

EXHIBIT A

November 25, 2011

VIA ELECTRONIC MAIL

Dean M. Boland, Esq.
Boland Legal, LLC
18123 Sloane Avenue
Lakewood, Ohio 44107

Re: Ceglia v. Zuckerberg and Facebook, Inc., No. 1:10-cv-569 (RJA)

Dear Mr. Boland:

We write regarding Plaintiff's failure to identify and produce yet another collection of electronic items, in violation of Judge Foschio's August 18th Order (the "Order"). As you know, the Order requires Plaintiff to identify and produce "all electronic versions of any emails or purported emails by and among Defendant Zuckerberg, Plaintiff and/or other persons associated with StreetFax ('Emails')." *See* Doc No. 117, ¶ 2(C). On November 17, 2011, Plaintiff filed a motion regarding several purported emails between Zuckerberg and Ceglia. *See* Doc. Nos. 223, 224. In support of that motion, Plaintiff filed his sworn declaration and the sworn declaration of Jerry Grant, a computer forensics investigator. *See* Doc. Nos. 225, 226.

In his sworn declaration, Plaintiff attested that he provided "floppy disks containing the Word documents with the contents of [purported] email exchanges [with Zuckerberg]" to Grant "shortly after the filing of the amended complaint" on April 11, 2011. *See* Doc. No. 225, ¶ 12. Grant attested that he received those floppy disks on March 31, 2011, *before* the filing of the amended complaint, and then created forensically sound copies the following day, April 1, 2011. *See* Doc. No. 226, ¶ 9.

Notwithstanding this inconsistency between Plaintiff's and Grant's sworn accounts, in either case, the August 18 Order clearly required Plaintiff to identify and produce the electronic copies of purported emails in Grant's possession. Plaintiff failed to do so. In fact, despite Grant's possession of electronic items required to be identified and produced pursuant to the Order, Plaintiff never even *mentioned* Grant's involvement in this matter before last Thursday.

As you know, the Court's November 3rd Order requires Plaintiff to provide a Supplemental Declaration on or before December 2, 2011. *See* Doc. No. 208, ¶ 4. We hereby demand that Plaintiff address in that Supplemental Declaration, produce for inspection, and certify

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production of, the electronic items in Grant's possession, as required by the Court's August 18 and November 3rd Orders. We reserve all rights, including the right to seek attorney's fees, costs, and appropriate sanctions for Plaintiff's ongoing non-compliance.

Very truly yours,

Handwritten signature of Alexander H. Southwell in cursive, with the initials "m JB" written at the end of the signature.

Alexander H. Southwell

cc: Paul Argentieri, Esq.