

EXHIBIT 5

Spaziano, Jen (WAS)

From: Spaziano, Jen (WAS)
Sent: Monday, March 01, 2010 9:27 PM
To: 'Margret Caruso'; 'Jonathan Oblak'; 'Cheryl Galvin'
Cc: Ettinger, Mitchell S (WAS)
Subject: Rosetta Stone v. Google: Production Question - Deposition Transcripts

Margret -

Google produced Volume 2 of Prashant Fuloria's deposition from the American Blinds case but did not produce Volume 1. Is there a reason Volume 1 was not produced? If not, can you please produce Volume 1 as soon as possible. Please also produce Exhibit No. 23 from Mr. Fuloria's deposition, which we have not yet received.

Also, we note that Google has not produced final copies of many of the deposition transcripts that have been produced (e.g., Rose Hagan in GEICO, CNG Financial Corp. and American Blind matters). Can you please produce final copies of these transcripts. Alternatively, is Google willing to agree that the produced copies can be treated as final for purposes of this case?

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