

# EXHIBIT I

## Jennifer Johnson

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**From:** Jennifer Johnson  
**Sent:** Wednesday, February 16, 2011 4:29 PM  
**To:** 'shawn@manganolaw.com'  
**Cc:** 'Kurt Opsahl'; Laurence Pulgram; Clifford Webb; 'Colby Williams'  
**Subject:** RE: Righthaven v. DU

Shawn,

I write to clarify one point from my previous letter of February 10, 2011 memorializing our meet and confer regarding Righthaven's discovery responses. Among other topics, we discussed Righthaven's objection to a number of Requests for Production on the grounds that they did not state a time period for the requested materials. We had discussed the possibility of limiting those requests to January 1, 2010 through the present and you indicated that Righthaven would agree to that limitation. However, a number of the requests that Righthaven objected to on this basis relate to matters for which pre-2010 discovery would be crucial, including the formation of Righthaven and its relationship with Stephens Media and potential market harm under a fair use analysis. Specifically, Request for Production Nos. 29, 56 and 57 are likely to lead to the discovery of admissible information concerning the market harm analysis and Request for Production Nos. 31, 33-35, 38 and 41-45 are likely to lead admissible information concerning the formation of Righthaven and its relationship with Stephens Media.

For this limited set of requests, Democratic Underground needs documents created prior to January 1, 2010 and instead proposes that they be limited to January 1, 2009 through the present. Democratic Underground believes that documents may have been created that are relevant and responsive to these requests which are in the possession, custody, or control of Righthaven, even if they were originally created prior to Righthaven's formation. Please let us know if Righthaven will agree to drop its objection to these requests on this basis of this modified time limitation.

Regards,

Jennifer



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**From:** Jennifer Johnson  
**Sent:** Thursday, February 10, 2011 7:26 PM  
**To:** 'shawn@manganolaw.com'  
**Cc:** 'Kurt Opsahl'; Laurence Pulgram; Clifford Webb; 'Colby Williams'  
**Subject:** Righthaven v. DU

Shawn,

Please see the attached correspondence summarizing our meet and confer.

Best,  
Jennifer



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