

Exhibit 4

From: Mongan, Michael
Sent: Thursday, April 24, 2014 8:35 PM
To: Andrew Bridges; Kathleen Lu; mitch@eff.org; corynne@eff.org; davidhalperindc@gmail.com; jgratz@durietangri.com; mlemley@durietangri.com
Cc: jkfee@morganlewis.com; mclayton@morganlewis.com; jrubel@morganlewis.com; jbucholtz@kslaw.com; jwetzel@kslaw.com; ksteinthal@kslaw.com; azee@kslaw.com; Klaus, Kelly; Blavin, Jonathan
Subject: RE: ASTM et al. v. Public Resource: Meet and Confer

Counsel:

We had agreed on our call on Monday that the plaintiffs would get back to you on our position regarding your proposal to add Mr. Malamud to the list of individuals with access to “Highly Confidential” information. Now that we’ve had some time to consider this proposal, I wanted to respond and let you know that plaintiffs do not agree to this modification. We don’t expect that there will be many documents in this case that warrant a “Highly Confidential” designation. To the extent there are such documents, and you strongly believe that Mr. Malamud must be able to see them to effectively try this case, we think it makes the most sense to discuss those issues on an ad hoc basis in the future. We look forward to seeing your proposed revisions to the protective order.

Best,
Mike

From: Mongan, Michael
Sent: Tuesday, April 22, 2014 9:21 AM
To: 'Andrew Bridges'; Kathleen Lu; mitch@eff.org; corynne@eff.org; davidhalperindc@gmail.com; jgratz@durietangri.com; mlemley@durietangri.com
Cc: jkfee@morganlewis.com; mclayton@morganlewis.com; jrubel@morganlewis.com; jbucholtz@kslaw.com; jwetzel@kslaw.com; ksteinthal@kslaw.com; azee@kslaw.com; Klaus, Kelly; Blavin, Jonathan
Subject: RE: ASTM et al. v. Public Resource: Meet and Confer

Counsel:

Thank you for making the time to speak with us yesterday. I wanted to recap a few of the points that we discussed.

- With respect to the protective order, Public.Resource will circulate a redline version with any proposed modifications. At the same time, Plaintiffs will consider and provide a response to Public.Resource’s proposal that certain non-legal officers, principals, directors, or employees (including Mr. Malamud) be allowed access to “Highly Confidential” information.
- We agreed that all parties would exchange letters on May 2 raising any questions or concerns about other parties’ discovery responses.
- We tentatively agreed that we would have a follow-up call to discuss these issues on May 7 at 1:30 p.m. pacific. To the extent that time or date presents a problem for any of us, we will let you know in the next few days.

Please let us know if you disagree with our characterization of any of these points.

Best,
Mike

From: Mongan, Michael [<mailto:michael.mongan@mto.com>]
Sent: Thursday, April 10, 2014 3:22 PM
To: Andrew Bridges; Kathleen Lu; mitch@eff.org; corynne@eff.org; davidhalperindc@gmail.com; jgratz@durietangri.com; mlemley@durietangri.com
Cc: jkfee@morganlewis.com; mclayton@morganlewis.com; jrubel@morganlewis.com; jbucholtz@kslaw.com; jwetzal@kslaw.com; ksteinthal@kslaw.com; azee@kslaw.com; Klaus, Kelly; Blavin, Jonathan
Subject: ASTM et al. v. Public Resource: Meet and Confer

Counsel:

I write on behalf of the plaintiffs to request a meet-and-confer telephone conference regarding discovery. Among other things, we would like to discuss entering a stipulated protective order (a draft of which we will circulate shortly), as well as a timeframe for the mutual exchange of search protocols by the parties.

Would you be available for this call at 1:30 p.m. pacific on Monday, April 21? Please let us know if any of that time works for you, and we can circulate dial-in information.

Best,
Mike

Michael J. Mongan | Munger, Tolles & Olson LLP
560 Mission Street | San Francisco, CA 94105
Tel: 415.512.4051 | Fax: 415.644.6951 | michael.mongan@mto.com | www.mto.com

NOTICE

This message is confidential and may contain information that is privileged, attorney work product or otherwise exempt from disclosure under applicable law. It is not intended for transmission to, or receipt by, any unauthorized person. If you have received this message in error, do not read it. Please delete it without copying it, and notify the sender by separate e-mail so that our address record can be corrected. Thank you.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice in this communication (including attachments) is not intended or written by Fenwick & West LLP to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

ATTENTION:

The information contained in this message may be legally privileged and confidential. It is intended to be read only by the individual or entity to whom it is addressed or by their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form, is strictly prohibited.

If you have received this message in error, please immediately notify the sender and/or Fenwick & West LLP by telephone at (650) 988-8500 and delete or destroy any copy of this message.