

Exhibit 1



Meet and Confer

Ratner, Micah <MicahRatner@dwt.com>

Mon, Nov 16, 2015 at 9:00 AM

To: Larry Klayman <leklayman@gmail.com>

Cc: Dina James <daj142182@gmail.com>, Naveed Mahboobian <nmahboobian@gmail.com>, "Brian.Toth@hklaw.com" <Brian.Toth@hklaw.com>, "<Sandy.Bohrer@hklaw.com>" <Sandy.Bohrer@hklaw.com>, "Handman, Laura" <laurahandman@dwt.com>

Larry,

- We do not consent to your request to extend discovery and other pre-trial deadlines while leaving the trial date in place. As we explained in our meet and confer, doing so would not leave the parties adequate time to brief summary judgment, or the Court adequate time to consider and decide this dispositive motion. Such an extension would also not leave enough time to prepare for any trial. We are prepared to move forward with the current schedule. Because your client has not produced the critical evidence in this case – the software – and has made it clear that he has no intentions of producing it, your client cannot win because he cannot prove falsity. Continuing discovery while you try to take depositions on side issues would waste the parties' and the Court's time and resources.
- We also do not consent to your request to shorten the time for C.D. Cal. and S.D.N.Y. courts to hearing your motions to compel.
- We do not agree with your request to appoint Magistrate Judge Jonathan Goodman as the mediator in this action. As you know, Judge Goodman has decided a number of discovery disputes and has our motion for sanctions in front of him now. We believe it is best to agree on a mediator who is not presiding over this action. Please forward other names for potential mediators.

Thank you,

Micah

From: Larry Klayman [mailto:leklayman@gmail.com]

Sent: Friday, November 13, 2015 6:09 PM

To: Brian.Toth@hklaw.com; Ratner, Micah; <Sandy.Bohrer@hklaw.com>; Handman, Laura

Cc: Dina James; Naveed Mahboobian

Subject: Re: Meet and Confer

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