

Daniel C. Barr  
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March 14, 2008

**VIA TELECOPY**

Cynthia A. Ricketts  
DLA Piper US LLP  
2415 E. Camelback Road, Suite 700  
Phoenix, Arizona 85016-4245

**Re: PlaneBusiness, L.L.C. adv. Mesa Air Group, Inc.**

Dear Ms. Ricketts:

I have just received a hand delivery from your firm of a Notice of 30(b)(6) Deposition on 26 far ranging and wildly irrelevant topics that have nothing to do with this case. A copy of the notice is enclosed. The only purpose of such a deposition notice is to harass and impose undue expense on our client. As you know from the Motion for Summary Judgment that was filed almost two weeks ago, we maintain that all of the statements which your client challenges in this matter are protected as a matter of law. None of the discovery sought in your 30(b)(6) deposition notice, nor for that matter most of the written discovery on identical issues that your clients recently propounded, touch on these issues of law.

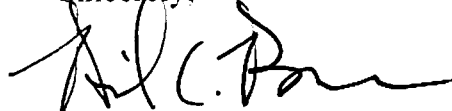
As you know, our client, Holly Hegeman, lives in New Orleans, Louisiana. For the past several weeks, Ms. Hegeman has intermittently been in Phoenix and been available for deposition. Your firm offered only three dates in March on which it could depose Ms. Hegeman, all of which she was unavailable. If you wish to depose Ms. Hegeman, whether individually or for 30(b)(6) purposes, that deposition must take place in Louisiana, unless she is otherwise in Arizona for some other reason.

Please let me know by 5:00 p.m. this Monday, March 17, 2008, if you will withdraw your notice of 30(b)(6) deposition and agree to postpone it until after the

Cynthia A. Rickettes  
March 14, 2008  
Page 2

Motion for Summary Judgment has been decided. Should you decide not to do so, we shall file a Motion for Protective Order under Ariz. R. Civ. P. 26(c) and seek our fees and costs in bringing the motion.

Sincerely,

A handwritten signature in black ink, appearing to read "D.C. Barr", written in a cursive style.

Daniel C. Barr

DCB:sln

53685-0003/LEGAL14074439.1

1 Cynthia A. Ricketts (Arizona Bar No. 012668)  
2 cindy.ricketts@dlapiper.com  
3 Shane D. Gosdis (Arizona Bar No. 022471)  
4 shane.gosdis@dlapiper.com  
5 DLA Piper US LLP  
6 2415 East Camelback Road, Suite 700  
7 Phoenix, Arizona 85016-4245  
8 Tel: (480) 606-5100  
9 Fax: (480) 606-5101

10 Attorneys for Plaintiffs Mesa Air Group, Inc.  
11 and Jonathan Ornstein

12 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
13 **IN AND FOR THE COUNTY OF MARICOPA**

14 MESA AIR GROUP, INC., a Nevada )  
15 corporation; JONATHAN ORNSTEIN, an )  
16 individual, )

17 Plaintiffs )

18 vs. )

19 PLANEBUSINESS, L.L.C., a Louisiana )  
20 corporation; HOLLY HEGEMAN, an )  
21 individual; JOHN DOE HEGEMAN, an )  
22 individual, )

23 Defendants. )

Case No. CV 2007-019041

**NOTICE OF 30(b)(6) DEPOSITION**

(Assigned to the Honorable Robert Miles)

24 **PLEASE TAKE NOTICE THAT** pursuant to Arizona Rules of Civil Procedure  
25 26 and 30(b)(6), plaintiff Mesa Air Group, Inc. ("Mesa Air") will take the deposition of  
26 the person or persons most knowledgeable concerning the matters set forth below. Such  
27 deposition will be recorded by stenographic means and/or video and sound.  
28

1                   **PERSON(S) TO BE EXAMINED:**

2                   Planebusiness, L.L.C.  
3                   c/o Daniel C. Barr  
4                   Perkins Coie Brown & Bain, P.C.  
                  2901 N. Central Avenue, Ste. 2000  
                  Phoenix, Arizona 85012-2788

5                   Planebusiness, L.L.C. ("Planebusiness") shall designate representative(s) with full  
6 knowledge with respect to the following matters upon which examination is requested:

7                   **MATTERS UPON WHICH EXAMINATION IS REQUESTED:**

- 8                   1) Nature of Planebusiness' business;
- 9                   2) Planebusiness' corporate structure, including parent entities, subsidiaries,  
10                  and any and all related entities;
- 11                  3) Planebusiness' current financial status and net earnings for the last five (5)  
12                  years;
- 13                  4) Planebusiness' employment of Holly Hegeman and the nature of Ms.  
                  Hegeman's responsibilities;
- 14                  5) All matters set forth in the Complaint and Answer in this action;
- 15                  6) All matters set forth in Planebusiness' initial disclosure statement;
- 16                  7) Planebusiness' computer systems;
- 17                  8) Planebusiness' document retention policies;
- 18                  9) The identity of each person who drafted, revised, or electronically uploaded  
19                  any of the Actionable Postings on the PlaneBuzz Website, a copy of the  
                  Actionable Postings are attached hereto as Exhibit A;
- 20                  10) The identity of the administrator(s) of any and all Internet website(s),  
21                  Internet blog(s) or any other Internet publication(s) containing Actionable  
22                  Postings or other statements pertaining to plaintiffs Mesa Air and Jonathan  
                  Ornstein ("Plaintiffs") and/or this lawsuit;
- 23                  11) PlaneBusiness' role in linking, directing, or otherwise uploading any of the  
24                  Actionable Postings to any Internet website(s), Internet blog(s), or any other  
                  Internet publication(s);
- 25                  12) The identity of any and all e-mail addresses from which any Planebusiness  
26                  employee or former employee sent any of the Actionable Postings or any  
                  other statements pertaining to Plaintiffs and/or this lawsuit;
- 27                  13) The identity of any and all e-mail addresses that any Planebusiness employee  
28                  or former employee utilized to receive Actionable Postings or any other  
                  statements pertaining to Plaintiffs and/or this lawsuit;

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- 14) The identity of any and all persons to whom any of the Actionable Postings or any other statements pertaining to Plaintiffs and/or this lawsuit have been distributed or published;
- 15) The identity of each person from whom Planebusiness has received any information pertaining to or mentioning the Actionable Postings or any other statements pertaining to Plaintiffs and/or this lawsuit;
- 16) The identity of Planebusiness's IP Addresses and the manner in which IP addresses are assigned;
- 17) The identity of each and every IP Address from which an Actionable Posting has been made;
- 18) The facts that support Planebusiness's contention that any of the Actionable Postings are true;
- 19) The efforts made to confirm the truth of each Actionable Posting prior to electronically uploading any of the Actionable Postings to the Planebuzz.com or any other Internet website(s), Internet blog(s), or any other Internet publication(s);
- 20) The identity of each and every computer, blackberry, PDA or other electronic or computerized device that any PlaneBusiness employee or former employee or other person has used in the administration of Planebuzz.com, Planebusiness.com, or Planebusiness Banter;
- 21) The identity of each and every computer, blackberry, PDA or other electronic or computerized device that any PlaneBusiness employee or former employee has used to draft, revise, or electronically upload any of the Actionable Postings or any other statements pertaining to Plaintiffs and/or this lawsuit to Planebuzz.com or any other Internet website(s), Internet blog(s), or any other Internet publication(s);
- 22) The identity of each and every computer, blackberry, PDA or other electronic or computerized device that any PlaneBusiness employee or former employee has used since September 2007 and the identity of each person using each such computer, blackberry, PDA or other electronic or computerized device;
- 23) The amount of Internet traffic the Plane Business Publications has received each month since August 2007 and the manner in which the amount of Internet traffic is determined;
- 24) The number of people and the identity of each person who currently subscribes or has subscribed to Plane Business Banter since September 2007; and
- 25) The identity of the person(s) who authorized the posting, distribution and/or publication of each of the Actionable Postings.
- 26) All matters set forth in Planebusiness' Motion for Summary Judgment.

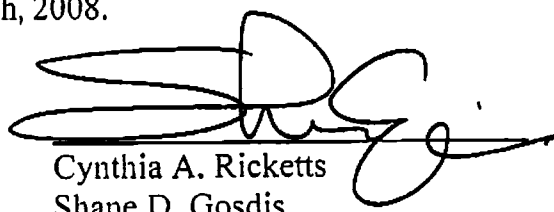
The deponent(s) are requested to produce at the deposition any and all documents

1 and tangible things in his or her possession, custody, or control that refer to, relates to or  
2 reflects any of the above matters in which examination is requested.

3 **DATE AND TIME OF DEPOSITION:** March 25, 2008, at 1:00 p.m.  
4 MST.

5 **PLACE OF APPEARANCE:** DLA Piper US LLP  
6 2415 East Camelback Road, Suite 700  
7 Phoenix, Arizona 85016

8 DATED this 14th day of March, 2008.

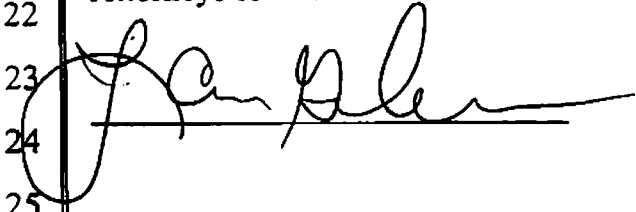
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16 Fax: (480) 606-5101

17 Attorneys for Plaintiffs Mesa Air Group, Inc.,  
18 and Jonathan Ornstein

19 COPY of the foregoing hand-delivered  
20 this 14th day of March, 2008 to:

21 Daniel C. Barr  
22 Rhonda L. Barnes  
23 PERKINS COIE BROWN & BAIN, P.C.  
24 2901 N. Central Avenue, Ste. 2000  
25 Phoenix, AZ 85012-2788  
26 Attorneys for Defendants

27 

28  
DOCKET MEMO TO FOLLOW  
- 19 -