

EXHIBIT

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Freda Noble

From: Derek S. Wilczynski
Sent: Friday, February 12, 2016 9:44 AM
To: Freda Noble
Subject: FW: Malibu Media, LLC v Jesse Raleigh; 1:13-cv-00360-RJJ; NWMI22; Conferral re: depositions, Subpoena on Charter, and Motion to Compel

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From: Paul Nicoletti [<mailto:paulnicoletti@gmail.com>]
Sent: Friday, May 29, 2015 5:28 PM
To: Derek S. Wilczynski; Lincoln Herweyer
Subject: Malibu Media, LLC v Jesse Raleigh; 1:13-cv-00360-RJJ; NWMI22; Conferral re: depositions, Subpoena on Charter, and Motion to Compel

Derek,

This email is to confirm our conversation from earlier today.

1. Defendant would not agree to the release of his records from Charter. Therefore, Plaintiff will file a motion to Subpoena Charter;
2. I advised that Jesse's deposition would take approximately 4-5 hours at a minimum;
3. You agreed to provide me with suggested deposition dates by the end of today; and
4. You agreed to accept service of a subpoena for taking of deposition of Heather Raleigh.

Later today, I will file the motion to compel the following: (1) an image of the Toshiba external drive; (2) all file storage accounts such as iCloud, DropBox, and Google Drive; (3) Defendant's PlayStation 3; and (4) all of the contents of Jesse's Network storage devices/locations (PSF folder, and the other folders listed on Plaintiff's expert report). Given my past attempts, I think filing a motion is the best course of action. But of course, I will withdraw the motion with respect to any devices defendant agrees to produce for which the parties schedule dates for imaging/acquisition.

Thank You,

Best Regards,

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