

Re: ACTION REQUIRED In Relation to Your Legal Process (Internal Ref. No. 28132670)

From: Acerthorn (acerthorn@yahoo.com)  
To: google-legal-support@google.com  
Date: Monday, December 19, 2022 at 08:44 PM CST

Dear Google,

First of all, I think meant t say "January 6, 2023" (twenty twenty-**three**) as the new deadline, not 2022 (twenty twenty-**two**).

Second, I am not pleased with this development, because on two occasions last summer, I submitted to you written correspondence that I intended to subpoena this information and wanted it to be preserved. However, I will begrudedly consent to this extension just this one time. This is the first, last, and only time I will play cat and mouse with you. If, on the stroke of midnight, pacific time (aka 2AM in my time zone), on January 7, 2023, I have not received the Doe defendant's name and address, I will file a motion in court to have YOU (Youtube/Google) sanctioned for spoliation of evidence under Leon v. IDX Systems Corp., 464 F. 3d 951, 959 (9th Cir. 2006).

Sincerely,  
David Stebbins

On Monday, December 19, 2022 at 06:43:08 PM CST, google-legal-support@google.com <google-legal-support@google.com> wrote:

Mr. Stebbins,

We are in receipt of your subpoena dated November 16, 2022. Based on the information provided, our early searches indicate that we may not have this information in our records. However, we are diligently investigating other avenues and will need additional time to make a determination. In light of this and the upcoming holiday, please advise if you would consent to extending Google's time to respond under FRCP 45(d) to January 6, 2022.

Please also be advised that if we do have the information you've requested, Google's policy is to notify the affected user of the subpoena and afford that person 21 days to appear in the underlying litigation and file an objection, given that the user has not yet had an opportunity to be heard on the matter. If the user does object, then Google will await the court's decision before producing responsive information.

Regards,  
Google Legal Investigations

On Mon, Dec 19, 2022 at 10:29 UTC acerthorn@yahoo.com wrote:

When can I expect to receive your response to this subpoena?

On Wednesday, December 14, 2022 at 01:02:55 PM CST, <google-legal-support@google.com> wrote:

Hello,

Due to COVID-19, most Google personnel are working from home with limited office resources. In light of these limitations, Google intends to initially respond to legal process via email and will follow up with a physical mailing on a delayed basis. However, if you are willing to consent to service of Google's response(s) via email only (i.e. you do not require a subsequent physical mailing), please respond to this email and let us know. Google appreciates your understanding as we seek interim solutions under these unique circumstances.

Regards,  
Google LLC