

Exhibit C

Fee, J. Kevin

From: Andrew Bridges [abridges@fenwick.com]
Sent: Monday, February 09, 2015 1:07 PM
To: Fee, J. Kevin; Childs, Edwin O.; Rubel, Jordana S.; 'Kelly.Klaus@mto.com'; 'Jonathan.Blavin@mto.com'; 'Thane.Rehn@mto.com'; 'KSteinthal@KSLAW.com'; 'BCunningham@KSLAW.com'
Cc: 'corynne@eff.org'; 'mitch@eff.org'; Matthew Becker; Kathleen Lu
Subject: Re: Public Resource / ASTM -scheduling of Malamud deposition

Dear Kevin,

Thanks for your message. Mr. Malamud is prepared to go forward on those dates so long as the ASTM plaintiffs and the AERA plaintiffs join in the depositions. As you know, as the Court invited us to file a motion for consolidation, and the motion is pending. Please confer with AERA counsel and let me know if everyone agrees. Otherwise we may need to await a ruling on the motion before proceeding.

Andrew
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Sent from my wireless PDA

From: Fee, J. Kevin [mailto:jkfee@morganlewis.com]
Sent: Friday, February 06, 2015 11:57 AM Pacific Standard Time
To: Andrew Bridges; Childs, Edwin O. <echilds@morganlewis.com>; Rubel, Jordana S. <jrubel@morganlewis.com>; 'Klaus, Kelly' <Kelly.Klaus@mto.com>; 'Blavin, Jonathan' <Jonathan.Blavin@mto.com>; 'Rehn, Thane' <Thane.Rehn@mto.com>; 'Steinthal, Kenneth' <KSteinthal@KSLAW.com>; 'Cunningham, Blake' <BCunningham@KSLAW.com>
Cc: Corynne McSherry <corynne@eff.org>; 'Mitch Stoltz' <mitch@eff.org>; Matthew Becker; Kathleen Lu
Subject: RE: Public Resource / ASTM -scheduling of Malamud deposition

Andrew:

Based on your email below, we re-noticed Mr. Malamud's and Public.Resource.Org's depositions for February 12th and 13th. For your convenience, copies of the previously-issued deposition notices are attached. Please confirm that your clients intend to appear for the depositions as noticed. Thank you.

J. Kevin Fee
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From: Andrew Bridges [mailto:abridges@fenwick.com]
Sent: Tuesday, January 27, 2015 3:55 PM
To: Fee, J. Kevin; Childs, Edwin O.; Rubel, Jordana S.; 'Klaus, Kelly'; 'Blavin, Jonathan'; 'Rehn, Thane'; 'Steinthal, Kenneth'; 'Cunningham, Blake'

Cc: Corynne McSherry; 'Mitch Stoltz'; Matthew Becker; Kathleen Lu
Subject: Public Resource / ASTM -scheduling of Malamud deposition

Dear Kevin,

January 29 and 30, the dates you requested for Mr. Malamud and Public Resource's depositions, don't work at this end as we had indicated weeks ago. We are happy to work with you on mutually agreeable dates during the extended discovery period, and February 12/13 look like potentially good dates. Can we set up a call tomorrow with all counsel in the ASTM case to revisit scheduling again before we file our motion for extension, to see if we can reach an agreement on the extension with an appropriate framework for all the depositions?

In scheduling these depositions, please note that, at the most recent hearing in the AERA v PRO case, Judge Robinson stated that she believed that case and the ASTM v PRO case should be consolidated for discovery purposes and requested briefing on that subject. We therefore plan to file a motion for consolidation for discovery purposes on Thursday. In light of this development, we believe that the parties should also confer with counsel for AERA in scheduling P.R.O.'s and Mr. Malamud's depositions.

What times would plaintiffs' counsel be available for a teleconference tomorrow?

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