

EXHIBIT Y

August 22, 2012

VIA ELECTRONIC MAIL

Dean Boland
Owner/Member
Boland Legal, LLC
1475 Warren Road
Unit 770724
Lakewood, Ohio 44107

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

Mr. Boland:

I write—yet again—regarding your deficient production of materials related to the deposition of Larry Stewart. As you know, the parties agreed to a mutual exchange of documents in advance of the relevant depositions. On numerous occasions—before, during, and after Mr. Stewart’s July 11, 2012 deposition—Defendants requested critical documents bearing on Mr. Stewart’s court-authorized sampling. For example, Defendants sought Mr. Stewart’s notes detailing the contents of his sampling vials, which reflect how many samples each vial contained; from which document, page, and location the samples were taken; the size of the samples; and other identifying information. You have repeatedly refused to produce those documents, without cause and in violation of the parties’ agreement.

Even worse, you and Mr. Stewart have falsely claimed that those documents were provided to Defendants. For example, during his deposition, Mr. Stewart claimed that his sampling inventory worksheets were provided to Defendants. *See, e.g.,* Stewart Depo. Tr. at 346:5-6. That is false: to be clear, neither he nor you have produced any such materials to Defendants. We have brought these false statements of fact to your attention in no fewer than three letters and e-mails.

Please immediately produce any and all documents related to Mr. Stewart’s removal of samples from the Hard-Copy Documents, including but not limited to all inventories of samples and the photocopies of the documents on which Mr. Stewart marked the location of his sampling.

This letter represents Defendants’ final attempt to meet-and-confer about the discovery disputes described herein, pursuant to Local Rule 7(d)(4). Defendants reserve all rights,

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including the right to move the Court to compel these and other material and to seek fees, costs, and appropriate sanctions.

Very truly yours,



Alexander H. Southwell

AHS/kc

cc: Paul Argentieri, Esq.

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