

# **Exhibit I**

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**From:** Goldstein, Seth  
**Sent:** Friday, July 27, 2012 1:26 AM  
**To:** Ari Brown  
**Cc:** Gary Klein; Shennan Kavanagh; Kevin Costello; Steve Berman; Tyler Weaver; McGarry, James W; Hoeplinger, Stephen M; Brown, Brooks R  
**Subject:** RE: In re Bank of America Home Affordable Modification Program (HAMP) Contract Litig., MDL No. 2193

Ari,

Thank you for discussing the issue of the confidentiality designations with us this morning. Your summary below generally comports with my recollection of our conversation. I have only a few additions and/or clarifications.

First, Bank of America's position is not that any testimony "related to its HAMP procedures" is confidential. Either I misspoke (in which event I apologize) or you misunderstood. Whether testimony is confidential is not determined merely by whether it relates to such a broad and vague category as "HAMP procedures."

Second, when I communicated our willingness to review our designations and possibly to narrow or remove the designations in light of the parties' discussion today, it encompassed the testimony of Christopher Orris, as well as the testimony of Lourdes Duarte, Jinja Martin, and Tawnya Schoolitz. Bank of America intends to review its designations in connection with the Orris deposition as well as the other depositions in light of the parties' discussions today.

We will let you know the results of our review by the close of business on Tuesday, July 31.

Sincerely,

Seth

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**From:** Ari Brown [mailto:ari@hbsslaw.com]  
**Sent:** Thursday, July 26, 2012 2:51 PM  
**To:** Goldstein, Seth; Hoeplinger, Stephen M  
**Cc:** Gary Klein; Shennan Kavanagh; Kevin Costello; Steve Berman; Tyler Weaver  
**Subject:** RE: In re Bank of America Home Affordable Modification Program (HAMP) Contract Litig., MDL No. 2193

Seth,

Thank you for conferring discussing the dispute regarding your confidentiality designations in the deposition transcripts of Christopher Orris, Lourdes Duarte, Jinja Martin, and Tawnya Schoolitz. As we stated in our previous letters and explained during our call, we do not consider any of these transcripts to have been properly designated as confidential under the standards stated in the protective order.

We do not agree with your position that any testimony related to Bank of America's HAMP procedures is confidential. As I explained, we believe confidential information must be limited to testimony regarding particular and specific information that can fairly be considered proprietary for specific reasons. In the case of trade secrets, this would be information that, if released, would be the basis for a competitor to gain some competitive advantage.

As to the testimony given by Christopher Orris, we continue to maintain that none of the testimony he gave can properly be considered confidential. We understand that you disagree with our position and that we are at an impasse.

As to the testimony given by Duarte, Martin, and Schoolitz, we understand that you want to confer with your client and that you may remove some or all of the designations stated in your previous letters. If you do choose to revise your position as to confidential designations, you agreed to notify us no later than the close of business on Tuesday, July 31. We made clear that we still maintain that none of the testimony can properly be considered confidential.

Sincerely,

Ari Brown | **Hagens Berman Sobol Shapiro LLP** | Direct: (206) 268-9311