

Exhibit C

Google Inc.
1600 Amphitheatre Parkway
Mountain View, California 94043

Google

Tel: 650.253.3425
Fax: 650.249.3429
www.google.com

FACSIMILE TRANSMITTAL SHEET

TO:

Todd G. Cosenza

FROM:Suzanne Abbott
Google**COMPANY:**

Willkie Farr & Gallagher LLP

DATE:

October 5, 2010

FAX NUMBER:

(212)728-8111

**TOTAL NO. OF PAGES INCLUDING
COVER: 4****PHONE NUMBER:**

(212)728-8000

SENDER'S FAX NUMBER

650-249-3429

RE:

Your subpoena

SENDER'S TELEPHONE NUMBER:

650-253-5210

☐ URGENT☒ FOR REVIEW☐ PLEASE COMMENT☐ PLEASE REPLY

NOTES/COMMENTS:

Internal Ref. No. 115073

Google Inc.
1600 Amphitheatre Parkway
Mountain View, California 94043



Tel: 650.253.3425
Fax: 650.249.3429
www.google.com

October 5, 2010

Via Facsimile and Express Courier
(212)728-8111

Todd G. Cosenza
Willkie Farr & Gallagher LLP
787 Seventh Avenue
New York, NY 10019
(212)728-8000

Re: Arista Records LLC, et al. v. Lime Group LLC, et al. United States District Court, Southern District of New York. (Internal Ref. No. 63115-115073)

Dear Todd G. Cosenza:

We have received your subpoena for documents and testimony in the above-referenced matter. As we understand it, you are seeking documents and testimony related to Arista Records.

Please be aware that because Google is a California resident and the vast majority of documents and information regarding its business is retrievable and will be produced only from its headquarters in Mountain View, California, USA, Google believes it is under no obligation to respond to a subpoena not issued from a Court in this jurisdiction. Google accepts subpoenas issued from the Northern District of California Federal Court via personal service on the Google Custodian of Records for Google, Inc. at 1600 Amphitheatre Parkway, Mountain View, California, 94043. See F.R.C.P. 45(b).

Pursuant to Rule 45 of the Federal Rules of Civil Procedure, and all analogous rules under any applicable state law, Google Inc. ("Google"), which is not a party to the underlying action, responds and objects to the subpoena for deposition testimony and the deposition topics (the "Topics") for at least the following reasons.

1. Google objects to the subpoena to appear for a deposition on the grounds that it imposes an undue burden on Google, a non-party, to appear as a witness. Google also objects to the subpoena to appear for a deposition on the grounds that the information sought can be obtained through less burdensome means, including from the parties to the case.
2. Google objects to the subpoena to appear for a deposition on the grounds it is vague, overbroad, duplicative, cumulative, unduly burdensome, and oppressive. Google objects to the subpoena to appear for a deposition to the extent that the subpoena is abusively drawn and served for the purpose of annoying and harassing Google, a non-party.
3. Google objects to the Topics to the extent they seek testimony that has been, or could be, obtained from any of the parties to the underlying litigation or by less burdensome means.

Google Inc.
1600 Amphitheatre Parkway
Mountain View, California 94043



Tel: 650.253.3425
Fax: 650.249.3429
www.google.com

4. Google objects to the Topics on the grounds that they impose an undue burden and demand that Google, a non-party, appear as a witness at its own expense. To the extent that Google appears as a witness pursuant to the subpoena, Google shall only do so upon compensation for costs, including attorney fees, related to the deposition.
5. Google objects to the Topics to the extent they seek testimony that contains, or may contain, trade secrets, or other confidential business or commercial information entitled to protection under applicable common law, statutes or rules. Google objects to the extent that any Stipulated Protective Order entered in the case does not provide sufficient protection for the information sought from Google.
6. Google objects to the Topics to the extent they seek testimony protected from disclosure by the attorney-client privilege, the work product doctrine, or any other applicable privilege or immunity. To the extent that Google testifies in response to the Topics, Google will not testify as to anything protected by such privileges or immunities, and any inadvertent disclosure shall not be deemed to constitute a waiver of any such privilege or immunity.
7. Google objects to the Topics to the extent they seek information that is not within Google's knowledge.
8. Google objects to the Topics to the extent that they are vague, overbroad or unduly burdensome.
9. Google objects to the Topics to the extent that they call for testimony that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence.
10. Google objects to the Topics to the extent that it seek testimony or impose obligations beyond what is permissible under the Federal Rules of Civil Procedure or any applicable local rules.
11. Google objects to the Topics to the extent they seek testimony concerning a large range of topics in only a short time frame for providing the testimony. To the extent that Google appears as a witness pursuant to the subpoena, Google shall do so at a mutually agreeable time and place.

Google requests the opportunity to meet and confer to determine the scope and applicability of the above objections.

Google objects to the requests in the document subpoena to the extent they seek information already in Plaintiff's possession or available to Plaintiff from some other source that is more convenient, less burdensome or less expensive, including information available to Plaintiff from public sources. This means that if you are seeking account or other information from Google that is equally available from a party in the litigation, Google objects to that request on that basis. Google also objects to the requests to the extent they seek information containing confidential financial, proprietary or trade secret information, or any information subject to a confidentiality agreement or protective order. While Google does not require a protective order for production of its non-confidential information, Google will only produce information it deems confidential pursuant to a confidentiality agreement or protective order that it deems suitable for the protection of its confidential information. Please provide a confidentiality agreement or protective order if you intend to seek confidential documents of Google in your requests, as we will not produce confidential information without entry of a protective order that we deem suitable to protect the confidentiality of our documents.

Google Inc.
1600 Amphitheatre Parkway
Mountain View, California 94043



Tel: 650.253.3425
Fax: 650.249.3429
www.google.com

Google further objects to the requests to the extent they seek information protected by any privilege, including the attorney-client privilege, work product immunity doctrine, common interest privilege, or any other applicable privilege, immunity, or restriction on discovery. We also object to the requests to the extent that they are irrelevant, overly broad, vague, ambiguous, unlimited in time or scope, fail to identify the information sought with reasonable particularity, or impose an undue burden on Google. Google objects to the requests to the extent that they seek information that is not relevant or reasonably likely to lead to the discovery of admissible evidence.

If you have any questions, please feel free to contact the Legal Investigations Support Department at LEGAL-COMPLIANCE@GOOGLE.COM. Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Suzanne Abbott".

Suzanne Abbott
Legal Investigations Support