

# Exhibit D

**From:** Jonathan Gottlieb [mailto:Jonathan.Gottlieb@fox.com]  
**Sent:** Thursday, October 21, 2010 4:25 PM  
**To:** Kozusko, Dan  
**Cc:** Eaton, Mary; Sepi Haghghi  
**Subject:** RE: Arista Records LLC v. Lime Group LLC, et al.

Mr. Kozusko,

Apologies for the delayed response. My calendar has been very full this week. I'm copying my assistant to see whether she can find a time tomorrow or next week when we can discuss your subpoena.

As I am sure Ms. Eaton related to you, we believe that (a) your subpoena is unduly burdensome on its face; and (b) client is not entitled to obtain documents equally obtainable from parties to the litigation. If you have a narrowing of your subpoena in mind that does not impose an undue burden on MySpace and that seeks discoverable, relevant documents uniquely in MySpace's possession, we are of course willing to discuss such a resolution.

Very truly yours,  
Jonathan Gottlieb

**From:** Kozusko, Dan [mailto:dkozusko@willkie.com]  
**Sent:** Sunday, October 17, 2010 3:44 PM  
**To:** Jonathan Gottlieb  
**Cc:** Eaton, Mary  
**Subject:** Arista Records LLC v. Lime Group LLC, et al.

Dear Mr. Gottlieb:

I write concerning the subpoena that defendants recently served on MySpace Music in connection with the above-captioned matter. As I am sure you recall, we agreed to put the production of documents in response to the subpoena on hold until the Court ruled on plaintiffs' objections to defendants' subpoenas, including the subpoena served on your client. Attached is a decision issued by the Court on Friday afternoon upholding the subpoenas in their entirety. Accordingly, we would like to discuss with you as soon as possible the timing of your document production. Of course, we are willing to discuss the scope of that production so as to minimize any undue burden on your client, while ensuring that defendants receive the requested documents and information expeditiously, so that we can avoid any costly motion practice.

Please let us know when you are available to discuss this issue. Thank you.

Very truly yours,  
Dan Kozusko

<<Discovery Order.pdf>>  
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