, Brendan; Badolato, Vinny
Subject: RE: Facebook; Timelines; Disclosure of Highly Confidential Bokhart Report to Brian Hand

Doug –

I just heard back from Facebook. Provided that Mr. Hand signs the NDA, Facebook will agree that he can see the Bokhart report (except for Exhibits 4-6) and the Haas report (except for exhibits 3.1 and 3.2).

I look forward to your feedback on the NDA.

Peter

From: Albritton, Douglas A. [<mailto:DALbritton@ReedSmith.com>]
Sent: Tuesday, December 11, 2012 4:29 PM
To: Willsey, Peter
Cc: Hughes, Brendan; Badolato, Vinny
Subject: RE: Facebook; Timelines; Disclosure of Highly Confidential Bokhart Report to Brian Hand

This was the issue I asked you about weeks ago, and kept following up about, so to let that time pass, and then answer my question half way, I just don't understand what process got you to that.

I will look at the NDA.

Douglas A. Albritton
dalbritton@reedsmith.com

From: Willsey, Peter [<mailto:pwillsey@cooley.com>]
Sent: Tuesday, December 11, 2012 3:26 PM
To: Albritton, Douglas A.
Cc: Hughes, Brendan; Badolato, Vinny
Subject: RE: Facebook; Timelines; Disclosure of Highly Confidential Bokhart Report to Brian Hand

Doug –

I will confer with Facebook but this should not hold up the Seggev issue. There is no logical tie between the issues.

And, it would expedite matters if you get back to me as to the draft NDA (which, presumably, would be used to cover the disclosure of Haas' report as well as Bokhart's).

Peter

From: Albritton, Douglas A. [<mailto:DALbritton@ReedSmith.com>]
Sent: Tuesday, December 11, 2012 4:13 PM
To: Willsey, Peter
Subject: RE: Facebook; Timelines; Disclosure of Highly Confidential Bokhart Report to Brian Hand

I need to be able to share the body of our report as well. Confirm that one for me, too.

thanks,

Douglas A. Albritton
dalbritton@reedsmith.com

From: Willsey, Peter [<mailto:pwillsey@cooley.com>]
Sent: Tuesday, December 11, 2012 3:03 PM
To: Albritton, Douglas A.
Cc: Hughes, Brendan; Moore, Raven; Badolato, Vinny
Subject: Facebook; Timelines; Disclosure of Highly Confidential Bokhart Report to Brian Hand

Doug –

Facebook will consent to the disclosure of the body of the expert report of Facebook's damages expert Chris Bokhart, as well as Exhibits 1-3 thereto, to Brian Hand provided that Mr. Hand and Facebook execute a non-disclosure agreement ("NDA"). I've attached a draft NDA that we believe is straightforward and appropriate for these circumstances. Please let us know whether the attached draft is acceptable, or if you have any proposed revisions.

Turning to the related issue of Mr. Hand's attendance at Thursday's deposition of Timelines' financial/damages expert David Haas, we of course cannot preclude Mr. Hand from showing up. That said, much of the testimony of David Haas will likely address highly confidential information and documents produced by Facebook in this case. Accordingly, Mr. Hand will have to leave the room for significant portions of the deposition (if he chooses to attend).

On another note, please let us know as soon as possible whether any of the transcript of the deposition of Dr. Seggev is either confidential or highly confidential. I do not think there is a reasonable basis to consider any of Dr. Seggev's testimony as confidential (or highly confidential, obviously), and we would like to share the transcript with Facebook.

Best regards,

Peter

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