

EXHIBIT H

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VIA ELECTRONIC MAIL

Eliot D. Williams, Esq.
Baker Botts L.L.P.
30 Rockefeller Plaza
44th Floor
New York, NY 10012-4498

Re: *Red Bend Ltd. v. Google Inc.*, Case No. 09-cv-11813

Dear Eliot:

I write to follow up on our exchange of correspondence, as well as our December 14, 2009 conversation, regarding discovery matters. In response to Red Bend's discovery requests, Google has undertaken an exhaustive search for responsive documents. It has processed almost 22 million documents in order to complete its document production. It has done so despite Red Bend's objectionably overbroad discovery requests, which go far beyond the narrow issues raised by Red Bend's Motion for Preliminary Injunction.

Having investigated the matter, I write to advise you that Google does not have documents in its possession, custody or control sufficient to show the number of times the Courgette source code was accessed or downloaded by a non-party as requested in Request for Production 5(a). Nor does Google have documents in its possession, custody or control sufficient to show the identity of each machine or person who has accessed or downloaded the Courgette source code as requested in Request for Production 5(b). Google does not track such information in the normal course of business.

The balance of Google's document production is being sent to you today under separate cover.

Sincerely yours,



Susan Baker Manning

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