

EXHIBIT D

June 25, 2012

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:

I write in further follow-up to our call of June 21, 2012, and in response to the deposition notices you served that same day on Defendants' experts. Because you agreed to modify the noticed dates and locations based on our experts' availability, we have conferred with our experts and developed an alternate schedule which takes into account your concern with travel. You stated on our call that you would like full-day depositions with Gerald M. LaPorte and Gus R. Lesnevich, but prefer half-day depositions with the remaining Defendants' experts. You also stated that you would be willing to conduct the depositions in New York if that was where Defendants' experts were and the depositions were grouped together. Accordingly, we propose the following dates for Defendants' experts' depositions:

<u>July 18, 2012:</u>	Stroz Friedberg (AM); Stroz Friedberg (PM) (New York)
<u>July 19, 2012:</u>	Stroz Friedberg (AM); Stroz Friedberg (PM) (New York)
<u>July 25, 2012:</u>	Dr. Albert Lyter; Peter Tytell (New York)
<u>July 26, 2012:</u>	Gerald M. LaPorte (New York)
<u>August 2, 2012:</u>	Gus R. Lesnevich (Cleveland)
<u>August 3, 2012:</u>	Gerald McMEnamin (Cleveland)

Additionally, Professor Frank Romano, a retired professor emeritus at the Rochester Institute of Technology, is currently out of the country traveling extensively and unavailable for deposition until August 9, 2012. He is available for deposition August 9, 10, 13, 14, or 15. Note, however, that Professor Romano does not fly (his travels have been by boat and train), so these dates are contingent on him being able to take the train from his home to New York City for his deposition. In light of his travel restrictions, we request that his deposition also be conducted at our offices in New York on any of the dates noted above.

Finally, as I stated on our call, we do not recognize the notice served on Michael Zontini as valid under the Court's April 4, 2012 Order (Doc. No. 348). Mr. Zontini is a Foster +

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Freeman technician; he is not an expert and is not one of Defendants' experts, and he has not submitted a report or declaration in support of Defendants' Motion to Dismiss (Doc. No. 319). Your effort to depose him is improper and in violation of the Court's orders. We reserve all rights, including the right to seek fees, costs, and appropriate sanctions, in the event you continue to pursue Mr. Zontini's deposition.

Very truly yours,



Alexander H. Southwell

cc: Paul Argentieri, Esq.