

William Delgado

From: William Delgado
Sent: Monday, February 01, 2010 9:30 PM
To: Enrico@traverselegal.com; 'cathy.dittrich@traverselegal.com'
Cc: 'Steffans, Benjamin'; Helen Hsiao
Subject: Weather Underground v. Navigation Catalyst

Dear Mr. Schaefer:

I received by e-mail today the six (6) subpoenas to various third parties you have sent out for service. As I anticipated in my letter of January 14, 2010, the information you seek through these subpoenas is either publicly available or within NCS's possession, custody, and/or control. Notably, though I informed you of NCS's willingness to work with you to ensure that Plaintiff obtained the information it sought without having to resort to burdening these third parties, I received absolutely no response to my letter.

It is clear that you are simply sending out these subpoenas to burden and embarrass NCS. For that reason, NCS intends to bring a motion for protective order asking the Court to prohibit the sending of any such similar subpoenas.

I believe we are scheduled to speak on Wednesday regarding the pending motion to compel. Please be ready to discuss NCS's motion for protective order as well.

Very truly yours,

William A. Delgado