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June 5, 2015

BY ELECTRONIC MAIL AND U.S. MAIL

Sanford J. Asman, Esq.
570 Vinington Court
Atlanta, Georgia 30350
sandy@asman.com

Re: Horstemeyer v. Electronic Frontier Foundation, Inc., et al.
Superior Court of Fulton County, Civil Action File No. 2015CV261243

Dear Sandy:

We received your letter of yesterday (the "June 4 Letter"), which attached a copy of the file-stamped Voluntary Dismissal Without Prejudice of Mr. Horstemeyer's claims against the Electronic Frontier Foundation, Inc. and Daniel Nazer (together, "EFF"). EFF is of course gratified that the lawsuit was dismissed. There are, however, several things in your June 4 Letter that need correction.

As we explained in our letter of May 29, the lawsuit was meritless, there were no false facts in the April Stupid Patent of the Month post to correct or retract, and the opinions expressed about Scott Horstemeyer are drawn from those facts and absolutely protected by the Constitution.

Your June 4 Letter mischaracterizes our conversation on June 3. As you are aware, during our call, you refused to give me a written offer to resolve the matter, and instead verbally presented an offer from Mr. Horstemeyer. I merely agreed to convey that offer to my client. Before EFF could consider it or respond, you dismissed the case.

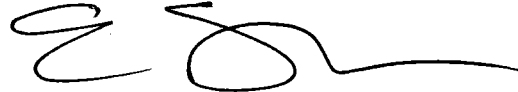
I specifically told you that I expected EFF to reject your offer. Neither EFF, nor I, ever agreed that it would change any processes in response to anything you said on that call. While I did not inform you of the details of EFF's editorial process, I did inform you that EFF thoroughly reviews its articles before publication, and I informed you that EFF would almost certainly reject any suggested change to its editorial processes going forward, though I was happy to convey any settlement offer you had to propose. To be clear, EFF does not agree to any particular procedure for review of its blog posts, and retains its editorial discretion.

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Bryan Cave LLP

Finally, your letter attempts to argue on some of the legal questions at issue. Since these were fully covered by our prior letter, we see no need to go back over why your client is incorrect.

Very truly yours,

A handwritten signature in black ink, appearing to read "Eric P. Schroeder". The signature is fluid and cursive, with a long horizontal stroke at the end.

Eric P. Schroeder
For Bryan Cave LLP

cc: Roger R. Myers, Esq.
Daniel Nazer, Esq.
Kurt Opsahl, Esq.