

Exhibit A

From: Kathleen Lu
Sent: Thursday, January 29, 2015 7:56 PM
To: 'Rehn, Thane'; Andrew Bridges; 'mitch@eff.org'; 'Corynne McSherry'; 'davidhalperindc@gmail.com'; 'Joseph C. Gratz'; 'mlemley@durietangri.com'; 'jwetzelslaw.com'; 'ksteinthal@kslaw.com'; 'Zee, Andrew'; 'jbucholtz@kslaw.com'; 'Fee, J. Kevin'; 'Clayton, Michael F.'; 'Rubel, Jordana S.'; 'Childs, Edwin O.'
Cc: 'Klaus, Kelly'; 'Blavin, Jonathan'
Subject: RE: ASTM et al. v Public.Resource.Org, Inc. -- Amendment to Complaint

Thane,
We have reservations because we do not believe the current schedule allows for sufficient time to complete discovery on a new claim. If the Court enters the extension that Public Resource has requested, we believe that would alleviate this problem and we would not oppose your motion.

Best,
Kathleen Lu
Fenwick & West LLP
+1 (415) 875-2434

From: Rehn, Thane [<mailto:Thane.Rehn@mto.com>]
Sent: Wednesday, January 28, 2015 4:13 PM
To: Andrew Bridges; Kathleen Lu; 'mitch@eff.org'; 'Corynne McSherry'; 'davidhalperindc@gmail.com'; 'Joseph C. Gratz'; 'mlemley@durietangri.com'; 'jwetzelslaw.com'; 'ksteinthal@kslaw.com'; 'Zee, Andrew'; 'jbucholtz@kslaw.com'; 'Fee, J. Kevin'; 'Clayton, Michael F.'; 'Rubel, Jordana S.'; Childs, Edwin O.
Cc: Klaus, Kelly; Blavin, Jonathan
Subject: RE: ASTM et al. v Public.Resource.Org, Inc. -- Amendment to Complaint

Andrew,

This is simply the most current version of one of the standards listed in the complaint. We have produced numerous documents pertaining to this standard, including the same categories of documents that we have produced for the prior versions of this standard and for the other standards identified in the complaint. Please let us know if you have any objection by tomorrow, so we know whether to inform the court that the motion is unopposed.

Thanks,

Thane

Thane Rehn | Munger, Tolles & Olson LLP
560 Mission Street | San Francisco, CA 94105
Tel: 415.512.4073 | Thane.Rehn@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.

From: Andrew Bridges [<mailto:abridges@fenwick.com>]

Sent: Wednesday, January 28, 2015 3:46 PM

To: Rehn, Thane; Kathleen Lu; 'mitch@eff.org'; 'Corynne McSherry'; 'davidhalperindc@gmail.com'; 'Joseph C. Gratz'; 'mlemley@durietangri.com'; 'jwetzelslaw.com'; 'ksteinthal@kslaw.com'; Zee, Andrew; 'jbucholtz@kslaw.com'; 'Fee, J. Kevin'; 'Clayton, Michael F.'; 'Rubel, Jordana S.'; Childs, Edwin O.

Cc: Klaus, Kelly; Blavin, Jonathan

Subject: RE: ASTM et al. v Public.Resource.Org, Inc. -- Amendment to Complaint

Thane, Can you please identify which of the documents NIPA produced that bear on this standard? That will help us put your request into context.

Andrew

Andrew P. Bridges

Fenwick & West LLP – San Francisco

T +1 415 875 2389

M +1 415 420 1482

@andrewbridges

abridges@fenwick.com

www.fenwick.com/andrewbridges

From: Rehn, Thane [<mailto:Thane.Rehn@mto.com>]

Sent: Wednesday, January 28, 2015 1:38 PM

To: Andrew Bridges; Kathleen Lu; 'mitch@eff.org'; 'Corynne McSherry'; 'davidhalperindc@gmail.com'; 'Joseph C. Gratz'; 'mlemley@durietangri.com'; 'jwetzelslaw.com'; 'ksteinthal@kslaw.com'; Zee, Andrew; 'jbucholtz@kslaw.com'; 'Fee, J. Kevin'; 'Clayton, Michael F.'; 'Rubel, Jordana S.'; Childs, Edwin O.

Cc: Klaus, Kelly; Blavin, Jonathan

Subject: RE: ASTM et al. v Public.Resource.Org, Inc. -- Amendment to Complaint

Counsel,

You haven't responded to our request regarding amending the complaint. Can you let us know by tomorrow whether Public Resource consents to this amendment? Since sending the email below, NIPA has produced documents relating to this standard, so we don't see any reason why this amendment should raise any issues.

Thanks,

Thane Rehn | Munger, Tolles & Olson LLP

560 Mission Street | San Francisco, CA 94105

Tel: 415.512.4073 | Thane.Rehn@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.

From: Rehn, Thane

Sent: Tuesday, December 30, 2014 12:02 PM

To: 'Andrew Bridges'; 'Kathleen Lu'; 'mitch@eff.org'; 'Corynne McSherry'; 'davidhalperindc@gmail.com'; 'Joseph C. Gratz'; 'mlemley@durietangri.com'; 'jwetzelslaw.com'; 'ksteinthal@kslaw.com'; 'Zee, Andrew'; 'jbucholtz@kslaw.com'; 'Fee, J. Kevin'; 'Clayton, Michael F.'; 'Rubel, Jordana S.'; 'Childs, Edwin O.'

Cc: Klaus, Kelly; Blavin, Jonathan

Subject: ASTM et al. v Public.Resource.Org, Inc. -- Amendment to Complaint

Counsel,

NFPA has recently become aware that Public.Resource.Org, Inc., has posted the 2014 version of NFPA 70, the National Electrical Code, on the Public Resource website. As a result of these newly discovered facts, NFPA intends to amend Exhibit B to the Complaint to add the 2014 NEC to the list of NFPA's standards that Public Resource is infringing. I am attaching a copy of the proposed amended version of Exhibit B. We do not expect that this will cause any prejudice to Public Resource, as the legal and factual issues involving the 2014 NEC do not materially differ from the issues involving the other NFPA standards at issue in this case. NFPA is prepared to immediately produce documents relating to the 2014 NEC consistent with the documents it has produced and agreed to produce relating to the other standards listed in Exhibit B to the Complaint.

We intend to file a motion to amend the complaint with the consent of co-plaintiffs ASTM and ASHRAE. Please let us know if Public Resource consents to NFPA amending the complaint in this way, so that we can inform the Court whether our motion is opposed.

Regards,

Thane Rehn | Munger, Tolles & Olson LLP
560 Mission Street | San Francisco, CA 94105
Tel: 415.512.4073 | Thane.Rehn@mto.com | www.mto.com

NOTICE:

This email and all attachments are confidential, may be legally privileged, and are intended solely for the individual or entity to whom the email is addressed. However, mistakes sometimes happen in addressing emails. If you believe that you are not an intended recipient, please stop reading immediately. Do not copy, forward, or rely on the contents in any way. Notify the sender and/or Fenwick & West LLP by telephone at (650) 988-8500 and then delete or destroy any copy of this email and its attachments. Sender reserves and asserts all rights to confidentiality, including all privileges that may apply.