

EXHIBIT I

From: Christopher Lavin <CLavin@fenwick.com>
Sent: Thursday, September 9, 2021 11:30 AM
To: Jeffrey Gersh <jgersh@stubbsalderton.com>
Cc: Todd Gregorian <TGregorian@fenwick.com>; Amazon_PersonalWeb_Team <Amazon_PersonalWeb_Team@fenwick.com>
Subject: RE: PWeb - Amazon

WARNING: This email originated outside of Stubbs Alderton & Markiles, LLP. Do not click on any links or attachments unless you know the sender.

Jeff,

We disagree with your below summary of our meet-and-confer call; this e-mail is to summarize that call and correct the record.

At the outset of the call, I stated that PersonalWeb has had our discovery requests for four months since April 2021, was thereafter ordered twice by the Court to respond to them, and has been on notice of the deficiencies in its discovery responses and document production since August 3, 2021. Yet, despite all of this time and this notice, PersonalWeb has provided insufficient responses, or functionally no responses in the instances of the privilege objections, and a minimal production, and not addressed either the past few weeks.

Interrogatories

- As to Interrogatory Nos. 1-10, we reiterated our positions conveyed to you by August 3, 2021 e-mail and August 19, 2021 letter that the responses are deficient and requested that you provide a complete narrative response and identify the specific documents that are responsive to a particular interrogatory per FRCP. You and I discussed the deficiencies in each interrogatory response. As an example, you and I discussed how the responses to Interrogatory Nos. 1, 2, 6, and 8 do not provide all of the requested information. As another example, you and I discussed how the responses to Interrogatory Nos. 3-4 likewise do not directly respond to the interrogatory and provide all of the requested information. Because Interrogatory Nos. 5 and 7 depend upon the responses to earlier interrogatories, Interrogatory Nos. 5 and 7 need to be re-addressed as well. You stated that you would review the responses, but did not commit to supplement.
- Specifically, as to Interrogatory Nos. 9-10, I again reiterated our request for a substantive response—and not an objection based on privilege—as the Court has ordered. You acknowledged our position, but stated that PersonalWeb instructed you to assert privilege. I stated that we disagreed that PersonalWeb could rely on privilege given the Court’s order.

Requests For Production

- At the top of the discussion, I stated that we believe that PersonalWeb’s document production is deficient, as numerous categories of documents clearly responsive to our requests have not been produced, including, but not limited to:
 - Any PersonalWeb meeting minutes/bylaws;
 - Any promissory notes, including any drafts, executed versions, and amendments thereof, between PersonalWeb and the creditor-investors;
 - Any PersonalWeb internal financial statements, including the supporting documents for income, expenses, assets, liabilities, debits, credits, transfers, deductions, etc.;
 - Any supporting documents concerning PersonalWeb bank statements, such as assets, liabilities, debits, credits, transfers, deductions, etc.;
 - Any supporting documents concerning PersonalWeb tax returns, such as income, revenues, expenses, assets, liabilities, losses, deductions, etc.;
 - Any documents on PersonalWeb assets, including at least on the information contained in the response to Interrogatory No. 3 and regarding the patent litigations that PersonalWeb has identified are now its primary assets, such as any financial analyses, valuations, amounts of any expected recoveries, any securitizations/collateral against the litigations, etc.;
 - Correspondence between PersonalWeb and the creditor-investors, including any demand letters for repayment of promissory notes

You did not deny that such documents would exist, be responsive and have not been produced. I stated that, given the above documents have not been produced, that we overall question the veracity of PersonalWeb's document production in response to all of our Requests for Production Nos. 1-43. When I asked you how a search for responsive documents was conducted, you stated that you forwarded the requests for production to PersonalWeb and left it to your client to collect and provide you with responsive documents. I stated that we thought that method of collection was insufficient and we would like another, more thorough search to be conducted for responsive documents and to produce any new documents.

- More specifically, we reviewed my August 19, 2021 letter to you, which expanded on an earlier August 3, 2021 e-mail, identifying numerous requests for production that we believe there have been insufficient or no responsive documents produced and you raised with me on the call some of the requests as you felt necessary. You raised a few objections throughout our discussion. First, you complained that the requests were poorly written because they were often duplicative. Second, you repeatedly asked me to define terms in requests that you claimed to not understand. Third, you repeatedly raised one-off examples of documents that you believed would fall within the literal scope of a request but believed shouldn't have to be produced, seemingly eluding to the burden or lack of relevance (e.g., a receipt for a \$10 McDonalds business lunch, Staples receipt for office supplies from 8 years ago, etc.). In response, I stated that the time to meet and confer regarding scope was four months ago upon receipt of the requests and these points were now belated. Nevertheless, I addressed your objections. I stated, overall, that we want a reasonable and proportional production of documents for the current disposition of this matter and that the current production was not even close. I stated that the requests seek different documents, but that there could be overlap among requests, which indeed is common practice in litigation, but that documents only had to be produced once and there was no additional burden to PersonalWeb. I stated that we believe the requests are intelligible and easily understood, but nonetheless defined terms for you. I further stated that we are not seeking documents at the margins of the requests, that I believe you understood the current disposition of this matter, and requested you give us PersonalWeb's best document production. You stated that you would review the requests with PersonalWeb, but did not commit to make a supplemental production.

Motion to Compel/For Sanctions

- I notified you that, given the deficient discovery responses (including improper assertions of privilege objections) and incomplete document production despite having had the requests for over four months and receiving two court orders to produce, and us alerting you to the deficiencies on August 3, we intended to move to compel and for sanctions against PersonalWeb and Stubbs Alderton as the district court previously expressly authorized us to do. After our conference you sent the below email on August 27 stating you would follow up with your client to address the deficiencies, yet you have apparently done nothing despite the passage of two more weeks.

Please provide your response by noon on Friday, September 10.

Regards,
Chris

Chris Lavin

Fenwick | Associate | +1 415-875-2287 | CLavin@fenwick.com | Admitted to practice in California.

From: Todd Gregorian <TGregorian@fenwick.com>

Sent: Friday, August 27, 2021 6:06 PM

To: Christopher Lavin <CLavin@fenwick.com>; Jeffrey Gersh <jgersh@stubbsalderton.com>

Cc: Amazon_PersonalWeb_Team <Amazon_PersonalWeb_Team@fenwick.com>

Subject: Re: PWeb - Amazon

On Aug 27, 2021, at 9:04 PM, Todd Gregorian <TGregorian@fenwick.com> wrote:

Jeff,

Personalweb made a minimal and deficient production at the deadline, and has produced no additional documents in weeks despite representations stating that you would follow up. This new gambit of claiming confusion about what documents reflect, e.g., financial account information or assets or transfers of PersonalWeb, is just more obstruction. You haven't identified the records PersonalWeb has located but withheld, you left collection entirely to the client and do not even know, and you want instead to engage in an academic discussion, as shown by the fact that you held Chris on the phone for an hour and forty minutes today to discuss the meaning of words in the individual requests. Chris will follow up

with a fuller statement of our position, but as counsel of record you have an obligation to ensure compliance with the court's orders and have not done so, and so we plan to move forward with a motion and sanctions request unless there is immediate and complete compliance.

Thank you,
-t

On Aug 27, 2021, at 8:26 PM, Christopher Lavin <CLavin@fenwick.com> wrote:

From: Jeffrey Gersh <jgersh@stubbsalderton.com>
Sent: Friday, August 27, 2021 5:25 PM
To: Christopher Lavin <CLavin@fenwick.com>
Cc: Michael Sherman <masherman@stubbsalderton.com>; James Ponce <jponce@stubbsalderton.com>
Subject: PWeb - Amazon

**** EXTERNAL EMAIL ****

Chris

In follow-up to our lengthy meet and confer call, you told me at the end of the call that despite the fact that we were finally able to meet and confer today and went over some 40+ Request for Production of Docs and 20+ Interrogatories, many of which I asked for and needed explanation from you as to what it was you thought was deficient and you refused to explain, (in fact you simply said "I am not going to parse out the questions"), you told me that you intend to move to compel further responses and seek sanctions against SAM and PWeb. I asked you why you thought you had a basis to seek sanctions against SAM when I told you that we have complied as best we could with the court's order based upon our situation with our client, you simply said we have had the discovery for months and your firm intends to move to compel without allowing us to even speak with the client further and try to get more information for you or supplement. I told you I was out Monday, but I thought we could get information no later than Wednesday with what we would be able to supplement and when and you said that did not matter - you were going to be moving "in parallel". I remind you that your letter asked us to meet and confer the week of August 23, this week and we did so. It was on August 25 that you asked for a call on August 26 and I told you that was OK and thought you were going to call me but you didn't - you apologized for not being able to do so. I told you I was available today August 27 and we spoke. We have not been dilatory at all in responding to your meet and confer letter. I also explained to you that we are doing what is asked of us in light of our client situation, yet it made no difference. You obviously had your marching orders from your "team" as you call it.

In any event, the reasonable thing to do is to allow us time to talk to the client, see what the client's position is based on what information we have already provided and then we can work to supplement the responses where appropriate and if necessary. I am suggesting to you again that you hold off on any further action until we can determine early next week what the client's response is and then if you are not satisfied you can do what you think is necessary. Not giving us time to deal with what

we just discussed is inappropriate. Throwing sanctions around against anyone let alone SAM is not appropriate. We are stuck in the middle, and you know it.

I ask that you reconsider your position.

JG

<image001.png>

Jeffrey F. Gersh

Partner, Stubbs Alderton & Markiles, LLP

818.444.9222 (voice/text/fax) | jgersh@stubbsalderton.com

www.stubbsalderton.com | [Attorney Bio](#)

15260 Ventura Blvd., 20th FL, Sherman Oaks, CA 91403

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