

# EXHIBIT 4



December 18, 2014

Via E-Mail

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Re: *American Education Research Association, Inc. et al. v.  
Public.Resource.Org, Inc.*  
Civil Action No.: 1:14-cv-00857-TSC  
Our Ref: 431384US-332060-332060-69-L DMS

Dear Andrew:

We have reviewed Public Resource's Amended Responses to Plaintiffs' Interrogatories and Production Requests (collectively, "Amended Responses"), which we received on December 15, 2014. Our comments concerning Public Resource's Amended Responses follow below.

**1. Numbering**

On both of Public Resource's Amended Responses to Plaintiffs' Production Requests and Interrogatories, the numbering of the specific responses is incorrect – making the documents confusing to read. Please provide us with revised versions of Public Resource's Amended Responses with the proper numbering.

**2. Amended Responses to Interrogatory No. 5 and Production Request No. 7**

Public Resource's Amended Response to Interrogatory No. 5 identifies the number of HTTP, FTP, and Rsync requests recorded on the [public.resource.org](http://public.resource.org) website for the filename "aera.standards.1999.pdf." In its Amended Response to Production Request No. 7, Public Resource refers to its Amended Response to Interrogatory No. 5 – stating that "Public Resource has provided a report specifying the numbers of times the 1999 Standard was accessed from the Public.Resource.Org website." Amended Resp. to Prod. Reqs., at p. 11. Public Resource's Amended Response to Interrogatory No. 5, however, simply lists the number of HTTP, FTP, and Rsync requests by month without providing any additional information or documentation regarding how those numbers were calculated or generated.


Plaintiffs' Production Request No. 1, asks that Public Resource provide those materials it identified in responding to Plaintiffs' Interrogatories. Please provide a date-certain by which Public Resource will produce the materials relied upon in responding to Interrogatory No. 5.

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Additionally, the recordation dates for the HTTP, FTP, and Rsync requests begin in April 2013 and run until October 2014. Public Resource's response to Interrogatory No. 2, however, states that Plaintiffs' 1999 Standards were first posted to the [law.resource.org](http://law.resource.org) website on July 11, 2012. Please provide us with the number of HTTP, FTP, and Rsync requests recorded on Defendant's website for the filename "aera.standards.1999.pdf" from July 2012 to the present.

Very truly yours,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.

  
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