

# Exhibit D

**From:** [Michael Sherman](#)  
**To:** [Todd Gregorian](#)  
**Cc:** [Jeffrey Gersh](#); [Viviana Boero Hedrick](#); [Ronald Richards Esq. \(ron@ronaldrichards.com\)](#)  
**Subject:** FW: PWeb v. Amazon  
**Date:** Wednesday, May 19, 2021 6:52:03 PM

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Todd – so no one is wasting the Court’s time on this, what possibly could be the basis on which you will be opposing a motion to withdraw when the client has told you through his new attorney he has engaged other counsel and we have no authority to act? Please send me whatever authority you have to support your position.

Thanks  
Michael

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**From:** Todd Gregorian <TGregorian@fenwick.com>  
**Sent:** Wednesday, May 19, 2021 6:45 PM  
**To:** Michael Sherman <masherman@stubbsalderton.com>  
**Cc:** Jeffrey Gersh <jgersh@stubbsalderton.com>; Viviana Boero Hedrick <vhedrick@stubbsalderton.com>  
**Subject:** RE: PWeb v. Amazon

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Michael,

We intend to oppose the motion to withdraw and decline your request. As you know, your client can easily put a stop to all post-judgment activity by posting a supersedeas bond.

Todd Gregorian  
[Fenwick](#) | Partner | 415-875-2402 | [tgregorian@fenwick.com](mailto:tgregorian@fenwick.com)

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**From:** Michael Sherman <masherman@stubbsalderton.com>  
**Sent:** Wednesday, May 19, 2021 8:43 PM  
**To:** Todd Gregorian <TGregorian@fenwick.com>  
**Cc:** Jeffrey Gersh <jgersh@stubbsalderton.com>; Viviana Boero Hedrick <vhedrick@stubbsalderton.com>  
**Subject:** PWeb v. Amazon

**\*\* EXTERNAL EMAIL \*\***

Dear Todd:

I had called you earlier today and left my mobile vm number, both on

my vm message to you and in my follow up e-mail. This is what I had planned on sharing with you:

The Court's statements at last week's CMC lead our office to conclude that PersonalWeb may not need counsel to represent it in post-judgment collection matters and could represent itself. That resulted in our filings of last week and this week, i.e., to substitute PersonalWeb for our law offices.

In today's Court order the Court denied any motion to substitute counsel. We do not read anything into today's Court order as prohibiting our firm's *withdrawal*, in contrast to substitution. Accordingly, we will be filing a motion to withdraw, and I anticipate that motion being filed tomorrow or Friday morning, at the latest.

Because, as between our law firm and PersonalWeb, our law firm has been told it lacks authority to engage in any post-judgment collection activities on behalf of PersonalWeb – a directive you are aware of – our law office is not in a position to provide any interrogatory responses or responses to document requests, directed to post-judgment collection issues. Given our client's retention of other counsel to deal with these matters, Stubbs Alderton & Markiles, LLP is not in a position to provide discovery responses; we have no direction from our client on the issue and lack authority as a practical matter.

Given the Court's *sua sponte* order of earlier today, it does not seem as though Judge Freeman is going to permit moss to grow on these issues. In light of all that has transpired and that will be transpiring, as a matter of professional courtesy I ask that you hold in temporary abeyance the issues of responses to written discovery. Thank you for your consideration.

Michael

, (2) “substitution” of counsel to PersonalWeb would not be permitted, and (3) the Court has not decided in its order of earlier today that our law firm would be prohibited from *withdrawing* as counsel for PersonalWeb at the trial court level.

V-card	Bio	Website
<div data-bbox="889 1230 1227 1314"><p><b>Michael A. Sherman</b> Partner <a href="mailto:masherman@stubbsalderton.com">masherman@stubbsalderton.com</a></p></div> <div data-bbox="225 1373 552 1440"><p><b>Stubbs Alderton &amp; Markiles, LLP</b> 15260 Ventura Blvd., 20th Floor Sherman Oaks, CA 91403</p></div> <div data-bbox="225 1461 579 1507"><p>1316 3rd Street Promenade, Suite 107 Santa Monica, CA 90401</p></div> <div data-bbox="964 1430 1227 1451"><p>Bus/Text/Fax: 818.444.4528</p></div>		

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