

Exhibit E

From: [Todd Gregorian](#)
To: [Michael Sherman](#)
Cc: [Jeffrey Gersh](#); [Viviana Boero Hedrick](#); [Ronald Richards Esq. \(ron@ronaldrichards.com\)](#)
Subject: Re: PWeb v. Amazon
Date: Friday, May 21, 2021 3:27:40 PM

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Michael,

In addition to the authorities cited by the Court, we will rely on more recent 9th circuit authority standing for the same proposition, as well as the cases refusing to allow attorneys to withdraw when that would delay or impair judgment enforcement. We have also not found authorities supporting your position. If you have any please provide them.

We would like to confer on a discovery motion regarding PersonalWeb's failure to respond to our discovery. Please let me know if you will do so, or if we should report your refusal to do so to the Magistrate Judge in our submission.

Finally, as a heads up, we will also be moving to compel compliance with the Court's order to provide bank information. We are requesting leave to seek sanctions against PersonalWeb and Stubbs Alderton in connection with this motion. That PersonalWeb must respond to the motion is an additional reason that the Court should refuse withdrawal without substitute counsel, and should in any event retain jurisdiction over Stubbs Alderton.

Thank you,
-t

On May 19, 2021, at 8:52 PM, Michael Sherman <masherman@stubbsalderton.com> wrote:

** EXTERNAL EMAIL **

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

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>>

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.

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