

EXHIBIT 12

Gretchen Curran

From: Gretchen Curran
Sent: Monday, August 08, 2011 10:37 AM
To: Hardt, Jonathan
Cc: Hutchins, Kate; Matuschak, Mark; MRichardson@brsfirm.com; Eolas; Hancock, Christina
Subject: Re: Eolas v. Adobe - Printouts from inspection

Please do so. Thank you.

Gretchen K. Curran | Attorney | McKool Smith P.C.
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On Aug 8, 2011, at 8:34 AM, "Hardt, Jonathan" <Jonathan.Hardt@wilmerhale.com> wrote:

> Gretchen,
>
> The eway/stapleslink files are a bit big for e-mail, but we can FTP
> you the PDFs in the next hour or so. Should we continue to send the
> FTP credentials to Vicki Merideth (vmerideth@mckoolsmith.com) and
> James Hassin (jhassin@mckoolsmith.com)? We can get you a courtesy
> copy of the web analytics training materials that were in the review
> room by the end of the day.
>
> Thanks,
>
> Jonathan
> -----Original Message-----
> From: Gretchen Curran [mailto:gcurran@mckoolsmith.com]
> Sent: Monday, August 08, 2011 11:07 AM
> To: Gretchen Curran
> Cc: Hutchins, Kate; Hardt, Jonathan; Matuschak, Mark;
> MRichardson@brsfirm.com; Eolas
> Subject: Re: Eolas v. Adobe - Printouts from inspection
>
> Counsel,
>
> When will we be receiving the printouts from the July 27th review of
> the stapleslink and eway websites, as well as the web analytics tools
> inspection printouts?

>
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> On Aug 5, 2011, at 3:07 PM, "Gretchen Curran"
> <gcurran@mckoolsmith.com<mailto:gcurran@mckoolsmith.com>> wrote:
>
> Dear Counsel,
>
> On July 27, one of Eolas' code reviewers was in your office conducting
> a review of the stapleslink.com<http://stapleslink.com> and
> eway.com<http://eway.com> websites. He printed materials that he
> requested be provided to us by that Friday. No production was made on
> that Friday, nor, to our knowledge, has any production of those
> documents been made. The Protective Order in this case provides the
> following: "the Producing Party shall provide one (1) copyset of such
> pages to the Receiving Party within two (2) business days and shall
> retain one (1) copyset. The printed pages shall constitute part of the
> Source Code produced by the Producing Party in this action." Please,
> without further delay, produce such materials.
>
> Much appreciated,
>
> Gretchen
>
> Gretchen K. Curran | Attorney | McKool Smith P.C.
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