

# **EXHIBIT C**

**From:** [Cross, David D.](#)  
**To:** [Vincent Russo](#); [Bruce Brown](#)  
**Cc:** [Cary Ichter](#); [Kimberly Anderson](#); [Bryan Tyson](#); [Josh Belinfante](#); [Carey Miller](#); [Brian Lake](#)  
**Subject:** RE: GEMS  
**Date:** Sunday, August 18, 2019 12:02:05 PM

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Vincent -

I don't understand what you're asking about the memory card. You're welcome to depose Dr. Halderman about his demonstration. You asked to be able to replicate that demonstration. He provided you what was needed to do that. For some reason, you decided not to do that or to even bring a DRE for the analysis after telling the court that Ms. Payton couldn't travel to MI because she needed a DRE. In any event, the memory card has nothing to do with the room in MI used to examine the GEMS databases.

Regarding the GEMS databases, we will need to do further analysis as discovery progresses. For now, we're proposing to remove the original GEMS database files from the computers in the MI and MoFo rooms but retain a securely encrypted backup of the other data and files used in our analysis (intermediate products of the analysis), so that we can quickly pick up from where we left off later. The GEMS database discs and any backup of any work product will be kept in a locked safe. Please let us know by COB tomorrow if you have a concern with this. The University in particular needs to repurpose the MI room ASAP due to school being back in session and space constraints there, I'm told.

Thanks.  
DC

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**From:** Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>  
**Date:** Friday, Aug 16, 2019, 9:38 AM  
**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>  
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**Subject:** RE: GEMS

- External Email -

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David,

Can we please get an answer from you regarding Dr. Halderman's memory card? Review of the memory card is required to be conducted at your office. The .adt and .brs files in the memory card that you produced are dated prior to the date of his courtroom demonstration. At this juncture, it appears the memory card used in Halderman's courtroom demonstration was not the memory card produced by Plaintiffs. This issue needs to be resolved before the room is closed.

Regarding the review of the GEMS databases, Dr. Halderman has testified that it will take several weeks with several people assisting him to review the databases. When does Dr. Halderman anticipate finishing the review? Additionally, what GEMS files and data used to analyze the databases are you proposing to destroy? We do not want this to cause delays or create issues getting discovery later on.

Thanks,

Vincent

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**From:** Cross, David D. [<mailto:DCross@mofo.com>]  
**Sent:** Thursday, August 15, 2019 11:15 PM  
**To:** Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>  
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**Subject:** GEMS

Vincent -

The University of MI needs to repurpose the room Dr. Halderman was using to analyze the GEMS databases. He's asked to put his analysis on hold for now and to lock the discs in a safe in his office. He alone will have the key. He also will delete any GEMS files or data from the computer he was using to analyze the databases. We need to do the same with the room at our offices in DC. And so we'll do the same with our discs and our computers. Please let us know as soon as possible if you have any concerns about this as both we and the University need these rooms for other purposes.

Thanks.  
DC

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