

# EXHIBIT D

**From:** [Jonathan Etra](#)  
**To:** [Arick Fudali](#); "[Sarah Bloom](#)"  
**Cc:** [Jayne Weintraub](#); [Daniel Brown](#)  
**Subject:** 12.27.18 Meet and Confer re Boyce  
**Date:** Friday, December 28, 2018 3:08:24 PM

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Arick,

Thank you for the meet and confer call yesterday.

To confirm what you agreed to:

1. With respect to the documents and interrogatories, you will provide us with amended responses by January 10. The amended responses will provide all the discovery requested, except in those instances where you are maintaining objections, in which case you will provide meaningful explanations for withholding the requested discovery (as opposed to mere boilerplate objections). Where you are not withholding any discovery based on objections, you will so indicate. Where you are withholding discovery based on privilege, you will log that that information in a privilege log to accompany your responses. In addition:
  - a. With respect to tax returns in particular, you agreed to provide the W-2s and 1099s and the parts of the returns that are associated with these forms with the rest redacted.
  - b. With respect to e-mails in particular, we explained our position why the searches you chose to use would not yield all the responsive documents. We emphasized that we believe the narrow search terms you came up with could be a significant factor in us not receiving the documents we expected to receive. We had a general discussion about ways to deal with emails (including, for example, producing all correspondence between Plaintiff and his agents and photographers who shot him.) You said you would consider our comments. We remain available to discuss this further as soon as you are in a position to do so.
  - c. With respect to redactions on the text messages (in particular) of the names of other potential accusers, you agreed that we had a right to see the names, notwithstanding a concern you had about others seeing the names, which remains a concern of yours.  
Please confirm we will receive the unredacted versions on January 10, 2018.
  - d. With respect to the iPhone, you did not agree to provide it. However, you agreed to look into whether or not there is a report and/or whether a forensic examination took place of the iPhone occurred and will report the results to us.
  - e. With respect to the statement in your June 1, 2018 letter concerning documents from Plaintiff that were "lost, discarded, or destroyed," you stated that that only refers only to the iPhone issue, but you will please confirm this .
2. With respect to deposition subpoenas, you took the following positions:
  - a. With respect to Buddy Krueger, Josh Ardolf, Anthony Baldwin, and Jake Madden, you object to their depositions in this case, but you agreed to accept service of subpoenas without waiving your objections.

- b. With respect to Monty Hooper, Rodney Hannah, Marco Viera, David Todd, and Mr. Todd's agency, you do not object to their depositions but you cannot accept service on their behalf and so we should serve them as we deem appropriate.
- c. With respect to timing, we had asked for your availability in January or February and received no response. On our call, you agreed to provide us with the specific dates in the next two months that you are not available for deposition.

Please confirm or advise if any corrections are needed.

We are free to discuss these matters with you at your convenience to facilitate discovery.

Thank you.



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