

# Discovery

Dean Boland <dean@bolandlegal.com>

Tue, May 22, 2012 at 4:49 PM

To: Alexander Southwell <asouthwell@gibsondunn.com>, Oren Snyder <osnyder@gibsondunn.com>, Paul Argentieri <paul.argentieri@gmail.com>

Alex:

The Harvard email production that Defendants' provided appears deficient in two respects:

1. The earliest dated email provided is from June 2, 2003.

As you know, our clients signed an agreement on April 28, 2003. Your client found my client's posting via craigslist before that date. Our clients undoubtedly corresponded via email before and after April 28, 2003 leading up to June 2, 2003. It is not believable that your client and mine did not correspond via email before June 2, 2003. Also, there are no emails from your client to my client after November 2003. As you know, there is significant work that Zuckerberg did for my client well into 2004.

2. Several emails have within their body threads of previous emails and those previous emails are not provided themselves in native msg format.

For example, but by no means the only example, Defendants provided two msg files, emails, dated November 19, 2003. Both are supposedly sent from my client to Zuckerberg. One was supposedly sent at 1:49 AM and the other at 11:53 am.

In the 1:49 AM email, the body contains a prior email sent by Zuckerberg to Ceglia at 1:44 am with content. That 1:44 am email was not provided in the Defendants' production as required by the court's order Doc. No 83.

In the 11:53 AM email, the body contains a prior email sent by Zuckerberg to Ceglia at 3:23 am. That 3:23 am email was not provided in the Defendants' production as required by the court's order Doc. No 83.

These are only two examples of many such concealed or deleted emails by Zuckerberg. Please remedy this apparently deficient production by noon on Thursday, May 24, 2012. This is our attempt to meet and confer on this matter. The Thursday deadline is necessary because of our June 3, 2012 deadline to submit expert reports.

Dean Boland.

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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).

EXHIBIT A