Matthew Drange  
The Bay Citizen  
2130 Center St. Suite 103  
Berkley, CA 94704  

Re: FOIA-2013-01306  
Google “Search” Investigation

Dear Mr. Drange:

This is in response to your request dated August 26, 2013, under the Freedom of Information Act seeking access to documents relating to the Google “search” investigation, File No. 111 0163. Specifically, you requested:

1. All internal correspondence and any other documents regarding deadlines, date goals, or projections for completion of the investigation, the staff report, discovery of Google and discovery of all third parties to the case;
2. All drafts of the staff report by date and all correspondence (email and otherwise) related to each draft;
3. All correspondence regarding the transmission of the staff report to the Commission;
4. Any and all correspondence with regard to Google’s presentations to the staff or the Commission;
5. All documents evidencing review of records submitted by third parties, including but not limited to all correspondence regarding the preparation of Civil Investigative Demands;
6. Any and all correspondence related to complaints filed against Google with regard to the Commission’s antitrust investigation of the company.

In accordance with the FOIA and agency policy, we have searched our records as of August 27, 2013, the date we received your request in our FOIA office.

We have located approximately 7,880 pages of responsive records. I am granting partial access to the accessible records. Portions of these pages fall within the exemptions to the FOIA’s disclosure requirements, as explained below.

Some responsive records are exempt from disclosure under FOIA Exemption 3, 5 U.S.C. § 552(b)(3), because they are exempt from disclosure by another statute. Specifically, Section 21(f) of the FTC Act provides that information obtained by the Commission in a law enforcement investigation, whether through compulsory process, or voluntarily in lieu of such process, is exempt from disclosure under the FOIA. 15 U.S.C. §57b-2(f), see Kathleen McDermott v. FTC, 1981-1 Trade Cas. (CCH) ¶63964 (D.D.C. April 13, 1981).
In addition, some responsive records constitute confidential commercial or financial information, which is exempt from disclosure under FOIA Exemption 4, 5 U.S.C. § 552(b)(4). See Critical Mass Energy Project v. NRC, 975 F.2d 871, 879 (D.C. Cir. 1992). Moreover, because Section 6(f) of the FTC Act, 15 U.S.C. § 46(f), prohibits public disclosure of this type of information, it is also exempt under FOIA Exemption 3, 5 U.S.C. § 552(b)(3), which, as noted above, exempts from disclosure any information that is protected from disclosure under another federal statute.

Some responsive records contain staff analyses, opinions, and recommendations. Those portions are deliberative and pre-decisional and are an integral part of the agency's decision making process. They are exempt from the FOIA's disclosure requirements by FOIA Exemption 5.5 U.S.C. § 552(b)(5). See NLRB v. Sears, Roebuck & Co., 421 U.S. 132 (1975). Additionally, some records contain information prepared by an attorney in contemplation of litigation which is exempt under the attorney work-product privilege. See Hickman v. Taylor, 329 U.S. 495, 509-10 (1947).

Some of the records were obtained on the condition that the agency keep the source of the information confidential and are exempt from disclosure under FOIA Exemption 7(D), 5 U.S.C. § 552(b)(7)(D). That exemption is intended to ensure that "confidential sources are not lost because of retaliation against the sources for past disclosures or because of the sources' fear of future disclosures." Brant Constr. Co. v. EPA, 778 F.2d 1258, 1262 (7th Cir. 1985).

Some of the records contain personal identifying information compiled for law enforcement purposes. This information is exempt for release under FOIA Exemptions 6 and 7(C), 5 U.S.C. § 552(b)(6) and 5 U.S.C. § 552(b)(7)(C), because individuals’ right to privacy outweighs the general public’s interest in seeing personal identifying information.

Some information is exempt from disclosure under FOIA Exemption 7(E), 5 U.S.C. § 552(b)(7)(E). Exemption 7(E) protects information that would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. See Foster v. DOJ, 933 F. Supp. 687(E.D. Mich. 1996).

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington D.C. 20580, within 30 days of the date of this letter. Please enclose a copy of your original request and a copy of this response. If you believe that we should choose to disclose additional materials beyond what the FOIA requires, please explain why this would be in the public interest.
If you have any questions about the way we handled your request or about the FOIA regulations or procedures, please contact Andrea Kelly at (202) 326-2836.

Sincerely,

Dione J. Stearns
Assistant General Counsel
And the rest of the story . . . .
Here's more of it.
I am now back and able to open the attachment, and I see that my prior e-mail probably created confusion.

Thanks, but I am getting a message that my Blackberry cannot open (I am in Spain and dependent on Blackberry.)

Thought you should see this.
I'm enclosing Will Tom is out of the office, but is doing his best to respond to emails via BlackBerry, and will be participating in tomorrow's meeting via videoconference. In his absence, please contact me or Karen Grimm (x2904) if you have any questions or would like to discuss this.

Thanks.

David L. Sieradzki
Attorney, Office of General Counsel
Federal Trade Commission
600 Pennsylvania Ave., NW.
Washington, DC 20580.
  office:  202.326-2092
  fax:     202.326.2477
  mobile: [Redacted]
I'm on a plane with wireless turned off, so I can't read the whole message.

--David
Kelly, Andrea

From: Cohen, William E.
Sent: Tuesday, September 04, 2012 3:57 PM
To: Tom, Willard K.; Shonka, David C.; Daly, John F.; Sieradzki, David L.; Grimm, Karen
Subject: RE: Google

Tracking:

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Delivery</th>
<th>Read</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daly, John F.</td>
<td>Delivered: 9/4/2012 3:57 PM</td>
<td>Read: 9/4/2012 4:01 PM</td>
</tr>
<tr>
<td>Grimm, Karen</td>
<td>Delivered: 9/4/2012 3:57 PM</td>
<td></td>
</tr>
</tbody>
</table>

-----Original Message-----
From: Tom, Willard K.
Sent: Tuesday, September 04, 2012 8:33 AM
To: Shonka, David C.; Daly, John F.; Sieradzki, David L.; Grimm, Karen; Cohen, William E.
Subject: Google
Here's a draft of a memo I thought I'd send to the Commission in advance of the meeting. It was written on a BBerry, so it has little formatting and may or may not be coherent. I'd be interested in your thoughts.
I'm not sure whether or not I cc'd you when I sent the attached to Will and Karen last week, but for whatever it's worth, I'm attaching the "bullet point memo" I put together for Will.

--David
From: JDL  
Sent: Monday, October 29, 2012 4:31 PM  
To: Brill, Julie  
Subject: RE:  

Jon

From: Brill, Julie  
Sent: Monday, October 29, 2012 4:18 PM  
To: JDL  
Subject: FW:  

Hi, Jon.  

-- j

From: Tucker, Darren  
Sent: Monday, October 29, 2012 04:06 PM  
To: Levitas, Pete; Renner, Christopher; Slater, Abigail A.; Vedova, Holly L.; Luib, Gregory; Kimmel, Lisa  
Cc: Seidman, Mark; Feinstein, Richard; Sabo, Melanie; Green, Geoffrey; Blank, Barbara; Westman-Cherry, Melissa; Shelanski, Howard; Heyer, Kenneth; Shonka, David C.; Daly, John F.; Koslov, Tara Isa; Tucker, Darren  
Subject: Re:  

Darren

Duplicate
From: Brill, Julie
Sent: Thursday, November 01, 2012 10:55 PM
To: Slater, Abigail A.
Subject: RE: (b)(5)

Thanks much for this summary, Gail, and for going through (b)(5)

(b)(5)

(b)(5)

From: Slater, Abigail A.
Sent: Tuesday, October 30, 2012 2:06 PM
To: Brill, Julie
Subject: RE: (b)(5)

Not Responsive

(b)(5)

From: Brill, Julie
Sent: Tuesday, October 30, 2012 1:42 PM
To: Slater, Abigail A.
Subject: RE: (b)(5)

Not Responsive

(b)(5)

Not Responsive

6/4/2013
Thanks much. — j

From: Slater, Abigail A.
Sent: Tuesday, October 30, 2012 9:56 AM
To: Brill, Julie
Subject: Fw: (b)(5)

Julie, attached is (b)(6),(b)(7),(C) I will review for you.

Keep you posted.

From: Levitas, Pete
Sent: Tuesday, October 30, 2012 9:25 AM
To: Levitas, Pete; Renner, Christopher; Slater, Abigail A.; Vedova, Holly L.; Luib, Gregory; Tucker, Darren; Kimmel, Lisa
Cc: Seidman, Mark; Feinstein, Richard; Sabo, Melanie; Green, Geoffrey; Blank, Barbara; Westman-Cherry, Melissa; Shelanski, Howard; Heyer, Kenneth; Shonka, David C.; Daly, John F.; Koslov, Tara Isa

Subject: RE: (b)(5)

Thank you for the opportunity to review (b)(5)

From: Levitas, Pete
Sent: Monday, October 29, 2012 3:28 PM
To: Renner, Christopher; Slater, Abigail A.; Vedova, Holly L.; Luib, Gregory; Tucker, Darren; Kimmel, Lisa
Cc: Seidman, Mark; Feinstein, Richard; Sabo, Melanie; Green, Geoffrey; Blank, Barbara; Shelanski, Howard; Heyer, Kenneth; Shonka, David C.; Daly, John F.; Koslov, Tara Isa

Subject: (b)(5)

Hello everyone – attached please find (b)(5)
Please provide your feedback as soon as possible, but in any event by Friday morning if you can. We will incorporate any changes and set up a time to discuss soon after that. Also, if I have missed anyone on this email please forward. Thanks Pete
Kelly, Andrea

From: Westman-Cherry, Melissa
Sent: Wednesday, August 15, 2012 5:00 PM
To: [b](6), [b](7)(C)
Subject: RE: [b](5) date

That works. Thanks a million.

From: [b](6), [b](7)(C)
Sent: Wednesday, August 15, 2012 4:58 PM
To: Westman-Cherry, Melissa
Subject: RE: [b](5) date

Sorry for the late response, I was pestering Matt. [b](5)

From: Westman-Cherry, Melissa
Sent: Wednesday, August 15, 2012 4:20 PM
To: [b](6), [b](7)(C)
Subject: [b](5) date

Melissa Westman-Cherry, Esq.
Anticompetitive Practices Division
U.S. Federal Trade Commission
202-326-2338
mwestman@ftc.gov
Kelly, Andrea

From: [b][b][b][7](C)
Sent: Tuesday, August 14, 2012 1:26 PM
To: [b][b][b][7](C)
Subject: RE: I'm On

Yeah, just wanted to make sure. Thanks!

From: [b][b][b][7](C)
Sent: Tuesday, August 14, 2012 12:45 PM
To: [b][b][b][7](C)
Subject: RE: I'm On

Yes I am- is that ok?

From: [b][b][b][7](C)
Sent: Tuesday, August 14, 2012 12:44 PM
To: [b][b][b][7](C)
Subject: RE: I'm On

(b)(5)

From: [b][b][b][7](C)
Sent: Monday, August 13, 2012 5:45 PM
To: [b][b][b][7](C)
Subject: RE: I'm On

(b)(5)

Thanks,

(b)(5)

From: [b][b][b][7](C)
Sent: Monday, August 13, 2012 5:43 PM
To: [b][b][b][7](C)
Cc: [b][b][b][7](C)
Subject: RE: I'm On

Ready whenever you are

From: [b][b][b][7](C)
Sent: Monday, August 13, 2012 10:54 AM
To: [b][b][b][7](C)
Subject: RE: I'm On

(b)(3)-21717(1),[b][b][b][7](C)
From: [b][0][b][6][b][7][c]
Sent: Thursday, August 09, 2012 10:28 PM
To: [b][0][b][6][b][7][c]
Cc: [b][7][7][c]
Subject: RE: I'm On

(b)[b]

Thanks,

[b][0][b][7][c]

From: [b][0][b][6][b][7][c]
Sent: Thursday, August 09, 2012 5:34 PM
To: [b][0][b][6][b][7][c]
Subject: RE: I'm On

(b)[b]

Thanks,

[b][0][b][7][c]

From: [b][0][b][6][b][7][c]
Sent: Thursday, August 09, 2012 5:16 PM
To: [b][0][b][6][b][7][c]
Subject: I'm On

Hey [b][0][b][7][c]

I'm on whenever you're ready.

Thanks,

[b][0][b][7][c]
Hi everyone,

Thanks so much.

I am out of the office tomorrow and A few big notes if you can fill in what you’ve already done tomorrow, that would be great.
THANKS SO MUCH!

BB
From: [Email Address]
Sent: Wednesday, July 18, 2012 10:08 AM
To: [Email Address]
Subject: work

What would you like me to get started on today?
Feel free to come in earlier and leave earlier if you want. I’ll send you something tonight.

Ok sounds good. In that case, I will probably hang around here until 5:30 just to get myself organized and do any small tasks that come up.

When you can. How about 8?

I can come in early - what time would you prefer?
What would you like me to work on at the moment?

Thanks!
No worries – just wanted to make sure.
Kelly, Andrea

From: [Redacted]
Sent: Tuesday, July 10, 2012 10:22 AM
To: [Redacted]
Subject: RE: work

Tracking: [Redacted]  Delivery
Delivered: 7/10/2012 10:22 AM

If you are done with the [Redacted] then the [Redacted] is next.
Thanks!

From: [Redacted]
Sent: Tuesday, July 10, 2012 10:07 AM
To: [Redacted]
Subject: Re: work

If you are done with the [Redacted] then the [Redacted] is next.
Thanks!

From: [Redacted]
Sent: Tuesday, July 10, 2012 09:44 AM
To: [Redacted]
Subject: work

Would you like me to start doing searches for [Redacted] or is there another more-pressing assignment?
Thanks,
This is what I have thus far.
From: [b](6), [b](7), [b](C)
Sent: Monday, July 09, 2012 1:07 PM
To: [b](6), [b](7), [b](C)
Subject: [b](5)

How would you like me to go about [b](5) [b](5)
[b](5)

From: [b](6), [b](7), [b](C)
Sent: Monday, July 09, 2012 1:05 PM
To: [b](6), [b](7), [b](C)
Subject: RE: [b](5)

Please call my cell.

From: [b](6), [b](7), [b](C)
Sent: Monday, July 09, 2012 12:06 PM
To: [b](6), [b](7), [b](C)
Subject: RE: [b](5)

From: [b](6), [b](7), [b](C)
Sent: Monday, July 09, 2012 12:06 PM
To: [b](6), [b](7), [b](C)
Subject: [b](5)

Attached is my latest [b](5)
Can you call me on my cell to discuss?
[b](6), [b](7), [b](C)
Hi Pete, since you left a VM last week wanting to chat about this, and we can chat further if you'd like.
I apologize for the omission—please let me know if the [ ] are sufficient.

Can you send me those [ ] as well asap?

Please let me know if you would like me to look for more.

I've been working on [ ].
Kelly, Andrea

From: [Redacted]
Sent: Thursday, July 05, 2012 10:40 AM
To: [Redacted]
Subject: RE: [Redacted]

Tracking:

Recipient: [Redacted]
Delivered: 7/5/2012 10:40 AM
Read: 7/5/2012 11:57 AM

The main folder is here.

Thanks,
[Redacted]

From: [Redacted]
Sent: Tuesday, July 03, 2012 6:33 PM
To: [Redacted]
Cc: [Redacted]
Subject: [Redacted]

He is going to send you a link to them Thursday morning.

From: [Redacted]
Sent: Tuesday, July 03, 2012 05:22 PM
To: Blank, Barbara
Cc: [Redacted]
Subject: RE: VERY VERY VERY VERY

From: Blank, Barbara
Sent: Tuesday, July 03, 2012 12:30 PM
To: [Redacted]
Cc: Westman-Cherry, Melissa
Subject: VERY VERY VERY VERY

I mean VERY VERY rough.
Thursday. Have a great Fourth!
Barbara,

Is there a specific way in which I should [ ]

Thank you and have a good Fourth!
Hey [Name],

I was just letting you know for [some purposes].

Thanks,

[Name]

---

From: [Name]  
Sent: Wednesday, August 08, 2012 4:47 PM  
To: [Name]  
Subject: RE: 2 docs

Okay, sorry I couldn’t be of more help. Thanks.

---

From: [Name]  
Sent: Wednesday, August 08, 2012 4:46 PM  
To: [Name]  
Subject: 2 docs

Hey [Name],

I could not find [some docs]. I spent about 30 minutes but still could not locate them. I just want to give you a heads up. All of the other docs should be in my staff folder.

Best Regards,
Great.

From: Blank, Barbara
Sent: Thursday, August 09, 2012 12:25 PM
To: Blank, Barbara
Subject: RE: (b)(5)

Nope.

From: Blank, Barbara
Sent: Thursday, August 09, 2012 12:12 PM
To: Blank, Barbara
Subject: (b)(5)

(b)(5)
Hey

Thanks,

From: [b](6)(0)(7)(C)
Sent: Wednesday, August 08, 2012 5:45 PM
To: [b](6)(0)(7)(C)
Subject: RE: Ready to Help Out

Hey [b](0)

[b](5)

Thanks,

[b](6)(0)(7)

From: [b](6)(0)(7)(C)
Sent: Wednesday, August 08, 2012 5:40 PM
To: [b](6)(0)(7)(C)
Cc: [b](6)(0)(7)(C)
Subject: Ready to Help Out

[b](0)(7)(C)

[b](5)

[b](6)(0)(7)(C)
Kelly, Andrea

From: Blank, Barbara
Sent: Wednesday, August 08, 2012 12:13 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(5)
Subject: RE: linking to (b)(5)

Yup, (b)(5)
(b)(5)

Thanks!

From: (b)(6), (b)(7)(C)
Sent: Wednesday, August 08, 2012 12:12 PM
To: Blank, Barbara
Cc: (b)(6), (b)(7)(C)
Subject: linking to (b)(5)

(b)(5)

Thanks,
(b)(6), (b)(7)(C)
From: Blank, Barbara
Sent: Wednesday, August 08, 2012 11:57 AM
To: [Redacted]
Subject: [Redacted]

Thanks for being on standby!!!

From: Seidman, Mark
Sent: Wednesday, August 08, 2012 11:12 AM
To: [Redacted]
Subject: [Redacted]

Good morning Mark,

Thanks,
No problem. Just let me know if I can be of any assistance.

Thanks,
From: Blank, Barbara
Sent: Wednesday, August 08, 2012 9:18 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: [Redacted]

[b](5)

From: Blank, Barbara
Sent: Wednesday, August 08, 2012 9:17 AM
To: [Redacted]
Cc: [Redacted]
Subject: [Redacted]

Hi [Redacted],

[b](5)

Thanks very much!

BB

[b](7)
e-mailed Mark – waiting for his response.
Thanks guys!
Kelly, Andrea

From: Blank, Barbara
Sent: Tuesday, August 07, 2012 3:30 PM
To:
Cc:
Subject:

Hi,

I'll email you in the morn.

Thanks very much!

BB
Kelly, Andrea

From:
Sent:  Tuesday, August 07, 2012 1:03 PM
To:  Blank, Barbara
Subject:  does this look okay?
Attachments:  

Tracking:  
Recipient  Delivery
Blank, Barbara  Delivered: 8/7/2012 1:03 PM
Kelly, Andrea

From: Blank, Barbara
Sent: Tuesday, August 07, 2012 12:56 PM
To: [Redacted]
Subject: RE: Rich is working from home this morning

This looks FANTASTIC. Yes, please, swing by and let’s get a new number on [Redacted] Thank you!

From: Blank, Barbara
Sent: Tuesday, August 07, 2012 12:55 PM
To: [Redacted]
Subject: RE: Rich is working from home this morning

[Redacted]

From: Blank, Barbara
Sent: Tuesday, August 07, 2012 12:33 PM
To: [Redacted]
Subject: RE: Rich is working from home this morning

[Redacted]

[Redacted]

Thanks again!!

From: Blank, Barbara
Sent: Tuesday, August 07, 2012 12:31 PM
To: [Redacted]
Subject: RE: Rich is working from home this morning

Barbara;

[Redacted]

[Redacted] Just tell me what you would like me to do.

Thanks!
From: Blank, Barbara  
Sent: Tuesday, August 07, 2012 11:40 AM  
To: [垟](垟)[垟](垟)  
Subject: FW: Rich is working from home this morning

FYI....

From: Seidman, Mark  
Sent: Tuesday, August 07, 2012 11:36 AM  
To: Blank, Barbara  
Subject: Rich is working from home this morning

So I won’t be able to get [垟][垟] from him until later. Sorry.
Ok, sorry to create a stir.

Found the document so no need to search.

I’m sorry, at the time of my email I had not looked through your folder.
From: (b)(6),(b)(7),(C)
Sent: Monday, August 06, 2012 6:42 PM
To: (b)(6),(b)(7),(C)
Subject: RE: (b)(5)

Sorry, slightly confused. Is (b)(9) CC'd or do you want me to ask him?

From: (b)(6),(b)(7),(C)
Sent: Monday, August 06, 2012 6:38 PM
To: (b)(6),(b)(7),(C)
Subject: Re: (b)(5)

(b)(6),(b)(7),(C)
I don't know (b)(6),(b)(7),(C) do you know? Or could you provide (b)(5)?

Thanks!

From: (b)(6),(b)(7),(C)
Sent: Monday, August 06, 2012 04:49 PM
To: (b)(6),(b)(7),(C)
Subject: (b)(5)

(b)(6),(b)(7),(C)

(b)(5)
Barbara,

Sorry again for the delay,

Kelly, Andrea

From: Blank, Barbara
Sent: Tuesday, August 07, 2012 9:17 AM
To: RE: update

Barbara,

Sorry again for the delay,
Thank you so much,

Later this week I'm taking you to lunch!

Thanks again!
I'm linking the folders here
Great! Just reread my question, sorry I phrased it so poorly.

Yup, thanks.

Are you aware of what the Can it be left like this?

Thanks,
Keep as is, thanks.
From: Blank, Barbara
Sent: Monday, August 06, 2012 4:39 PM
To: Blank, Barbara; Seidman, Mark
Subject: Re: on shuttle

Thanks

----- Original Message ----- 
From: Blank, Barbara
Sent: Monday, August 06, 2012 3:52 PM
To: Blank, Barbara; Seidman, Mark
Subject: RE: on shuttle

I picked up the - they are now on your desk, Barbara.

----- Original Message ----- 
From: Blank, Barbara
Sent: Monday, August 06, 2012 3:43 PM
To: Seidman, Mark
Cc: Blank, Barbara
Subject: RE: on shuttle

Thanks very much, Mark; will pick them up and confirm that he got them.

----- Original Message ----- 
From: Seidman, Mark
Sent: Monday, August 06, 2012 3:42 PM
To: Blank, Barbara
Subject: on shuttle
Kelly, Andrea

From: Blank, Barbara
Sent: Monday, August 06, 2012 4:39 PM
To: Blank, Barbara
Subject: Re: question

From: Blank, Barbara
Sent: Monday, August 06, 2012 04:11 PM
To: Blank, Barbara
Subject: question

How should this read?
Kelly, Andrea

From: Blank, Barbara
Sent: Monday, August 06, 2012 3:37 PM
To: RE: fyi

Thanks Gotta run.

From: Blank, Barbara
Sent: Monday, August 06, 2012 3:32 PM
To: Blank, Barbara
Subject: RE: fyi

Ok, sounds good.

From: Blank, Barbara
Sent: Monday, August 06, 2012 3:31 PM
To: Blank, Barbara
Subject: RE: fyi

Forgot to add – can you please leave them on my desk?

From: Blank, Barbara
Sent: Monday, August 06, 2012 3:30 PM
To: Blank, Barbara
Subject: RE: fyi

Thank you

From: Blank, Barbara
Sent: Monday, August 06, 2012 2:58 PM
To: Blank, Barbara
Subject: RE: fyi

That’s great news – I’m afraid I might have to bother you one or two more times with questions.

From: Blank, Barbara
Sent: Monday, August 06, 2012 2:51 PM
To: Blank, Barbara
Subject: RE: fyi
Thank you. ☺
It's no bother at all, although I'll be taking off in about half-an-hour; you can reach me by email, though. Thanks again.
Is this of some sort? Can this be left as is – I've seen it in a few places?
Ok- I understand what you need better and we will get you a

From: Noble, Danica  
Sent: Monday, August 06, 2012 10:41 AM  
To: [Redacted]  
Subject: Re: [Redacted]  
Categories: Red Category

Ok- I understand what you need better and we will get you a

From: Noble, Danica  
Sent: Monday, August 06, 2012 10:32 AM  
To: [Redacted]  
Subject: RE: [Redacted]  
Categories: Red Category

Thank you that does help. Thanks again-sorry to bother you.

From: [Redacted]  
Sent: Sunday, August 05, 2012 10:20 PM  
To: [Redacted]  
Subject: Re: [Redacted]  
Categories: Red Category

From: [Redacted]  
Sent: Sunday, August 05, 2012 02:38 PM  
To: [Redacted]  
Subject: [Redacted]  
Categories: Red Category

Sorry to bother you
Disregard my last email. Got this from Barbara.

From: Blank, Barbara  
Sent: Monday, August 06, 2012 8:34 AM  
To:  
Subject: Re:  

Thanks,

From: Blank, Barbara  
Sent: Monday, August 06, 2012 08:32 AM  
To: Blank, Barbara  
Subject: RE:  

Hello Barbara,

That sounds great. I have pulled most of the

Thanks,

From: Blank, Barbara  
Sent: Monday, August 06, 2012 8:22 AM  
To:  
Subject: Re:  

We are not starting this project.

From: Blank, Barbara  
Sent: Monday, August 06, 2012 04:51 AM  
To: Blank, Barbara  
Subject:  

Hello Barbara,

When is the supposed to be complete? Or should I talk to?

Best Regards,
Kelly, Andrea

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 12:45 PM
To: Blank, Barbara
Subject: RE: We're Set with the

Nope, that's fine, thanks 💥

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 12:45 PM
To: Blank, Barbara
Subject: RE: We're Set with the

I saved a new copy in the requested folder and checked a few on each page. The ones that I checked are fine. I can examine this more rigorously if you would like...

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 12:25 PM
To: Blank, Barbara
Subject: RE: We're Set with the

Sure, thanks 🌟

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 12:24 PM
To: Blank, Barbara
Subject: RE: We're Set with the

I think is traveling today; do you want me to give it a shot?

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 12:19 PM
To: Blank, Barbara
Subject: RE: We're Set with the

— can this be moved or does it have to stay in your staff folder? I don't want to screw up any 💥

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 12:15 PM
To: Blank, Barbara
Subject: RE: We're Set with the

Here it is. Sorry for the problems.

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 10:15 AM
To: Blank, Barbara
Cc: Blank, Barbara
Subject: RE: We're Set with the
Fantastic, can one of you please send me a link to where it is so I can check it out? Thank you!

From: [Redacted]
Sent: Wednesday, August 15, 2012 3:15 AM
To: Blank, Barbara
Cc: [Redacted]
Subject: We're Set with the [Redacted]

Barbara,

We're set with everything!

Thanks,

[Redacted]
From: Blank, Barbara
Sent: Monday, August 06, 2012 8:49 AM
To: RE: update

Thanks so much.

From: Blank, Barbara
Sent: Sunday, August 05, 2012 7:54 PM
To: Blank, Barbara
Subject: update

Thanks,
Hello,

I am still pulling docs, but what I have done can be found in my staff folder. If you have any questions please let me know.

Best Regards,
Kelly, Andrea

From: [b][6],[b][7][7][C]
Sent: Friday, August 03, 2012 5:58 PM
To: [b][6],[b][7][7][C]
Subject: Re: sorry about the additional interruption

[b][5]

From: [b][6],[b][7][7][C]
Sent: Friday, August 03, 2012 05:51 PM
To: [b][6],[b][7][7][C]
Subject: Re: sorry about the additional interruption

Yes, looks good

From: [b][6],[b][7][7][C]
Sent: Friday, August 03, 2012 04:58 PM
To: [b][6],[b][7][7][C]
Subject: sorry about the additional interruption

Does this look okay?

[b][5]
Kelly, Andrea

From: Blank, Barbara  
Sent: Friday, August 03, 2012 11:27 AM  
To: Blank, Barbara  
Subject: RE: (b)(5)

Tracking:  
Recipient: Blank, Barbara  
Delivery: Delivered: 8/3/2012 11:27 AM  
Read: Read: 8/3/2012 11:29 AM

Fixed it. (b)(5)

From: Blank, Barbara  
Sent: Friday, August 03, 2012 11:20 AM  
To: Blank, Barbara  
Subject: RE: (b)(5)

Can you correct this when you get a chance? Thanks!

From: Blank, Barbara  
Sent: Friday, August 03, 2012 10:55 AM  
To: Blank, Barbara  
Subject: RE: (b)(5)

No problem-Thanks Barbara.

From: Blank, Barbara  
Sent: Friday, August 03, 2012 10:54 AM  
To: Blank, Barbara  
Subject: (b)(5)

Hi (b)(6), (b)(7)(C)

(b)(5)  
Thanks again!!

(b)(5)
Ok, that's great news. I hope I didn't come off the wrong way - I'm just trying to plan out my next few nights (I couldn't dodge cooking responsibilities forever).

-----Original Message-----
From: Blank, Barbara
Sent: Thursday, August 02, 2012 7:51 PM
To: Blank, Barbara
Subject: Re:

nothing that should

----- Original Message ----- 
From: Blank, Barbara
Sent: Thursday, August 02, 2012 07:28 PM
To: Blank, Barbara
Subject: RE:

Thanks!

-----Original Message-----
From: Blank, Barbara
Sent: Thursday, August 02, 2012 6:59 PM
To: Blank, Barbara
Subject:
Kelly, Andrea

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 12:22 PM
To: blank,b(5)
Cc:
Subject: RE: We're Set with the

That's OK.

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 12:21 PM
To: Blank, Barbara
Subject: RE: We're Set with the

I'm not sure...

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 12:19 PM
To: Blank, Barbara
Subject: RE: We're Set with the

Sorry for the problems.

From: Blank, Barbara
Sent: Wednesday, August 15, 2012 10:15 AM
To: Ramon, Cristobal
Cc:
Subject: RE: We're Set with the

Fantastic, can one of you please send me a link to where it is so I can check it out? Thank you!
No, that makes perfect sense. Thank you!

Ok, thank you.

No rush- I will be here for a while.
No worries.

From: Blank, Barbara  
Sent: Thursday, August 02, 2012 10:48 AM  
To: Blank, Barbara  
Subject: RE: (b)(5)

Oops. Thanks. 😊

From: Blank, Barbara  
Sent: Thursday, August 02, 2012 10:47 AM  
To: Blank, Barbara  
Subject: RE: (b)(5)

Almost.

From: Blank, Barbara  
Sent: Thursday, August 02, 2012 10:41 AM  
To: Blank, Barbara  
Subject: RE: (b)(5)
Kelly, Andrea

From: Blank, Barbara
Sent: Thursday, August 02, 2012 10:44 AM
To: Blank, Barbara
Subject: RE: (b)(5)

yes

From: Blank, Barbara
Sent: Thursday, August 02, 2012 10:44 AM
To: [Redacted]
Subject: RE: (b)(5)

(b)(5)

Duplicate
No prob, you wouldn't have known!

Thanks Barbara- sorry for the time drain.

I could be looking in the wrong places, but I couldn't find it...

It wasn't in concordance.
Yes, I have seen this if not I will hunt tomorrow morn.

I can’t seem to find this.
not at all. Good catch.

Ok, sounds great. Sorry to be a pain.

We can change it to:

What does this mean?
All I have found is this.

Please let me know if you need help finding.

Ok, will he be handling it or do you need me to find different
Ok, I will probably not be in for another 45 minutes if anything needs to get shuffled around.

I am out of the
Yup, you can swing by but it’s pretty straight-forward. I can run through an example with you.

Okay.

All of the have now been filled in. I’m making some quick changes to now but will out in about 5 minutes.
Kelly, Andrea

From: Blank, Barbara
Sent: Wednesday, August 01, 2012 8:34 AM
To: (b)(6),(b)(7),(C)
Cc: (b)(5)
Subject: RE: checking (b)(5)

Sorry I missed this yesterday! Just delete slide when you come across it. Thank you!

Hey Barbara,

I have a quick question: (b)(6)
and want to know which format we should use as (b)(5)

Thanks!
(b)(5),(b)

From: (b)(6),(b)(7),(C)
Sent: Tuesday, July 31, 2012 3:44 PM
To: Blank, Barbara
Cc: (b)(6),(b)(7),(C)
Subject: RE: checking (b)(5)

Hey Barbara,

I have a quick question: (b)(6)
and want to know which format we should use as (b)(5)

Thanks!
(b)(5),(b)

From: (b)(6),(b)(7),(C)
Sent: Tuesday, July 31, 2012 11:03 AM
To: (b)(6),(b)(7),(C)
Subject: checking (b)(5)

Hey guys,

(b)(5)

Thanks,
(b)(6),(b)(7),(C)
Hi everyone,

If contacts you, please help him as quickly as possible!

so THANK YOU!

BB

Thanks so much!!
I saw you in a suit today so you may be otherwise occupied, but I want to get some eyes on Let me know when you have a minute to chat.

Thanks,
Nope don’t worry about it

Up to this point, I have not been paying much attention to:
I am walking back now - swing by in 10

I have a few questions. These are certainly not pressing issues, but if you have a spare moment, I would really appreciate it.

Thanks,
Same goes for tomorrow - do not sit around waiting until night time, please! :)

Ok 😊 Goodnight.

I didn’t mean to have you wait for Go home!! We will chat tomorrow!

Barbara,
All dates but this is not a task for tonight - tomorrow, wednesday will be fine!

Please disregard my last question. Sorry again.
Thanks.
Can you give me ___ for this?
From: Blank, Barbara
Sent: Monday, July 30, 2012 12:24 PM
To: Blank, Barbara
Subject: 
Attachments: 

From: Blank, Barbara
Sent: Friday, July 27, 2012 4:44 PM
To: Blank, Barbara
Subject: RE:

From: Blank, Barbara
Sent: Friday, July 27, 2012 2:55 PM
To: Blank, Barbara
Cc: 
Subject: Re:

From: Blank, Barbara
Sent: Friday, July 27, 2012 2:54 PM
To: Blank, Barbara
Cc: 
Subject: Re:

When you are done please drop off with [b] who will scan in - thank you!

From: Blank, Barbara
Sent: Friday, July 27, 2012 02:51 PM
To: Blank, Barbara
Subject: RE:

Barbara,

Thanks!

From: Blank, Barbara
Sent: Friday, July 27, 2012 11:22 AM
Hey Barbara,

I wanted to let you know that I'm going to (Dx5) by COB today.

Thanks!

(b)
Hi guys,

Let me know if you have Qs! Thank you!

BB
Okay, shoot. I wish I had come across this sooner.

Sorry for being vague in my question. Thank you for being so helpful.
Thank you,

I don't know. I can look when I'm in the office tomorrow.
From: Blank, Barbara
Sent: Monday, July 30, 2012 10:26 AM
To: swing by when you have a minute and i can explain my email
I got in late this morning - my apologies.

I am working at home and can be reached on my cell.

Thank you!
Kelly, Andrea

From: [b](b)(b)(7)(C)
Sent: Friday, July 27, 2012 5:53 PM
To: [b](b)(b)(7)(C)
Subject: RE: work for today

Tracking:
Recipient
[b](b)(b)(7)(C)
Delivery
Delivered: 7/27/2012 5:53 PM

Sorry this isn’t that much- I got caught up. I will continue.

From: [b](b)(b)(7)(D)
Sent: Friday, July 27, 2012 12:09 PM
To: [b](b)(b)(7)(C)
Subject: Re: work for today

That’s great! I can use help finding some.

From: [b](b)(b)(7)(C)
Sent: Friday, July 27, 2012 12:06 PM
To: [b](b)(b)(7)(C)
Subject: work for today

Do you need help with anything today? My workload is pretty light at the moment.

Thanks,
Ok, sounds good.

I tried out both - they seem to work
From: Blank, Barbara  
Sent: Thursday, July 26, 2012 12:47 PM  
To: [b][b][b][b][b][c]  
Subject: RE: [b][b][b][b][b][c]

Hi [b][b][b][b][b][c]  
Thanks!

From: [b][b][b][b][b][c]  
Sent: Thursday, July 26, 2012 10:22 AM  
To: Blank, Barbara  
Subject: RE: [b][b][b][b][b][c]

Of course!

From: Blank, Barbara  
Sent: Thursday, July 26, 2012 10:21 AM  
To: [b][b][b][b][b][c]  
Subject: RE: cite checking

[b][b][b][b][b][c]

From: [b][b][b][b][b][c]  
Sent: Thursday, July 26, 2012 10:20 AM  
To: Blank, Barbara  
Subject: RE: cite checking

[b][b][b][b][b][c]

From: Blank, Barbara  
Sent: Wednesday, July 25, 2012 8:53 PM  
To: [b][b][b][b][b][c]  
Subject: Re: [b][b][b][b][b][c]

Wow, thanks so much [b][b][b][b][b][c] thanks!!

From: [b][b][b][b][b][c]  
Sent: Wednesday, July 25, 2012 08:22 PM  
To: Blank, Barbara  
Subject: [b][b][b][b][b][c]

Barbara,

[b][b][b][b][b][c]  
[b][b][b][b][b][c]

I will continue to look but here are the [b][b][b][b][b][c] couldn't find:
Kelly, Andrea

From: [Redacted]
Sent: Tuesday, August 14, 2012 10:05 PM
To: [Redacted]
Subject: RE: Ready whenever you are

We’re set. I’m going to do a quick run through tonight but I think we’re good to go. I’ll confirm later.

Sorry for the long and disappointing e-mail. Thanks for being awesome- both in teaching me and in doing a ton of the

From: [Redacted]
Sent: Tuesday, August 14, 2012 5:54 PM
To: [Redacted]
Subject: RE: Ready whenever you are

CC: [Redacted]

Subject: Ready whenever you are
Thanks — can you please bring me a printout?
Thanks!!
Kelly, Andrea

From: Blank, Barbara
Sent: Tuesday, July 24, 2012 10:20 AM
To: Blank, Barbara
Subject: RE: 

Make a note of it for now; we’ll get back to it later.

From: Blank, Barbara
Sent: Tuesday, July 24, 2012 10:12 AM
To: Blank, Barbara
Subject: 

...
Kelly, Andrea

From: [D](5), [D](7)/(C)
Sent: Monday, July 23, 2012 3:45 PM
To: [D](5)
Subject: [D](5)

Tracking: Recipient Delivery
[D](5), [D](7)/(C) Delivered: 7/23/2012 3:45 PM

Just talked to Barbara about you so much for the help!
Thank

[D](6), [D](7)/(C)
Kelly, Andrea

From: Blank, Barbara
Sent: Monday, July 23, 2012 3:43 PM
To:  
Subject: RE: 

Just pointed something that reminds me to add this:

For any other specific Qs, feel free to call/email/swing by.

Thanks again!
Hi everyone,

Please reply to this email if you have time to.

Thanks!
All,

Attached please find a short memo.

Ken
Dave:
Could we get together some time this afternoon for a discussion of (at least preliminary) reactions and ideas about how to respond

Thanks.
DLS
Will do.

From: Grimm, Karen
Sent: Wednesday, October 31, 2012 11:49 AM
To: Sieradzki, David L.
Cc: Shonka, David C.
Subject: FW: (b)(5)

David,

Could you please review this and forward any comments you have to Dave Shonka? I will be out of the office and generally out of Blackberry reach from tomorrow through Nov. 11.

Thanks so much.

Karen

From: Shonka, David C.
Sent: Tuesday, October 30, 2012 9:31 AM
To: Cohen, William E.; Grimm, Karen
Subject: Fw: (b)(5)

Here's more of it.
Dave,

May I forward the [redacted] who was working with Will on the non-SEP portions? [redacted] or is the intent to keep the distribution limited?

Thanks.

Karen
Thanks, but I am getting a message that my Blackberry cannot open the [Redacted]. I am in Spain and dependent on Blackberry. [Redacted]

From: Shonka, David C.
Sent: Tuesday, October 30, 2012 09:27 AM
To: Cohen, William E.
Subject: Fw: [Redacted]

Thought you should see this.
FYI – see below.

From: Blank, Barbara
Sent: Tuesday, August 21, 2012 8:36 AM
To: Sieradzki, David L.
Subject: RE: Google investigation (No. 111-0163)

Hi David,

Responses below; feel free to give me a call if you have any other questions.

Best Regards,

Barbara

From: Sieradzki, David L.
Sent: Monday, August 20, 2012 5:26 PM
To: Blank, Barbara; Westman-Cherry, Melissa;
Subject: Google investigation (No. 111-0163)

I’m working on this matter for OGC, and have a few questions:

Thanks.
--David

David L. Sieradzki
Attorney, Office of General Counsel
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580
Office: 202.326-2092
Fax: 202.326.2477
Kelly, Andrea

From: Tom, Willard K.
Sent: Wednesday, August 22, 2012 4:21 PM
To: Sieradzki, David L; Grimm, Karen
Subject: FW: Google

What do you think?

From: Renner, Christopher
Sent: Wednesday, August 22, 2012 4:07 PM
To: Tom, Willard K.
Subject: Google

What do you think?
Nancy,

Could you please make the necessary arrangements to have the attached memo from Will distributed formally through the Secretary’s office? The file number is 111-0163.

Thanks very much – I appreciate your help.
David

From: Sieradzki, David L.
Sent: Thursday, September 06, 2012 1:13 PM
To: Renner, Christopher; Lehner, Mary; Su, Henry; Tucker, Darren; Kimmel, Lisa; Slater, Abigail A.; Vedova, Holly L.; Luib, Gregory; Feinstein, Richard; Levitas, Pete; Seidman, Mark; Sabo, Melanie; Green, Geoffrey; Blank, Barbara; Westman-Cherry, Melissa; Shelanski, Howard; Heyer, Kenneth; Gavil, Andrew I.; Koslov, Tara Isa; Bellovin, Steven M.; Brunell, Richard; Ohm, Paul
Cc: Tom, Willard K.; Shonka, David C.; Daly, John F.; Cohen, William E.; Grimm, Karen
Subject: Memo from OGC re Google Search Investigation

I’m enclosing OGC’s memo regarding the recommendation. Will Tom is out of the office, but is doing his best to respond to emails via BlackBerry, and will be participating in tomorrow’s meeting via videoconference. In his absence, please contact me or Karen Grimm (x2904) if you have any questions or would like to discuss this.

Thanks.

David L. Sieradzki
Attorney, Office of General Counsel
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580
office: 202.326-2092
fax: 202.326.2477
mobile: [REDACTED]
Barbara,

(b)(3) 21(f),(b)(5)

I appreciate it – thanks!

--David

David L. Sieradzki
Attorney, Office of General Counsel
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580
office: 202.326-2092
fax: 202.326.2477
mobile: 202.641.8847
David --

We have something new for you to look into, although the exact nature of the assignment is a bit vague. The Google case (I guess I should say one of the potential Google cases) is going to the Comm’n for discussion at a Sept 7 meeting. (I don’t know whether they will actually vote that day.)

Over the next couple of weeks, Will may have particular questions for you to look into further, and there could questions from Commissioners. It could get very interesting.

Thanks.
Kelly, Andrea

From: Grimm, Karen
Sent: Wednesday, October 31, 2012 2:39 PM
To: Sieradzki, David L.
Subject: RE: [b](5)

Sure. [b](5)

From: Sieradzki, David L.
Sent: Wednesday, October 31, 2012 2:00 PM
To: Grimm, Karen
Cc: Shonka, David C.
Subject: RE: [b](5)

Dave:

[b](5)

Thanks.
DLS

From: Grimm, Karen
Sent: Wednesday, October 31, 2012 11:51 AM
To: Sieradzki, David L.
Cc: Shonka, David C.
Subject: FW: [b](5)

David,

Here is the [b](5)

Karen

From: Shonka, David C.
Sent: Tuesday, October 30, 2012 9:29 AM
To: Grimm, Karen
Subject: Fw: [b](5)

Fyi

From: [b](8), [b](7)
Sent: Tuesday, October 30, 2012 09:25 AM
To: LeVitas, Pete; Renner, Christopher; Slater, Abigail A.; Vedova, Holly L.; Luib, Gregory; Tucker, Darren; Kimmel, Lisa; Seidman, Mark; Feinstein, Richard; Sabo, Melanie; Green, Geoffrey; Blank, Barbara; Westman-Cherry, Melissa; Shelanski, Howard; Heyer, Kenneth; Shonka, David C.; Daly, John F.; Koslov, Tara Isa; Brunell, Richard; Wilkinson, Beth; Hassi, Edward; Kraus, Elizabeth; Gray, [b](8), [b](7), [b](5)
Subject: RE: [b](5)

Thank you for the opportunity to review [b](5)
Hello everyone – attached please find

Please provide your feedback as soon as possible, but in any event by Friday morning if you can. We will incorporate any changes and set up a time to discuss soon after that. Also, if I have missed anyone on this email please forward. Thanks Pete...
Sure.

Will

Willard K. Tom
General Counsel
Federal Trade Commission
600 Pennsylvania Avenue, NW, Rm. H-570
Washington, DC 20580
(202) 326-3020
Fax: (202) 326-3198
wtom@ftc.gov

From: Sieradzki, David L.
Sent: Wednesday, August 29, 2012 1:32 PM
To: Tom, Willard K.; Grimm, Karen
Subject: RE: First Draft [b](5)

Would somewhere in the range of 3 - 4 pm work?

From: Tom, Willard K.
Sent: Wednesday, August 29, 2012 1:06 PM
To: Grimm, Karen
Cc: Sieradzki, David L.
Subject: RE: First Draft [b](5)

Thanks. David, what's your timing on that?

Will

Willard K. Tom
General Counsel
Federal Trade Commission
600 Pennsylvania Avenue, NW, Rm. H-570
Washington, DC 20580
(202) 326-3020
Fax: (202) 326-3198
wtom@ftc.gov

From: Grimm, Karen
Sent: Wednesday, August 29, 2012 11:01 AM
To: Tom, Willard K.
Cc: Sieradzki, David L.
Subject: RE: First Draft [b](5)
Will,

I have shared my thoughts with David, and he is revising the draft.

Karen

From: Tom, Willard K.
Sent: Tuesday, August 28, 2012 10:22 PM
To: Sieradzki, David L.; Grimm, Karen
Subject: Re: First Draft

Thanks, David. I will think about this when my mind is fresh tomorrow, and of course will welcome Karen’s thoughts.

From: Sieradzki, David L.
Sent: Tuesday, August 28, 2012 08:28 PM
To: Grimm, Karen
Cc: Tom, Willard K.
Subject: First Draft

Karen,
Here’s my first draft

Will,
This draft is in reasonable shape and ready for your review; please feel free to look at if you’d like; but if you’d prefer, you could also wait until I incorporate any feedback Karen may have. Up to you....

David L. Sieradzki
Attorney, Office of General Counsel
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580
office: 202.326-2092
fax: 202.326.2477
mobile: (703)715-4677
I pasted Will's draft into a Word document, and then began editing using Track Changes (my revisions are shown as redlining in the attached draft). I'll be interested in your reactions.

Thanks.
David
Attached is a redline off of David’s version. If you’re all comfortable with it, go ahead and send it up; otherwise, I’m willing to wait an additional day and send it up on Thursday.
RE: Google

From: Cohen, William E.
Sent: Wednesday, September 05, 2012 10:46 AM
To: Tom, Willard K.; Daly, John F.; Sieradzki, David L.; Shonka, David C.; Grimm, Karen
Subject: RE: Google

From: Tom, Willard K.
Sent: Wednesday, September 05, 2012 10:41 AM
To: Daly, John F.; Sieradzki, David L.; Cohen, William E.; Shonka, David C.; Grimm, Karen
Subject: Re: Google

Many thanks...

From: Daly, John F.
Sent: Wednesday, September 05, 2012 10:38 AM
To: Tom, Willard K.; Sieradzki, David L.; Cohen, William E.; Shonka, David C.; Grimm, Karen
Subject: RE: Google.
Here’s a “prettyed-up” version, complete with footnotes, but with no substantive changes from the version Will circulated earlier today.

Thanks very much for your willingness to entertain these suggestions; and of course, if that’s not where you want to take this written piece, I will be sure the memo “as is” gets distributed as promptly as possible.

--David
From: Tom, Willard K.
Sent: Thursday, September 06, 2012 08:05 AM
To: Sieradzki, David L.; Daly, John F.; Cohen, William E.; Shonka, David C.; Grimm, Karen
Subject: RE: Google

Turns out I'm much tireder than I thought I would be so I won't read another draft.

From: Tom, Willard K.
Sent: Wednesday, September 05, 2012 10:24 PM
To: Sieradzki, David L.; Daly, John F.; Cohen, William E.; Shonka, David C.; Grimm, Karen
Subject: Re: Google

I'm now off the plane and see your Q re:... If you happen to turn a draft before I go to bed, I'll try to look at it once more, but otherwise you can send it off whenever you're ready Thurs am. Don't go past Thurs am, tho -- I'd rather have it go than to get it perfect.
Thanks to both Davids for moving this forward.

-----Original Message-----
From: Shonka, David C.
Sent: Thursday, September 06, 2012 12:41 PM
To: Sieradzki, David L.; Tom, Willard K.; Daly, John F.; Cohen, William E.; Grimm, Karen
Subject: RE: Google

"Yes" on all counts. Send it to all the people so far identified and give it to Nancy for circulation.

-----Original Message-----
From: Sieradzki, David L.
Sent: Thursday, September 06, 2012 12:38 PM
To: Tom, Willard K.; Daly, John F.; Cohen, William E.; Shonka, David C.; Grimm, Karen
Subject: RE: Google

Dave, John, and Bill: Who should be the recipients of this memo when I email it out?

In addition to emailing this out, should I give it to Nancy for formal distribution through the Secretary’s office?
Great ... I really appreciate it.

David

David,

Please see attached.

Chris

Commissioners and others,

Attached please find... Unfortunately, due to a previously scheduled commitment that needs to take priority, I will not be able to attend the September 7th Commission briefing.

Ken...
OK – thanks very much.
Would it be possible for you to send as well?

Thanks again.

From: Sieradzki, David L.
Sent: Friday, September 07, 2012 8:39 AM
To: Sieradzki, David L.; Shelanski, Howard
Cc: Heyer, Kenneth;
Subject: RE: Memo from OGC re Google Search Investigation

From: Sieradzki, David L.
Sent: Friday, September 07, 2012 8:01 AM
To: Shelanski, Howard
Cc: Heyer, Kenneth;
Subject: RE: Memo from OGC re Google Search Investigation

Howard,

I apologize for troubling you with this request, but I haven't been able to track down and wonder if you or someone in your office could send it to me.

Thanks. By the way, we should find some time after the dust settles to get together and catch up.

David

David L. Sieradzki
Attorney, Office of General Counsel
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580
office: 202.326-2092
fax: 202.326.2477
mobile: [Redacted]
I'll see what I can find out.

-----Original Message-----
From: Tom, Willard K.
Sent: Friday, August 17, 2012 2:29 PM
To: Sieradzki, David L.
Subject: RE: New assignment

Willard K. Tom
General Counsel
Federal Trade Commission
600 Pennsylvania Avenue, NW Rm. H-570
Washington, DC 20580
(202) 326-3020
Fax: (202) 326-3198
wtom@ftc.gov

-----Original Message-----
From: Sieradzki, David L.
Sent: Friday, August 17, 2012 10:36 AM
To: Daly, John F.
Cc: Tom, Willard K.; Melman, Leslie R.; Shonka, David C.
Subject: Re: New assignment

Great! I've actually started to read into (one of) the Google case(s), and am really looking forward to digging in more deeply. Thanks!

David
Kelly, Andrea

From: Sieradzki, David L.
Sent: Thursday, September 06, 2012 12:44 PM
To: Sieradzki, David L.
Subject: RE: Request for Materials
Attachments: (b)(5)

My apologies.

From: Sieradzki, David L.
Sent: Thursday, September 06, 2012 12:35 PM
To: Sieradzki, David L.
Subject: RE: Request for Materials

Actually, I couldn't access the link to the [b][] because I don't have access to the BC/ACP area on the K drive. Could you please send the document as an attachment? I really appreciate it.

From: Sieradzki, David L.
Sent: Thursday, September 06, 2012 9:58 AM
To: Sieradzki, David L.
Subject: Request for Materials

Mr. Sieradzki,

In response to your request of Barbara Blank, [b][]

Thank you,

[b][C]
Kelly, Andrea

From: Sieradzki, David L.
Sent: Wednesday, August 29, 2012 4:50 PM
To: Tom, Willard K.; Grimm, Karen
Subject: RE: Second Draft
Attachments: Talking Points on Google’s Allegedly Anticompetitive Conduct 8-29-12 (2).docx

Here’s the next draft. Unfortunately, it’s not shorter; but I think it is better. (Thanks, Karen!)

--David
I have one hard copy. I am working on getting an electronic copy.

Connie --

David Sieradzki will be working on this please get him copies of the memos. Assuming you have them electronically, I would like a copy as well. Thanks.

I have received a Sunshine Motion to schedule a Commission meeting for September 7, 2012 @ 1:00 pm for Google, Inc., File No. 111-0163.

Has anyone in your shop been assigned to this?
Kelly, Andrea

From: Lewis, Tina M.
Sent: Friday, August 17, 2012 5:49 PM
To: Daly, John F.; Sieradzki, David L.
Cc: Smith, James R.; Dawson, Rachel Miller; Goosby, Consuella
Subject: UPDATED: RE: Background Papers for Google, Inc., 111-0163; Commission meeting on 9/7/12

These background papers replace the papers sent to you earlier today. Please see this link.

GOOGLE BACKGROUND

Tina Lewis
Office of the General Counsel
Room H-576
(202) 326-2465

From: Goosby, Consuella
Sent: Friday, August 17, 2012 11:38 AM
To: Daly, John F.; Sieradzki, David L.
Cc: Smith, James R.; Dawson, Rachel Miller; Lewis, Tina M.
Subject: Background Papers for Google, Inc., 111-0163; Commission meeting on 9/7/12

Attached are the background papers (staff memos) for Google, Inc., 111-0163, which has been put one for Commission the meeting on September 7, 2012 @ 1:00 pm.
Kelly, Andrea

From: Sieradzki, David L.
Sent: Monday, September 10, 2012 3:31 PM
To: Tom, Willard K.
Cc: Shonka, David C.
Subject: FW: Google - contacts with Commissioners' attorney advisors

Will,

I got a follow-up call from Lisa Kimmel: her boss, Commissioner Ramirez, would like to speak with you about this case as soon as we can arrange a call. [Redacted] and she'd like to explore the issues with you in further detail.

Is there a time you might be available for a call?

Thanks.
David

David L. Sieradzki
Attorney, Office of General Counsel
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580
office: 202.326-2092
fax: 202.326.2477
mobile: [Redacted]

From: Sieradzki, David L.
Sent: Friday, September 07, 2012 9:37 AM
To: Shonka, David C.; Tom, Willard K.; Grimm, Karen
Subject: RE: Google - contacts with Commissioners' attorney advisors

At Dave Shonka's request, I called the attorney-advisors in all five Commissioners' offices to sound them out on any questions they may have about Will's memo, and to find out whether to expect them to ask Will any questions during the open meeting. I spoke with Chris Renner in the Chairman's office, Henry Su in Commissioner Rosch's office, Lisa Kimmel in Commissioner Ramirez's office, and Greg Luib in Commissioner Ohlhausen's office. All of them had read the memo and appreciated the counsel provided.
From: Shonka, David C.
Sent: Thursday, September 06, 2012 1:40 PM
To: Sieradzki, David L.
Subject: google

David,

Sometime this afternoon would you please check in with the attorney advisors who are assigned to this matter in the Commissioner’s offices and ask each of them whether his or her Commissioner will have any specific questions for OGC. Then let me know if they do. Thanks.
FYI.... Commissioner Olhausen met with Susan Creighton today (at Susan’s request). It was an informal meeting and I got to be flies on the wall, along with Commissioner Olhausen’s AAs. No one else attended.

Just came back from Google’s briefing with Commissioner Olhausen; feel free to pass this along (wasn’t sure who would be interested).
September 8, 2011

Honorable Jon Leibowitz, Chairman
Honorable William E. Kovacic, Commissioner
Honorable J. Thomas Rosch, Commissioner
Honorable Edith Ramirez, Commissioner
Honorable Julie Brill, Commissioner
The Federal Commission
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

Dear Mr. Chairman and Members of the Commission:

We understand that the Federal Trade Commission (FTC) is currently investigating Google for possible antitrust violations.\(^1\) We also understand that the investigation is focusing on Google's search practices, and whether it preferences its own content in its search results.\(^2\) We would like to bring a relevant matter to your attention -- Google's use of its dominance in the search engine market to discriminate against non-Google content concerning "privacy."

Specifically, the subjective, secretive ranking criteria that Google uses on YouTube, the video sharing site the company acquired in 2006, unfairly preferences Google's own material on "privacy" over non-Google material that would be ranked higher with the use of objective, transparent criteria. Following the acquisition, Google revised the YouTube search criteria such that Google's subjective "relevance" rankings became the default for returning search results. As a consequence, Google's own online videos on "privacy" are more likely to be ranked highly, and therefore viewed by Internet users, than if the original search criteria had remained as the default. Over time, it has also become increasingly difficult to organize search results on YouTube using objective criteria.

This problem came to our attention as a result of EPIC's (the "Electronic Privacy Information Center") efforts to promote access to online videos on privacy-related topics. Beginning in 2006, EPIC created a web page to make available privacy-related videos of interest to the general public.\(^3\) The videos for the EPIC archive were gathered from news

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\(^3\) "EPIC Video Archive," available at http://epic.org/privacy_videos/.
sources, documentaries, TV programs, interviews with political leaders, and privacy experts. Initially, many of these videos were highly ranked on YouTube, which was often where we looked to find useful content.

For example, the first post on the EPIC Video Archive, a very disturbing cell phone recording of a student being tased has, as of today, 1,711,845 hits and 4,378 likes. Yet this video, prominently featured at the EPIC site, will not be found on YouTube using the current Google default ranking system and the search term “privacy.” However, Google’s own video content occupies positions #4, #5, #9 and #10 for a search today on YouTube with the search term “privacy.”

As part of the FTC’s investigation into Google for potential antitrust violations, we recommend that the Commission investigate the extent to which Google’s rankings preference its own content and disfavor the content of others. Our concern is not primarily about anti-competitive market practices; it is about public access to information made available on the Internet.

Factual Background

Google’s video service business practices impact large numbers of consumers, as YouTube is the third most popular site on the Internet, with over 2 billion hits per day. More than 13 million hours of video were uploaded to YouTube in 2010 and 35 hours of video are uploaded. Even YouTube’s mobile site gets over 100 million views a day.

The specific reason to address this concern now in the context of the current review is the fact that Google now controls the search rankings on YouTube and therefore exercises enormous influence over the availability and popularity of videos made available over the Internet. On October 9, 2006, Google announced it had bought

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4 We note that similar practices, i.e. the preferencing of the search provider’s content, may occur with other search services and other search companies. For example, using Google search and the search string “privacy” produced a ranking for the “Google Privacy Center” at #3 while using “Bing” finds “Microsoft Online Privacy Notice Highlights” at #2, a listing that does not appear on the first screen of Google search. Both companies appear to be favoring their own content over the content in the search rankings they provide. We believe that the Commission could also look more broadly at search rankings across the industry. But the focus of this letter is specifically on the impact that Google’s acquisition of YouTube had on the ranking of privacy-related video content on the Internet, and therefore on the public’s ability to get access to this information.


8 Id.
YouTube for $1.65 billion dollars in stock.\textsuperscript{9} With regard to the acquisition, Eric Schmidt, Google CEO, stated: "The YouTube team has built an exciting and powerful media platform that complements Google’s mission to organize the world’s information and make it universally accessible and useful. . ."\textsuperscript{10} At the time Google bought YouTube, it had been in operation for less than a year but already had 50 million users around the world.\textsuperscript{11}

At the time Google acquired YouTube, YouTube’s search results were organized by the objective criteria of “hits” and “viewer rankings.” Both of these are objective criteria and easy to verify. “Hits,” for example, is simply the number of times a particular video was viewed, at least in part, and an ordering by “hits” would place those videos that had been viewed a lot above those videos that had been viewed fewer times. “Viewer rankings” reflect the five-to-one user star rating that users assign to the videos. Searches ordered by “viewer rankings,” for example, would place a video that received four stars on average above a video that received three stars on average.

It is also significant that either rating system could be easily verified by the user, \textit{i.e.} the users could independently verify, by observing the hits and viewer rankings associated with each video entry, the accuracy of Google’s search ordering.

After Google acquired YouTube, Google transformed the search defaults for YouTube and adopted the subjective criteria of "relevance," which uses Google's proprietary search algorithm. While the original rankings were still available to users who went back to restore the defaults, this "nudge" in the settings caused a profound change in the search ordering and therefore the availability of video on the Internet.

For example, in 2007, after the acquisition, a search on YouTube for "privacy" (automatically sorted by "relevance") returned Google content (a PR video that described particular Google business practices) as the top result.\textsuperscript{12} See Appendix 1. This Google video only has a 3.5 star rating by users. However, when the search results are sorted instead by "rating," non-Google material (including a documentary video of freedom of speech, the right to privacy, and innocence from torture) is at the top of the list of results for a search for "privacy,"\textsuperscript{13} and the top result has a five star ranking by users. See Appendix 2.

Google continues to preference its own content on YouTube. As of today, a search on YouTube for "privacy" (automatically sorted by "relevance") returns five

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\textsuperscript{10} Id.


\textsuperscript{13} Id.
Google videos in the top ten results. See Appendix 3. All of the videos are promotional videos developed by the company, describing its own services and business practices. When the search is sorted instead by "user rating," there is no Google content in the top ten search results. See Appendix 4. Instead, the videos include film documentaries, news reports, and music videos. And when the search is sorted by "view count," there is only one Google video in the top ten search results. See Appendix 5.

By way of further illustration, the top result in the "user rankings" search has 3,106 likes, 9 dislikes, and 108,546 views. See Appendix 6. The first result in the "view count" search has 12,430,424 views, 7,715 likes, and 6,196 dislikes. See Appendix 7. In contrast, the Google video ranked fourth on the default "relevance" search has 1,775,613 views, 546 likes, and 227 dislikes. See Appendix 8.

Therefore, Google's subjective "relevance" algorithm ranks the Google produced video higher than the other two videos, even though the Google video has $1/7$ the number of views of the top viewed video, $1/4$ the number of likes, and 25 times as many dislikes as the top ranked video. The default rank ordering established by Google for YouTube clearly preferences Google's own content.

In order to sort search results by anything other than "relevance," the user has to choose from a drop down list, and can no longer see the other options listed at the top of the screen as they could in 2007. Google has also eliminated with the straightforward star rating system, replaced it with the number of likes and dislikes, making it easier still to manipulate search outcomes.

**Google's Practice of Preferencing its Own Content on YouTube Constitutes an Unfair and Anticompetitive Practice**

The FTC has the authority to review antitrust issues under Section 5 of the Federal Trade Commission Act (FTCA), which proscribes, "unfair methods of competition in or affecting commerce, and unfair or deceptive acts or practices in or affecting commerce." According to FTC Commissioner Kovacic, "[c]ourts have

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interpreted Section 5 as enabling the FTC to prosecute conduct that violate the letter of the antitrust statutes... and to proscribe behavior that contradicts their spirit.

YouTube search results are organized using the subjective secret Google "relevance" algorithm by default. These search results preference Google content over non-Google content, even when this content has fewer views and lower ratings by objective standards. Other objective methods of organizing YouTube search results yield more results with non-Google content. It is not obvious to the user how to change the default subjective "relevance" setting to use the more objective criteria of "user rating" or "view count".

Therefore, Google has used its dominance in the search algorithm marketplace to preference its own content in search results. This business practice leads to Google's domination in the marketplace of content and ideas, as it gives Google the limitless ability to not only preference its own content but to disfavor the content of others, including groups or individuals that have differing views from Google on such topics as privacy.

Request for Investigation

EPIC respectfully requests that the Commission, as part of its investigation into Google for potential antitrust violations, investigate the extent to which Google's rankings preference its own content over information that is more newsworthy, more significant, and in fact of greater interest to Internet users. Google's dominance of the search marketplace should not influence the marketplace of information and ideas to Google's advantage.

Sincerely,

Marc Rotenberg, EPIC Executive Director
Sharon Gott Nissim, EPIC Consumer Protection Counsel
David Jacobs, EPIC Consumer Protection Fellow
ELECTRONIC PRIVACY INFORMATION CENTER
1718 Connecticut Ave. NW Suite 200
Washington, DC 20009
202-483-1140 (tel)
202-483-1248 (fax)

21 Kovacic et al., Antitrust Law in Perspective: Cases, Concepts and Problems in Competition Policy 970 (Thomson West 2002).

Letter from EPIC
Sept. 8, 2011

Google Search Techniques, the Acquisition of YouTube, and Public Access to Information
Appendix 1:

Appendix 2

Search Results for “privacy”

Taking Liberties Trailer
Taking Liberties is released June 8th Freedom of Speech. Right to Privacy. Innocent Until Proven Guilty. Prohibition from Torture. TAKING LIBERTIES will reveal how these liberties (more)
Tags: blair uk politics left wing
Time: 01:47

Appendix 3

Appendix 4


Letter from EPIC
Sept. 8, 2011

Google Search Techniques, the Acquisition of YouTube, and Public Access to Information
Appendix 5


Letter from EPIC  
Sept. 8, 2011  

Google Search Techniques, the Acquisition of YouTube, and Public Access to Information
Appendix 6

Spieling Peter Pan Disneyland

Appendix 7

Appendix B

Google Search Privacy: Plain and Simple

MLex

Google antitrust settlement on track in Europe
18 Dec 12 | 17:42 GMT

Author: Ana Rita Rego, Matthew Newman and Lewis Crofts

- IN BRIEF
  Google's executive chairman Eric Schmidt met EU competition chief Joaquín Almunia this afternoon, advancing discussions on settling the EU's probe of the search giant. The regulator and Google have "reduced our differences regarding possible ways to address" the competition concerns, the commission said. Formal remedies are expected next month.

Brussels - Google's executive chairman Eric Schmidt met EU competition chief Joaquín Almunia this afternoon, advancing discussions on settling the EU's probe of the search giant. The regulator and Google have "reduced our differences regarding possible ways to address" the competition concerns, the commission said.

Joaquín Almunia said today in a statement that he expected Google to come forward with a detailed text of its formal commitments to solve problems on search ranking, scraping content and advertising agreements in January.

The commission will then assess the formal remedies and publish them for comment. At that stage the numerous companies which have complained about Google's conduct, such as Microsoft, Foundem and Hot-maps, will have a chance to comment on the draft solutions.

The meeting today between Almunia and Schmidt lasted over an hour and also featured some of the key antitrust staff in the commission's competition directorate.

It was followed by a lunch on the 13th floor of the European Commission's headquarters, an event not systematically accorded to all visitors.

Google declined to comment on the meeting.
The meeting comes as the US Federal Trade Commission is said to be poised to conclude its own investigation of the search-giant.

While Google may commit to making changes over the way it runs advertising campaigns and takes content from other sites, the FTC is unlikely to take action on the key concern: the alleged manipulation of search results.

That issue will likely be left to the European Commission to pursue.
Also this link

[b](D)(I)(O)(D)(Y)(E)
Mischler, Erin

From: [Redacted]
Sent: Wednesday, December 28, 2011 4:58 PM
To: [Redacted]
Subject: [Redacted]

Do you have time to help me find some... We can talk tomorrow if you’re in the office and have any questions.

Thanks,
[Redacted]

From: Blank, Barbara
Sent: Friday, December 16, 2011 3:41 PM
To: [Redacted]
Subject: [Redacted]

From: Blank, Barbara
Sent: Friday, December 16, 2011 3:30 PM
To: [Redacted]
Subject: [Redacted]
From: [Redacted]
Sent: Friday, April 27, 2012 2:36 PM
To: [Redacted]
Subject: teleworking

Started: 8:51

Worked until 2:30 w/ 30 min lunch
Excellent! Thanks!

Folks,

Good news!

Thanks!

That works for me!

Team,
Here are a couple of sources you could use.

I was hoping you could help me.

Thanks,
Thanks. I have to go to an event, but will be back in a couple of hours to incorporate this. I'll send you questions in the morning.

I will be out tomorrow. Have a good weekend.
Thanks so much,

Here's what I found:

Let me know anywhere else I should look.

Thanks,

Not Responsive
helped me find these docs, so I thought I’d send along their locations:
No worries- I will make sure it reflects your changes.

Oops, I missed a few words in my first go-round. Thanks.

Almost- the first one looks like this.

Does this need to be changed?
Let's talk tomorrow when I'm in the office.

Thanks for the neat assignment. This is what I have found thus far. Sorry it is a little sloppy. I will continue to work on it tomorrow.
My pleasure.

Thanks! This is super helpful.

sorry had to do some digging but here are some examples
Mischler, Erin

From: Blank, Barbara
Sent: Wednesday, September 05, 2012 7:05 PM
To: [b]
Subject: [b]

I can you please help David with what he wants tomorrow at some point? You can just send him stuff directly; thanks so much,

From: Sieradzki, David L.
Sent: Wednesday, September 05, 2012 06:30 PM
To: Blank, Barbara
Cc: Green, Geoffrey
Subject: [b]

Barbara,

[protected]

I appreciate it – thanks!

--David

David L. Sieradzki
Attorney, Office of General Counsel
Federal Trade Commission
600 Pennsylvania Ave., NW.
Washington, DC 20580
Office: 202.326.2092
Fax: 202.326.2477
Mobile [protected]
From: Blank, Barbara
Sent: Tuesday, September 04, 2012 9:59 AM
To: Blank, Barbara; Green, Geoffrey
Subject: FW: Google

? 

From: Tucker, Darren
Sent: Tuesday, September 04, 2012 12:44 PM
To: Feinstein, Richard; Levitas, Pete
Cc: Tucker, Darren
Subject: Google

Rich, Pete,

Darren
Mr. Sieradzki,

In response to your request of Barbara Blank,

Thank you,
See you then.

That would be great.

How about 10:30? Want to meet up here? Thanks.

Good morning, I’m free whenever as well. Thanks.

I am free all day, so can meet whenever is best for you.

Thanks,

Sounds good. Maybe you and could meet tomorrow morning to break up the docs. Thanks!
From: [Redacted]
Sent: Monday, September 24, 2012 5:08 PM
To: Westman-Cherry, Melissa; [Redacted]
Subject: RE: to do list

I’m happy to look at these too. Maybe we can touch base tomorrow on how best to divide up what you’ve found? My schedule’s open tomorrow.

Thanks.

Not Responsive

From: [Redacted]
Sent: Monday, September 24, 2012 4:54 PM
To: Westman-Cherry, Melissa; [Redacted]
Subject: RE: to do list

Sounds good – will do.

From: Westman-Cherry, Melissa.
Sent: Monday, September 24, 2012 4:52 PM
To: [Redacted]
Subject: RE: to do list

Hi All,

we talked last week about you possibly reviewing some of these - could you touch base with her and she will get you some stuff to look over?

if you want to take some on as well, let know.

Thanks!

From: [Redacted]
Sent: Monday, September 24, 2012 10:09 AM
To: Westman-Cherry, Melissa; [Redacted]
Subject: to do list

Hi everyone, If there’s anything I can help with today, let me know.

Thanks.

[Redacted]
From: [Redacted]
Sent: Friday, September 28, 2012 10:49 AM
To: [Redacted]
Subject: RE:

Tracking: [Redacted]

Delivered: 9/28/2012 10:49 AM

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From: [Redacted]
Sent: Friday, September 28, 2012 10:45 AM
To: [Redacted]
Subject: RE:

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From: [Redacted]
Sent: Friday, September 28, 2012 10:07 AM
To: [Redacted]
Subject: RE:

Yes. Thank you.
From: Blank, Barbara
Sent: Friday, September 28, 2012 9:44 AM
To: Westman-Cherry, Melissa; Blank, Barbara
Subject: RE:

Thanks very much.

Thank you so much!! And please swing by if you have any questions. I just left a VM for — please touch base directly with to divide.

From: Westman-Cherry, Melissa
Sent: Friday, September 28, 2012 9:38 AM
To: Westman-Cherry, Melissa; Blank, Barbara
Subject: RE:

Let me know if you'd like me to stop by, or send something that shows you how to find these docs. Thanks!

From: Westman-Cherry, Melissa
Sent: Friday, September 28, 2012 9:19 AM
To: Blank, Barbara
Subject: RE:

From: Blank, Barbara
Sent: Friday, September 28, 2012 8:55 AM
To: Westman-Cherry, Melissa
Subject: RE:

Thanks,

From: Westman-Cherry, Melissa
Sent: Friday, September 28, 2012 8:49 AM
To: Blank, Barbara
Subject: Re:
Just as quickly as you can get through them – early/mid-next week is fine. That would be great. Thank you so much!

Sounds good. I just talked to and we will start splitting this up. When do you need this by?

Thanks!
Mischler, Erin

From: [Redacted]
Sent: Thursday, October 11, 2012 5:06 PM
To: [Redacted]
Subject: RE: Not Responsive

Tracking: Recipient Delivery Read
[Redacted] Delivered: 10/11/2012 5:06 PM Read: 10/11/2012 5:06 PM

Thanks- no worries.

From: [Redacted]
Sent: Thursday, October 11, 2012 5:06 PM
To: [Redacted]
Subject: FW: Not Responsive

Oop – sorry for the delay!

From: [Redacted]
Sent: Wednesday, October 10, 2012 11:55 AM
To: Westman-Cherry, Melissa [Redacted]
Subject: RE: Not Responsive

Let me know how these look, then I'll check in with [Redacted] to see how to create a [Redacted]

Thanks! [Redacted]

From: Blank, Barbara
Sent: Wednesday, October 10, 2012 11:06 AM
To: Westman-Cherry, Melissa [Redacted]
Cc: [Redacted]
Subject: FW: Not Responsive

Do you have availability for a call M-W next week?
Perfect- thanks!

This looks really helpful!

This looks incredibly helpful. Many thanks to you and [redacted] for putting it together.

Best,
Melissa
Mischler, Erin

From: Westman-Cherry, Melissa
Sent: Wednesday, June 13, 2012 11:25 AM
To: (b)(6), (b)(7), (C)
Cc: (b)(3), 21(f), (b)(5)
Subject: RE: (b)(3), 21(f), (b)(5)

Just left Burke a message- totally forgot to ask him. I will let you know what he says. Thanks for following up!

---

From: (b)(8), (b)(11), (C)
Sent: Wednesday, June 13, 2012 11:15 AM
To: Westman-Cherry, Melissa
Cc: (b)(8), (b)(11), (C)
Subject: (b)(8), (b)(11), (C)

Hey Melissa,

Has OGC told us (b)(3), 21(f), (b)(5)

Thanks,

(b)(8)
Gracias.

Sure. Tomorrow should be fine.

I honestly can’t remember what you are doing right now, so I’m not sure how to prioritize! Could you get to it tomorrow or Monday?

Sounds good. When do you need this by?

Cripes.

If you have questions, pop by.

Thanks!
From: Westman-Cherry, Melissa
Sent: Thursday, August 16, 2012 12:39 PM
To:
Cc: Kapler, Burke
Subject: RE: Google Inc., FTC File No. 111-0163

Ok - could you begin the process of breaking it up and loading it into Concordance? Then it would be searchable, correct?

I will fill in details if we end up doing it this way.

Thanks!

From: Westman-Cherry, Melissa
Sent: Thursday, August 16, 2012 12:35 PM
To: Westman-Cherry, Melissa, Kapler, Burke
Cc: Kapler, Burke
Subject: RE: Google Inc., FTC File No. 111-0163
No thank you.

You need attached slides printed?
From: Tucker, Darren  
Sent: Thursday, November 15, 2012 7:38 AM  
To: Renner, Christopher; Kimmel, Lisa; Slater, Abigail A.; Vedova, Holly L.; Luib, Gregory; Okuliar, Alexander  
Subject: RE: Google SEP and search investigation  

Chris,

I expect that we will be ready to vote by Tuesday. I should be able to confirm this tomorrow. Two questions for you:

Thanks,
Darren

From: Renner, Christopher  
Sent: Wednesday, November 14, 2012 7:37 PM  
To: Tucker, Darren; Kimmel, Lisa; Slater, Abigail A.; Vedova, Holly L.; Luib, Gregory; Okuliar, Alexander  
Subject: Google SEP and search investigation
Hi –

Please send me your comments, if any, as soon as practicable. Please also circulate any statements as they become available.

Thanks,

Chris
Thanks, [b](5)

---

From: Renner, Christopher  
Sent: Monday, November 26, 2012 7:07 PM  
To: Levitas, Pete  
Subject: Google

Here is the document Jon is thinking of. I’ll have a copy for him.

[b](5), [b](7)(0), Not Responsive
Thanks very much,
From: JDL
Sent: Monday, December 17, 2012 10:37 PM
To: Renner, Christopher
Subject: RE: The Devil is in the Details

In the event we actually do conclude the Google matter this week, just curious—what’s the status of the draft statement?

Best,

Jon
Hi everyone,

BB

-----Original Message-----
From: Blank, Barbara
Sent: Thursday, June 07, 2012 4:36 PM
To: Westman-Cherry, Melissa
Subject: Everyone,

Everyone's assignments are written in BOLDED RED. We can talk more on Tuesday for anyone that has concerns about this. So thanks so much for continuing to work your butts off on this. Hopefully we're on the home stretch......
Thanks so much!

BB
Not Responsive

[Blank]

Not Responsive

[Blank]
Hi,

I will always honor my commitments to you but let’s work through each issue:

Google—I want to get this done January 2\textsuperscript{nd} or 3\textsuperscript{rd}.

Jon

From: Rosch, Tom
Sent: Friday, December 21, 2012 8:26 AM
To: JDL
Subject: Re: Nominations, including for FTC and FCC, to skip Senate Commerce

From: JDL
Sent: Friday, December 21, 2012 12:52 AM
To: Rosch, Tom
Hi Tom,
I am expecting votes on both Google matters just after the first of the year.

Jon

From: Rosch, Tom
Sent: Thursday, December 20, 2012 9:21 PM
To: JDL
Subject: Fw: Nominations, including for FTC and FCC, to skip Senate Commerce

Dear Jon, You should now plan on getting votes on [Not Responsive] and both Google matters before the 7th and advising the other Commissioners to prepare accordingly. I am ready now. All the best, Tom.
From: Renner, Christopher  
Sent: Thursday, January 03, 2013 8:24 AM  
To: Tucker, Darren; Luib, Gregory; Kimmel, Lisa; Slater, Abigail A.  
Cc: Clark, Donald S.; Wagman, Jillian  
Subject: Motion To Close Investigation and To Approve and Issue Closing Letter In Google Inc., File No. 111 0163

The Chairman moves that the Commission close the investigation in this matter and approve and issue the attached closing letter. Please register the vote of your Commissioner on this motion by sending a reply email message to me, with a copy to Don Clark.

The Chairman respectfully requests a vote ASAP.