

EXHIBIT 14

From: [Michael Sherman](#)
To: mbubman@mbn.law
Cc: aacosta@mbn.law; [Todd Gregorian](#); [Christopher Lavin](#); [Ronald Richards Esq. \(ron@ronaldrichards.com\)](mailto:ron@ronaldrichards.com); [Jeffrey Gersh](#); [Neil Elan](#)
Subject: RE: In re PersonalWeb Technologies, LLC et al v. Amazon
Date: Friday, April 15, 2022 10:46:50 AM
Attachments: [image004.png](#)

**** EXTERNAL EMAIL ****

Dear Mr. Bubman

I am re-sending, below, the e-mail I sent you a week ago.

I know you received that e-mail and I know that you actively considered the content of that e-mail. The basis of my knowledge is not something I choose to share in this e-mail, given that Amazon's counsel is cc'd herein.

As I understand it, your client, the Receiver, has highly regulated and narrowly circumscribed duties, *ie.*:

(a) Agent of the court

The receiver is the agent of the court and not of any party, and as such:

- (1) Is neutral;
- (2) Acts for the benefit of all who may have an interest in the receivership property; and
- (3) Holds assets for the court and not for the plaintiff or the defendant.

CA ST CIVIL RULES Rule 3.1179

So I will try again, because you have thus far evaded answering my questions. With reference to the red highlighted sentence below, is the response "yes, fully comply?" And if the answer to the red highlighted sentence is something other than "yes, fully comply" then with reference to the yellow highlighted sentence below, how is the Receiver choosing to exercise its discretion and specifically who's instructions control, the Receiver's, or those of Messrs. Bermeister and Richards?

Please answer. Thanks

Michael Sherman

Michael A. Sherman

Partner, Stubbs Alderton & Markiles, LLP

Chair, Business Litigation Practice

818.444.4528 (voice/text/fax) | 818.631.9109 (Mobile) | masherman@stubbsalderton.com

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

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



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From: Michael Sherman

Sent: Friday, April 8, 2022 8:40 PM

To: mbubman@mbn.law

Cc: aacosta@mbn.law; Todd Gregorian <TGregorian@fenwick.com>; Christopher Lavin <CLavin@fenwick.com>; Ronald Richards Esq. (ron@ronaldrichards.com) <ron@ronaldrichards.com>; Jeffrey Gersh <jgersh@stubbsalderton.com>; Neil Elan <nelan@stubbsalderton.com>

Subject: In re PersonalWeb Technologies, LLC et al v. Amazon

Dear Mr. Bubman:

The recent filing by Amazon in the Federal Circuit that my law partner Jeff Gersh sent you yesterday, asserts: "...in May and June of 2021, a California state court ordered a receiver to assume control of PersonalWeb and manage its litigations, including the power to direct current counsel and hire substitute counsel." The order that Amazon is referring to made it discretionary for the Receiver to control the litigations ("... as the Receiver deems necessary ..." ¶1) and also made it discretionary for the Receiver to continue the employment of my law firm Stubbs Alderton & Markiles, LLP (SAM) ("...the discretion to continue in the employment of PW, or not, ..." ¶2). **Your offices have never communicated with us the extent to which the Receiver intends to exercise its discretion in terms of the Receiver fully controlling the litigations, or whether the Receiver's instructions overrule those of Mr. Bermeister, Mr. Richards, or others.**

As we have communicated to you on numerous instances, since late April 2021 representatives of PersonalWeb, including Messrs. Bermeister and PersonalWeb's counsel Ronald Richards, have consistently been the ones directing us about the PWeb MDL litigation involving Amazon and website operators. As one example, on September 1, 2021 my law partner Jeff Gersh wrote you, via e-mail, seeking instruction from your office and/or the Receiver wherein we advised you that PersonalWeb had not communicated instructions or provided any information that would allow SAM to fully comply with the outstanding District Court orders.

In Amazon's recent Federal Circuit filing it asserts: "The receiver's attorney has since confirmed to Amazon that the receiver has given Stubbs Alderton *no instruction* to disobey the district court." Yet you and the Receiver have given our law firm no instructions one way or the other (*i.e.*, obeying or disobeying the District Court orders), and as we have previously advised you in writing (see Mr. Gersh's September 1 e-mail) the instructions we *have* received on these issues have been either from Mr. Bermeister or Mr. Richards.

Are you now instructing us to fully comply with the District Court orders, and to require of Mr. Bermeister, Mr. Richards and anyone else on behalf of PersonalWeb that they fully comply with the District Court orders without the assertion of any privilege claims that had been ordered waived and require the active searching of records by them and their agents? If your response to the above query is anything *other than* a simple "yes, fully comply," then we insist that the Receiver take responsibility as an officer of the court and to exercise his court-ordered authority to engage replacement counsel. It is intolerable for our law firm to be held hostage under circumstances where we have to choose between complying with court orders and violation of the instructions of the client.

Very Truly Yours
Michael Sherman



Michael A. Sherman

Partner, Stubbs Alderton & Markiles, LLP

Chair, Business Litigation Practice

818.444.4528 (voice/text/fax) | 818.631.9109 (Mobile) | masherman@stubbsalderton.com

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

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