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February 13, 2023

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The Honorable Susan van Keulen, Magistrate Judge
United State District Court for the Northern District of California
San Jose Courthouse, Courtroom 6 – 4th Floor
280 South 1st Street
San Jose, CA 95113

**Re: In Re Personal Web Technologies, LLC et al., Patent Litigation
Case No.: 5:18-md-02834-BLF, Case No.: 5:18-cv-00767-BLF,
Case No.: 5:18-cv-05619-BLF**

Dear Judge van Keulen:

On November 9, 2022, this Court issued its Order Following November 9, 2022 Discovery Hearing (Dkt.799), instructing SAM to provide certain documents to PersonalWeb’s current counsel, Lewis Roca Rothgerber Christie, LLP (“Lewis Roca”). Thereafter SAM has participated in proceedings before this Court and has furnished documents to its former client PersonalWeb, through its current counsel Lewis Roca. As SAM previously advised the Court and counsel, in addition to furnishing approximately 50,000 documents to Lewis Roca, SAM determined that there were some number of documents that either, (a) did not belong to PersonalWeb or belonged to other clients of SAM, (b) are SAM work product not shared with PersonalWeb’s directors, officers or employees, (c) are the product of Europlay Capital Advisors, LLC whom we understand provided confidential litigation consulting services to outside litigation counsel representing PersonalWeb over the years, or (d) are otherwise not responsive. (Dkt. 843.) As a result of SAM’s continuing review and activities up through February 10, 2023, SAM determined that the number of documents falling within each of said categories (a) through (d) were more correctly approximately: (a) 2600; (b) 9200; (c) 4875; and, (d) 3860.^[1] A single document may have multiple codes associated with it.

^[1] In partial explanation of the changes in the number of documents in the categories above, (as compared to the prior letter to this Court dated January 31, 2023 (Dkt. 843), SAM discovered in its further review of documents within categories (a) through (d), that approximately 167 documents in categories (b) and (c) were duplicates and provided to Lewis Roca eight separate times. The approximate 1335 documents have subsequently been removed from the above categories.

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In certifying its compliance with the Court orders and completion of the process that the Court has supervised, SAM advises the Court that (1) for purposes of category (d) there are 11 documents within that category which were sent from the domain @pweb.com, where from the context of the communication clearly the sender of the e-mail mistakenly used the @pweb.com domain and thus were unresponsive, and (2) for purposes of categories (a) and (c), as SAM had previously apprised the Court, it has communicated the results of those specific categories to counsel for the secured creditors, and anticipates that proceedings and activities, if any, involving said categories (a) and (c) would involve counsel for the secured creditors but not SAM.

SAM has completed furnishing PersonalWeb documents to Lewis Roca and intends to shortly shut down its Everlaw database containing the entire universe of documents that it reviewed from the various repositories to avoid continuing to incur monthly charges.

Respectfully submitted,

STUBBS, ALDERTON & MARKILES, LLP

By: /s/ Jeffrey F. Gersh
Michael A. Sherman
Jeffrey F. Gersh

cc: Michael A. Sherman, Esq.