

# EXHIBIT M

## Jen Ghaussy

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**From:** Emily O'Brien  
**Sent:** Thursday, June 21, 2012 6:51 PM  
**To:** Monterio, Charles  
**Cc:** zz-IPEngine; QE-IP Engine; Stephen E. Noona; Alexander, Cortney; Burns, Robert  
**Subject:** I/P Engine v. AOL et. al. 6-19-12 Letter from C. Monterio to E. O'Brien

Charles,

I write to follow up on our call today regarding the number of depositions of Defendants in the I/P Engine case. As discussed on our call and in our correspondence below, we do not see Plaintiff's most recent proposal as a compromise. Instead, it is a reiteration of Plaintiff's prior proposal that we rejected recently and earlier in this case, before the parties reached agreement on depositions of the Defendants. Our clients, as we have said, would prefer to go forward with the parties' original agreement on the number of depositions and the identity of the witnesses. You stated that if the Defendants insist on this agreement, then Plaintiff will go forward with a motion on Monday.

During our call, you and I both indicated that our clients may be willing to compromise, if possible. In order to know if a compromise is possible, we need to know specifically what Plaintiff wants regarding its depositions of the Defendants. Can Plaintiff identify the individual witnesses it wishes to take from each Defendant, including those that are not listed in the Defendants' Initial Disclosures? Will Plaintiff agree to a smaller number of depositions from each Defendant than in its last proposal, and if so what is that number? These are the same types of specifics that the Court has indicated it will want to know in trying to resolve this issue. Also, if you can provide a more specific compromise proposal, we will consider it with our clients and see if the parties can reach a reasonable new agreement.

As we previously discussed, I'm generally available tomorrow via telephone for further conference.

Thank you,  
Emily

**Emily O'Brien**  
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**From:** Jen Ghaussy  
**Sent:** Tuesday, June 19, 2012 5:36 PM  
**To:** Monterio, Charles  
**Cc:** zz-IPEngine; QE-IP Engine; Stephen E. Noona  
**Subject:** RE: I/P Engine v. AOL et. al. 6-19-12 Letter from C. Monterio to E. O'Brien

Charles, rather than propose a compromise, Plaintiff's letter simply repeats the same position that it has taken previously. This is not productive. We have rejected this proposal in the past, including before the parties entered into the operative agreement. We would be happy to consider an actual compromise proposal from Plaintiff. In the meantime, Google will continue to operate under the terms of the parties' agreement, under which Plaintiff is not permitted to take Derek Cook's deposition.

Best,  
Jen

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**From:** Chagnon, Armands [<mailto:ChagnonA@dicksteinshapiro.com>]  
**Sent:** Tuesday, June 19, 2012 10:43 AM  
**To:** QE-IP Engine; [senoona@kaufcan.com](mailto:senoona@kaufcan.com)  
**Cc:** zz-IP Engine  
**Subject:** I/P Engine v. AOL et. al. 6-19-12 Letter from C. Monterio to E. O'Brien

Counsel,

Please see the attached correspondence.

Regards,  
Armands

**Armands Chagnon | Senior Paralegal**  
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