

Exhibit D

Kaplan, Matt

From: Google Legal Support [legal-support@google.com]
Sent: Wednesday, February 18, 2009 11:57 AM
To: Kaplan, Matt
Cc: Devore, Joshua
Subject: Re: [#399826446] Voluntary Consent Form

Dear Matt,

This message is to confirm that the email account of johnldk@gmail.com has been preserved.

Regards,
Kalynn

Original Message Follows:

From: "Kaplan, Matt" <mkaplan@cohenmilstein.com>
Subject: RE: [#399826446] RE: Voluntary Consent Form
Date: Fri, 13 Feb 2009 17:20:56 -0500

>
> To: Google Investigations Legal Support Department
> Attn: Kalynn Yastro
>
> Re: your internal reference number 63115-46917
>
> Thank you very much for providing this form. Counsel for the owner of
this account have now told us that the owner does not plan to authorize access to this
account. We hope that they will change their mind. If not the issue may be litigated.
>
> In order to assure that no information is lost we request that,
> pursuant
to the subpoena we issued to Google in this matter, that Google promptly take all
appropriate steps to preserve all email, including recoverable deleted email, that is
associated with this account and that might be responsive to our subpoena.
>
> Regards,
> Matt Kaplan
>
> Matthew B. Kaplan
> Attorney
> d: 202.408.3650
>
>
> Cohen Milstein Sellers & Toll PLLC
> 1100 New York Avenue, NW
> Suite 500 West
> Washington, DC 20005
> t: 202.408.4600
> f: 202.408.4699
> www.cohenmilstein.com
>
>
> This transmission is intended for the exclusive use of the individual
> or
entity that is the named addressee and may contain information that is privileged or
confidential or otherwise legally exempt from disclosure.
If you are not the named addressee or an employee or agent responsible for delivering this
message to the named addressee, you are not authorized to read, print, retain, copy or
disseminate this transmission or any part of it. If you have received this message in
error, please notify me immediately, discard all paper copies and delete any electronic

files of this message. Thank you.

>

>

>

> -----Original Message-----

> From: Google Legal Support [mailto:legal-support@google.com]

> Sent: Friday, February 13, 2009 1:57 PM

> To: Kaplan, Matt

> Subject: [#399826446] RE: Voluntary Consent Form

>

> Hello,

>

> We sent the following message to the Gmail account johnldk.

>

> To: johnldk@gmail.com

> From: legal-support@google.com

> Subject: Voluntary Consent Requested

>

> Regards,

> Google Legal Support

>

>

>

> Hello,

>

> We recently received notice from Matthew B. Kaplan at Cohen Milstein

> Sellers & Toll PLLC in Washington, DC requesting access to the

> contents

of

> your Gmail account. If you confirm consent to this request, please
print

> and complete the attached document titled "Authorization to Release

> Account information Voluntary Consent Form & Declaration" and fax the

> completed document to: 650-649-2939.

>

> If you are a minor, please have your parent/guardian complete the

> appropriate sections.

>

> In addition, please respond to this email from your Gmail account

letting

> us know that you consent to the request.

>

> After we have received consent by email and by fax, we will grant

> access to your account to Matthew B. Kaplan at Cohen Milstein Sellers

> & Toll PLLC.

>

> Sincerely,

>

> Google Legal Support

>