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November 8, 2007

Matt Zimmerman, Esq.
Electronic Frontier Foundation
454 Shotwell St.
San Francisco, California 94110

Dear Mr. Zimmerman:

Your November 5, 2007 letter threatening my firm is an inappropriate attempt to intimidate which will not be accepted.

We are seeking materials which appear reasonably calculated to lead to the discovery of relevant and admissible evidence. That is the applicable standard and we do not intend to forego our rights because of your heavy-handed threats.

In the event that it is necessary to comply with procedural technicalities, we will obtain a writ, commission or letters rogatory directed to the California Superior Court for the County of Santa Clara to issue a subpoena in accordance with California Civil Proc. Code §2029.

Very truly yours,

RUPRECHT, HART & WEEKS, LLP



David Parker Weeks

DPW/pb

Via Regular Mail
and Fax 415-436-9993