

# **EXHIBIT 4**

## Holly E. Engelmann

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**From:** Tom Fasone III  
**Sent:** Thursday, June 16, 2011 5:35 PM  
**To:** kate.hutchins@wilmerhale.com  
**Cc:** Ewenstein, Richard I; John B. Campbell; JR Johnson; Eolas; Daniel V. Williams; Matuschak, Mark; Steinberg, Don; mrichardson@brsfirm.com; Matt Rappaport; jonathan.hardt@wilmerhale.com  
**Subject:** Eolas/Staples: Third Request for Access to Websites  
**Attachments:** 2011 06 10 Fasone to Hutchins re access to websites.pdf



2011 06 10 Fasone  
to Hutchins ...

Kate

It has been two weeks since our initial request for access to these websites. The request is quite simple in nature and are quite surprised as to the delay in letting us know Staples' position. We know that your firm has been in contact with the client, as client representatives have been present at the depositions on Tuesday, June 14, and today, June 16. in Framingham.

Please advise by the COB tomorrow. If Staples' is unwilling to provide the requested access, then, given the amount of time that has lapsed since Eolas' initial request and the rapidly approaching discovery deadline in this matter, we ask that when you include in your email the availability of your lead and local counsel to address this via a LR7 conference so that we may seek redress from the Court as soon as possible.

Thank you.

Tom

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**From:** Don Gaiser  
**Sent:** Thursday, June 16, 2011 5:25 PM  
**To:** Tom Fasone III  
**Subject:** RE: Don -- can you quickly put your hands on my last email to hutchins asking for

Tom, attached is the e-mail regarding this issue.

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

**From:** Tom Fasone III  
**Sent:** Thursday, June 16, 2011 5:20 PM  
**To:** Don Gaiser  
**Subject:** Don -- can you quickly put your hands on my last email to hutchins asking for  
**Importance:** High

the passcode/access to staples.link.com and eway.com, etc.