

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NORTHEASTERN UNIVERSITY and
JARG CORPORATION

Plaintiffs,

v.

GOOGLE INC.

Defendant.

Case No. 2:07-CV-486-CE

PLANTIFFS' NOTICE REGARDING PRIVILEGED INFORMATION

Per the Court's August 21, 2008 Discovery Order (Docket No. 32) and the Courts' October 30, 2009 Order (Docket No. 68), plaintiffs Northeastern University and Jarg Corporation ("*Northeastern and Jarg*") notify the Court of the following:

1. A privilege dispute exists regarding certain documents listed on defendant Google Inc.'s ("*Google*") privilege log and with some of the log's descriptions.
2. Google's subpoenas *duces tecum* to one of Jarg's lawyers, Kevin Fiur, and to Fulbright & Jaworski L.L.P. raise further privilege issues.
3. The parties are discussing possible arrangements to narrow, if not eliminate, these disputes. In particular, Northeastern and Jarg have proposed a "quick peek" agreed order under FED. R. EVID. 502(d), which Google is considering. Northeastern and Jarg are intent on resolving these issues without the Court's intervention.

Dated: June 17, 2010

Respectfully submitted,

/s/ Zeke DeRose, III

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 17th day of June, 2010.

/s/Zeke DeRose, III

Zeke DeRose, III