

EXHIBIT 22

Gretchen Curran

From: Tom Fasone III
Sent: Thursday, July 21, 2011 3:07 PM
To: mrichardson@brsfirm.com; kate.hutchins@wilmerhale.com
Cc: Hardt, Jonathan; Matuschak, Mark; Eolas; Williams, Daniel V.; Steinberg, Don; John B. Campbell; Josh Budwin; Matt Rappaport; Bob Kramer; Don Gaiser; Melanie Clemmons; Jodi Godfrey; Stefano Milito; Holly E. Engelmann; Lindsay Martin; richard.ewenstein@wilmerhale.com
Subject: RE: Eolas/Staples: Metrics/Web Analytics Discovery

Kate and Michael

It has been **over three (3) weeks** since Judge Davis ruled from the bench that Staples must provide Eolas with access to its metrics/web analytics databases pursuant to Eolas' motion to compel metrics related discovery. Yet, to date, Staples has failed to propose a date and location for the court ordered inspection. As you know, Eolas must coordinate the schedules of the individuals on its team that will attend the inspection and, thus, Staples' failure to comply with the June 30 Order is also hindering Eolas' efforts to do so.

Given the significance of this discovery to Eolas' claims for infringement and damages against your client and the necessity of Eolas' experts having access to this information so that they may prepare and serve their expert submissions within the current schedule in this case, Eolas is not in a position to accomodate any further delays by your client in this regard. Please know that should Staples not provide a proposed date and location for the requested inspection of its metrics/web analytics databases by the close of business (6 p.m. CT) tomorrow, Friday, July 22, that Eolas will file a motion to enforce the Court's June 30 Order, seek attorneys' fees and costs associated with having to file its motion, and will request that the Court consider its request for relief on an expedited basis.

Regards,

Tom

-----Original Message-----

From: Tom Fasone III
Sent: Tuesday, July 12, 2011 7:48 PM
To: mrichardson@brsfirm.com; kate.hutchins@wilmerhale.com
Cc: Hardt, Jonathan; Matuschak, Mark; Eolas; Williams, Daniel V.; Steinberg, Don; John B. Campbell; Josh Budwin; Matt Rappaport; Bob Kramer; Don Gaiser; Melanie Clemmons; Jodi Godfrey; Stefano Milito; Holly E. Engelmann; Lindsay Martin; richard.ewenstein@wilmerhale.com
Subject: RE: Eolas/Staples: Metrics/Web Analytics Discovery

Kate and Michael

Tomorrow will mark two (2) weeks since Staples advised Judge Davis in open court that it would abide by his ruling on Eolas' Motion to Compel Metrics/Analytics Discovery, yet Staples has failed to identify a witness and propose a date for the inspection of its metrics/web analytics databases.

9/9/2011

Given the rapidly approaching fact discovery and expert submission deadlines and the trial date in this matter, Eolas asks that Staples comply with Judge Davis's ruling without further delay. Please know that should Staples continue to delay in providing this crucial discovery, that Eolas will be forced to file a motion to enforce Judge Davis's June 30 Order against Staples.

We look forward to your prompt attention to this matter.

Best,

Tom

From: Tom Fasone III

Sent: Thursday, July 07, 2011 1:40 PM

To: richard.ewenstein@wilmerhale; mrichardson@brsfirm.com; kate.hutchins@wilmerhale.com

Cc: Hardt, Jonathan; Matuschak, Mark; Eolas; Williams, Daniel V.; Steinberg, Don; John B. Campbell; Josh Budwin; Matt Rappaport; Bob Kramer; Don Gaiser; Melanie Clemmons; Jodi Godfrey; Stefano Milito; Holly E. Engelmann; Lindsay Martin

Subject: RE: Eolas/Staples: Web Analytics/Metrics Deposition

Kate, Rich, and Michael

Please advise as to your efforts to identify and secure a witness pursuant to Judge Davis' June 29 Order.

Thanks.

Tom

-----Original Message-----

From: Tom Fasone III

Sent: Friday, July 01, 2011 6:59 AM

To: richard.ewenstein@wilmerhale; mrichardson@brsfirm.com; kate.hutchins@wilmerhale.com

Cc: Hardt, Jonathan; Matuschak, Mark; Eolas; Williams, Daniel V.; Steinberg, Don; John B. Campbell; Josh Budwin; Matt Rappaport; Bob Kramer

Subject: Eolas/Staples: Web Analytics/Metrics Deposition

Kate, Rich, and Mark

Further to Josh Budwin's email below and Judge Davis' ruling at the June 29 discovery hearing, please provide the identity of a witness, a proposed date, and the location of Staples' deposition on web analytics/metrics as soon as possible. Eolas would like to complete this deposition by no later than July 15, 2011, given its impact on Eolas' ability to complete its expert submissions in this case.

Obviously, in light of Judge Davis' ruling, this witness should be intimately familiar with Staples' web analytics abilities and any web analytics that it relies on that are provided by third parties (such as Coremetrics and Omniture). A 30(b)(6) type witness with superficial knowledge of web analytics/metrics (such as was the case with Adam Candela and Karyn King) will not be sufficient in this regard.

We look forward to hearing from you.

9/9/2011

Warm regards,

Tom

From: Josh Budwin
Sent: Thursday, June 30, 2011 6:38 PM
To: Eolas Defendants
Cc: Eolas
Subject: Eolas -- email correspondence to all counsel regarding scheduling issues

Counsel:

In light of the Court's Order that the parties meet and confer regarding the docket control order and submit an agreed amended docket control order reflecting any deadlines that need to be modified in light of its rulings of June 29, 2011 (dkt. 743), Eolas would like to schedule a call to discuss amending the deadline for the submission of its damages expert reports. Eolas proposes resetting the deadline for its damages expert reports to three weeks after the completion of the damages 30(b)(6) depositions (i.e. the March 24th Notice) and the web analytics inspection of the defendants. Eolas requests defendants collectively propose a time for a call to discuss amending the Docket Control Order with respect to the due date of Eolas' damages expert reports. We are generally available tomorrow or Tuesday July 5th.

Furthermore, Eolas would like to work with defendants in promptly obtaining access to each defendant's web analytics system. Please provide the first availability for such access, specifying the location of the same.

We look forward to hearing from defendants in regard to both of these items.

Thank you.

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