

EXHIBIT A

From: Southwell, Alexander
Sent: Friday, November 25, 2011 10:01 PM
To: Dean Boland
Cc: Snyder, Orin
Subject: RE: Information to assist you in your conversations with Orrick counsel and your clients.

On our call with the Court, you expressly told us and the Court that you would provide us copies of the papers you apparently submitted ex parte to the court on Wednesday, the day before Thanksgiving. We stated that if provided with information about the issue you were seeking to raise, we would look into it, and the Court encouraged that. You then sent a series of emails, but none of those included the papers you provided the Court or any explanation of your purported basis for urgency, for proceeding ex parte, or even what you are seeking. As Mr. Chatterjee has explained, Parmet and Associates have only copies and the issues about those copies have been public for months. Recognizing that you have now filed a motion for a temporary restraining order and regardless of whether you now claim you did not commit to send us the papers you submitted to the Court on Wednesday, please immediately provide us with copies of the papers you submitted on Wednesday or you will force us to seek judicial relief concerning your improper attempts at ex parte communication.

From: Dean Boland [mailto:dean@bolandlegal.com]
Sent: Wednesday, November 23, 2011 8:56 PM
To: Southwell, Alexander
Subject: RE: Information to assist you in your conversations with Orrick counsel and your clients.

I didn't tell him I would send them to you...I told him I would file them. I will file them tomorrow.

Dean Boland
Owner/Member
Boland Legal, LLC
dean@bolandlegal.com
216.236.8080

On Nov 23, 2011 8:32 PM, "Southwell, Alexander" <ASouthwell@gibsondunn.com> wrote:

Please email the papers you submitted to the Court as you told Judge Foschio you would on our call earlier this afternoon.

From: Dean Boland [mailto:dean@bolandlegal.com]
Sent: Wednesday, November 23, 2011 5:13 PM
To: Snyder, Orin; Southwell, Alexander
Cc: Paul Argentieri
Subject: Information to assist you in your conversations with Orrick counsel and your clients.

To All:

Attached is the order from the ConnectU (Obtained from the online docket in the ConnectU case) case which identifies the expert who has in his possession, forensic copies of all the computers listed in the exhibits to the order. At least five of those computers that were copied are associated in that exhibit with Defendant Zuckerberg. Others in that exhibit are associated with part-owners of Defendant Facebook.

For your convenience, that expert can be reached at the following contact information:

Jeff Parmet and Associates LLC

9920 Potomac Manors Drive

Potomac, MD 20854

Phone: [301.765.9506](tel:301.765.9506)

Facsimile: [240.465.4442](tel:240.465.4442)

Email: inquiries@jeffparmet.com

I have informed Lisa Simpson from Orrick to take all steps necessary to preserve this evidence and prevent Mr. Parmet or others from destroying it as it is relevant and searchable for electronic communications related to the Ceglia case.

I am now formally informing you of the location and type of evidence at issue and the order in the Massachusetts case that governs that electronic information. You have also been advised that your co-counsel has sought destruction of this evidence or confirmation of same as recently as August, 2011.

Finally, see the attached brief from ConnectU's attorneys, obtained from the ConnectU case docket online, that outlines the use of these computers by Defendant Zuckerberg for electronic communication, specifically IMs and as a server, potentially an email server.

Your co-counsel and both of your clients were aware of this evidence at the outset of this case. Likewise, there is ample evidence Orrick urged and sought destruction of this evidence while the case against Mr. Ceglia was pending. See the attached letters obtained from the online docket of the ConnectU case.

Please advise as to whether either of you were aware of either the existence of this evidence and/or steps being taken by your co-counsel to destroy it while this case was pending. As an officer of the court I have a duty to bring to the court's attention any conduct that has the potential to be a fraud on the court. I, as you, take that duty seriously.

Dean Boland.

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Dean Boland

Owner/Member

Boland Legal, LLC
18123 Sloane Avenue
Lakewood, Ohio 44107
[216.236.8080](tel:216.236.8080) ph
[866.455.1267](tel:866.455.1267) fax
dean@bolandlegal.com

Please note, I typically only review my emails once daily. If there is something urgent in any email, please do not hesitate to contact my office at [216-236-8080](tel:216-236-8080).

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

From: Dean Boland [mailto:dean@bolandlegal.com]
Sent: Friday, November 25, 2011 11:17 PM
To: Southwell, Alexander
Cc: Snyder, Orin; Paul Argentieri
Subject: Response to your demand and recollection

Dean Boland
Owner/Member
Boland Legal, LLC
dean@bolandlegal.com

216.236.8080

On Nov 25, 2011 10:00 PM, "Southwell, Alexander" <ASouthwell@gibsondunn.com> wrote:

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> On our call with the Court, you expressly told us and the Court that you would provide us copies of the papers you apparently submitted ex parte to the court on Wednesday, the day before Thanksgiving.

I've corrected you about this once already. My recollection is different. It is a moot point as the papers I submitted ex parte were filed this afternoon so you have them in total now. In fact, today's filing includes all that was submitted to the court with additional exhibits underlining three acts of fraud by your clients and the Orrick Law Firm.

I have no evidence that your firm or yourself or Mr. Snyder were engaged in fraud as of yet. Our investigation is ongoing.

Because neither you nor Mr. Snyder regard this as an important matter, neither of you returned my several emails yesterday. I was forced to file the motion for TRO.

A person speaking on behalf of your client, from Orrick, contacted me this evening with some assurance this suppressed evidence will be preserved. We are reviewing that to determine if that assurance is sufficient to obviate the need for a TRO hearing. We plan to finish that assessment this weekend.

We stated that if provided with information about the issue you were seeking to raise, we would look into it, and the Court encouraged that.

I provided you everything you needed to preserve the evidence via email within an hour of the phone conference with the judge.

You then sent a series of emails, but none of those included the papers you provided the Court or any explanation of your purported basis for urgency, for proceeding ex parte, or even what you are seeking.

Read the emails again. Your claim the emails didn't make clear what I was seeking is false.

As Mr. Chatterjee has explained, Parmet and Associates have only copies and the issues about those copies have been public for months.

They have been public for months? Really? Please point me to the source for this claim, outside of filings in the ECF system in the ConnectU.

Recognizing that you have now filed a motion for a temporary restraining order and regardless of whether you now claim you did not commit to send us the papers you submitted to the Court on Wednesday, please immediately provide us with copies of the papers you submitted on Wednesday or you will force us to seek judicial relief concerning your improper attempts at ex parte communication.

Your clients and defense counsel have no justification to be demanding anything at this point. A professional apology would be a good start toward rebuilding credibility.

The court did not indicate I pursued preserving this suppressed evidence in bad faith. Make whatever arguments you want.

Your clients and defense counsel engaged in multiple frauds regarding this evidence. This is a disturbing turn of events in this case. If I were you, I'd be distancing myself from that situation because it's going to get worse based on what we are finding.

Dean.

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> Dean Boland.

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> Dean Boland
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> Owner/Member
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> Boland Legal, LLC
> 18123 Sloane Avenue
> Lakewood, Ohio 44107
> 216.236.8080 ph
> 866.455.1267 fax
> dean@bolandlegal.com

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