

**COURT ORDER RE AMAZON'S MOTION TO COMPEL AS TO BRILLIANT D**

| AMAZON'S REQUESTS   | CREDITORS' RESPONSES   | AMAZON'S COMPROMISE   |  |
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| <p><u>No. 3:</u> All documents and communications regarding SAM Ventures, PersonalWeb Inc., Eurocapital Business Development, LLC, Kinetech, Inc., or Topodia Limited, including: (a) documents reflecting the membership, structure, or principals of these entities; and (b) their respective interests in PersonalWeb.</p> | <p><u>No. 3:</u> Brilliant objects to this Request under FRCP 45(d)(1), (2)(ii) on the grounds that, with the exception of the matters stated in the "including, but not limited to" clause, when combined with the definitions, it is overly broad, burdensome and oppressive, and vague. Brilliant further objects to this Request to the extent that production of the requested records violates the financial privacy rights of Brilliant and/or its officers, directors, employees, and/or shareholders. Brilliant will not produce or separately log any documents apart from documents relating to its loan to PersonalWeb but will meet and confer with Amazon to discuss the relevance of any such documents to Amazon's post judgment collection efforts.</p> <p>Brilliant further objects to this Request to the extent that it seeks production of documents protected by the attorney-client privilege and/or the attorney work product doctrine and the joint interest privilege, including documents reflecting counsel's mental impressions, conclusions, opinions, legal advice or legal theories. In this regard, Kevin Bermeister, an officer of Brilliant, served as non-executive Chairman of PersonalWeb. Anthony Neumann, also an officer of Brilliant, assisted Bermeister in interfacing with officers of PersonalWeb, and Personal Web's counsel and their litigation consultants</p> | <p><u>No. 3:</u> BDE should produce documents and communications responsive to the full scope of this request as the Court ordered. But in the interest of compromise, Amazon offers to limit the request to:</p> <p>(i) documents and communications created on or after January 1, 2010, a reasonable period before the founding of PersonalWeb; and</p> <p>(ii) documents and communications sufficient to show over that time period the complete membership, structure, and principals, of SAM Ventures, PersonalWeb Inc., Eurocapital Business Development, LLC, Kinetech, Inc., or Topodia Limited, and their respective interests in PersonalWeb.</p> | <p>No. 3: BDE should produce documents and communications responsive to the full scope of this request as the Court ordered. But in the interest of compromise, Amazon offers to limit the request to:</p> <p>(i) documents and communications created on or after January 1, 2010, a reasonable period before the founding of PersonalWeb; and</p> <p>(ii) documents and communications sufficient to show over that time period the complete membership, structure, and principals, of SAM Ventures, PersonalWeb Inc., Eurocapital Business Development, LLC, Kinetech, Inc., or Topodia Limited, and their respective interests in PersonalWeb.</p> |

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|   | <p>and experts regarding the Action and/or other litigation to which PersonalWeb was a party and such communications are also within the scope of the privileges raised in this paragraph.</p> <p>Subject to and without waiving the foregoing objections, Brilliant responds as follows: In accordance with the scope and limitations of the Order consistent with the statement in this response, after a reasonably diligent search, Brilliant will produce the responsive documents within its possession, custody, or control including electronic communications such as email, as well as a privilege log reflecting any documents or communications withheld under a claim of privilege or protection.</p>  |   | <p>res<br/>oth</p>  |
| <p><u>No. 10:</u> All documents relating to Your interests in any litigations, including intellectual property litigations, not included in the Collateral.</p> | <p><u>No. 10:</u> Brilliant objects to this Request under FRCP 45(d)(1), (2)(ii) on the grounds that it is overly broad and vague, including with respect to the term "Your interests" and because that it is not on its face limited as to time and scope and including with respect to the term "relating to."</p> <p>Brilliant further objects to this Request as exceedingly overbroad, burdensome and irrelevant to any legitimate discovery purposes in this Action or as to Amazon's post-judgment collection efforts because Brilliant has been engaged in litigation, including intellectual property litigation, not included in the Collateral since it was formed in 1994, none of which has anything whatsoever to do with PersonalWeb. Brilliant further objects to</p> | <p><u>No. 10:</u> BDE should produce documents responsive to the full scope of this request as the Court ordered. But in the interest of compromise, Amazon offers to limit the request to:</p> <p>(i) documents created on or after January 1, 2010, a reasonable period before the founding of PersonalWeb; and</p> <p>(ii) documents to those sufficient to show BDE's interests in litigation, including at least (a) identifying the litigation, all parties to it, and any other interested parties; and (b) identifying any payment or other benefit BDE received as a result of the litigation.</p> | <p>No<br/>err<br/>for<br/>in<br/>obj<br/>wit<br/>Bri<br/>doc<br/>liti<br/>sub<br/>def<br/>wh<br/>of<br/>sta<br/>pro<br/>wil<br/>reg<br/>fur</p> |

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|  | <p>this Request to the extent that production of the requested records violates the financial privacy rights of Brilliant.</p> <p>Brilliant further objects to this Request to the extent that it seeks production of documents protected by the attorney-client privilege and/or the attorney work product doctrine and the joint interest privilege, and documents reflecting counsel's mental impressions, conclusions, opinions, legal advice or legal theories. Brilliant will not produce or separately log any documents relating to such matters, all of which would be subject to the attorney client privilege and attorney work product doctrine.</p>  |  | <p><b>BD</b><br/><b>Po</b><br/><i>If L</i><br/><i>Am</i><br/><i>doe</i><br/><i>dis</i></p>   |
| <p><u>No. 12</u>: Documents relating to third-party complaints, claims, threatened or pending lawsuits, and judgments against You from one year before the date of the BDE Note to present, including the title, the case number, the nature of the claim, the amount of any claim or judgment owed, and any unsatisfied judgments in which You are either the judgment debtor or the judgment creditor.</p> | <p><u>No. 12</u>: Brilliant objects to this Request under FRCP 45(d)(1), (2)(ii) on the grounds that it is overly broad, burdensome and oppressive, and vague including with respect to the term "relating to."</p> <p>Brilliant further objects to this Request as exceedingly overbroad, burdensome and oppressive and wholly lacking in relevance to the subject matter of the Action or Amazon's post-judgment collection efforts because it has been involved in numerous actual and/or threatened claims, complaints, and lawsuits during such time wholly unrelated to PersonalWeb or this Action, many of which have been resolved pursuant to agreements that have confidentiality clauses that prohibit Brilliant from disclosing such matters.</p> | <p><u>No. 12</u>: Amazon accepts BDE's proposed compromise based on the representations of BDE and its counsel, provided that BDE produces (i) a complete copy of any settlement agreements and (ii) documents sufficient to show, for any threatened or asserted claims, the identity of the person or entity that asserted or threatened the claim, and the nature and resolution of the asserted or threatened claim.</p> | <p><b>No</b><br/>obj<br/>wit<br/>Bri<br/>doe<br/>law<br/>the<br/>"th<br/>pro<br/>ide<br/>pai<br/>thi<br/>por<br/>ent<br/>ter<br/>cor<br/>als<br/>Ag<br/>20<br/>cla<br/>inf</p> |

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|  | <p>Brilliant further objects to this Request to the extent that it seeks production of documents protected by the attorney-client privilege and/or the attorney work product doctrine and the joint interest privilege, and documents reflecting counsel's mental impressions, conclusions, opinions, legal advice or legal theories. Brilliant will not produce or separately log such matters.</p>   |  | <p>bus<br/>low<br/>cou<br/>cou<br/>sar<br/>Re<br/>ma<br/>cor<br/>pur</p> <p><b><u>BD</u></b><br/><b><u>Po</u></b><br/><i>Th</i></p> <p><i>As</i><br/><i>cou</i><br/><i>acc</i><br/><i>do</i><br/><i>no</i><br/><i>on</i><br/><i>any</i><br/><i>rep</i><br/><i>Re</i><br/><i>ma</i><br/><i>ma</i><br/><i>log</i><br/><i>the</i></p> |
| <p><u>No. 33</u>: All documents relating to payments made by You or PersonalWeb to lawyers, accountants, or other corporate service providers in excess of \$100.00 since March 1, 2021.</p> | <p><u>No. 33</u>: Brilliant objects to this Request under FRCP 45(d)(1), (2)(ii) on the grounds that it is vague with respect to the term "service providers" and "relating to" and overly broad in that it is not limited to fees and/or costs paid in the Action or Receivership Action. Brilliant objects on the grounds of lack of relevance to Amazon's post-judgment collection efforts to producing or separately logging such documents with respect to any other matters.</p> | <p><u>No. 33</u>: BDE should produce documents responsive to the full scope of this request as the Court ordered. But in the interest of compromise, Amazon offers to limit the request to the production of BDE's complete general ledger, provided counsel represents that the ledger is accurate and complete and reflects all responsive payments, clearly identifies the recipients of said payments, and subject to Amazon's ability to seek</p> | <p><u>No</u><br/>obj<br/>wa<br/>per<br/>por<br/>to<br/>am<br/>acc<br/>pro<br/>cou<br/>con<br/>ven</p>  |

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|   | <p>Brilliant further objects to this Request to the extent that it seeks production of documents protected by the attorney-client privilege and/or the attorney work product doctrine and the joint interest privilege, including communications with counsel regarding any such counsel and any "service provider" or accountant who served as an expert consultant.</p> <p>Subject to and without waiving the foregoing objections, Brilliant responds as follows: In accordance with the scope and limitations of the Order, after a reasonably diligent search, Brilliant will produce the responsive documents within its possession, custody, or control including electronic communications such as email, as well as a privilege log reflecting any documents or communications withheld under a claim of privilege or protection.</p> | <p>further production concerning any payments made on behalf or for the benefit of PersonalWeb.</p>   | <p>into<br/>and<br/>sta<br/>pro<br/>wil<br/>reg<br/>fur</p> <p><b><u>BDE</u></b><br/><b><u>Pro</u></b><br/><i>BDE</i><br/><i>gen</i><br/><i>doc</i><br/><i>any</i><br/><i>exp</i><br/><i>pro</i><br/><i>lea</i><br/><i>pay</i><br/><i>Re.</i><br/><i>an</i><br/><i>Am</i></p> <p><i>As</i><br/><i>con</i><br/><i>acc</i><br/><i>doc</i><br/><i>non</i><br/><i>on</i><br/><i>any</i><br/><i>rep</i><br/><i>Re.</i><br/><i>ma</i><br/><i>ma</i><br/><i>log</i><br/><i>the</i></p> |
| <p><b>No. 34:</b> All documents relating to any retainers paid by you to lawyers, accountants, or other corporate service providers that have a</p> | <p><b>No. 34:</b> Brilliant objects to this Request under FRCP 45(d)(1), (2)(ii) on the grounds that it is vague with respect to the term "service providers" and "relating to"</p>  | <p><b>No. 34:</b> Amazon accepts BDE's proposed compromise based on the representations of BDE and its counsel, subject to provision of a</p> | <p><b>No.</b><br/>obj<br/>wit<br/>Af</p>  |

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