

# **EXHIBIT J**

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**Via Email**

Jennifer C. Tempesta  
Baker Botts LLP  
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**Re: *Red Bend Ltd. v. Google Inc.*, Case No. 09-cv-11813 (D. Mass.)**

Dear Jennifer:

It is our understanding from your conversations with Susan Baker Manning during the week of December 7, 2009, Susan's letter of December 7, 2009, and your letter of December 22, 2009 that pursuant to the agreement between the parties Red Bend had provided with its December 22, 2009 production metadata identifying, among other things, the custodians from whom each document was obtained. However, for 377 of the 701 documents produced by Red Bend the custodian metadata is either blank or identifies the custodian as "NONE."

Additionally, in Plaintiffs' Opposition to Google Inc.'s Emergency Motion filed yesterday, Red Bend represented that "Red Bend has produced all documents upon which its expert and CEO relied". Opp. Br. at 7. However, Red Bend's production does not include any document as to which either Dr. Edwards or Mr. Salinger were identified as a custodian.

Please verify that Red Bend's production is complete, identify the origin or custodian for those documents where the custodian metadata is blank or contains "NONE," and identify those documents upon which Dr. Edwards or Mr. Salinger relied.

Sincerely,



Elizabeth Austern

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