
Subject: FW: HP Confidential

From: Sonsini, Larry [REDACTED]
Sent: Wednesday, June 28, 2006 4:05 PM
To: Tom Perkins
Subject: RE: HP Confidential

Tom,

I looked into the conduct of the investigation and got a report from counsel at HP who was responsible for the effort. I confirmed his input by talking to Ann Baskins. Here is what I learned:

1. There was no recording, review or monitoring of director e-mail.
2. There was no electronic surveillance to monitor director communications.
3. There was no phone recording or eavesdropping.
4. The investigating team did not attempt to obtain the phone records of non-employee directors
5. The investigating team did obtain information regarding phone calls made and received by the cell or home phones of directors. This was done through a third party that made pretext calls to phone service providers. Apparently a common investigatory method which was confirmed with experts. The legal team also checked with outside counsel as to the legality of this methodology.
6. There was no "secret spying" i.e. no electronic gear, listening devices, etc., were used.

It appears, therefore, that the process was well done and within legal limits. The concerns raised in your e-mail did not occur.

Let me know if you think I should proceed further.

Larry

From: Sonsini, Larry
Sent: Tuesday, June 20, 2006 10:30 AM
To: Tom Perkins
Subject: RE: HP Confidential

Tom, I will look into this.

From: Tom Perkins [REDACTED]

Sent: Tuesday, June 20, 2006 10:00 AM
To: Sonsini, Larry
Subject: RE: HP Confidential

Dear Larry:

Thanks for your prompt reply, and I value the reminder that my director's responsibilities continue after my resignation, which is why, in part, I make the following suggestion: I think you, or someone from your firm, should check into the sub-rosa investigation of the director's communications at HP. Larry, the investigation was a Pattie Dunn program, 100%---conceived and managed by her, and unknown to the board, except perhaps in the most vague and imprecise terms, with the possible exception of Mark, who she may have briefed.

In view of Viet's unqualified opinion that it was illegal, I think, the board needs to know the potential risks, if any. I resigned from the board and as chair of the N&G committee before I could look into this personally. If it was illegal, it occurred under my purview, and on my watch, so to speak, and I would like to know whether or not I share some responsibility.

Thanks, Tom

From: Sonsini, Larry [REDACTED]
Sent: Monday, June 19, 2006 2:29 PM
To: Tom Perkins
Subject: RE: HP Confidential

Tom,

I was not involved in the design or conduct of the investigation. The investigation was run by the HP legal department with outside experts. I reviewed the report after the investigation for the Board process. Pattie, was not involved in the design or conduct of the investigation either, to my knowledge. I am sure that Ann Baskin looked into the legality of every step of the inquiry and was satisfied that it was conducted properly.

Tom, be careful of your discussions about the inquiry and the HP Board process and deliberations in that all of that is confidential and, as you know, you have the obligation to continue to respect that confidentiality. You do not want to be in breach of your duties inherited while you were an HP director. Those duties of confidentiality continue. Also, remember, that you confirmed that you did not have any disagreement with HP or the Board as a whole (although you did have issues with the Chairman). I recognize that a duty of loyalty to the Newscorp Board may present some concerns for you, but in my opinion they do not, and should not, require you to disclose the details of the investigation or the HP Board deliberations. Also, Viet Dihn may be a lawyer but query whether your discussions are attorney-client privileged. If you want to talk about all of this please don't hesitate to call.

Larry

From: Tom Perkins [REDACTED]
Sent: Monday, June 19, 2006 1:18 PM
To: Sonsini, Larry
Subject: HP Confidential

Hi Larry:

Today I was at a NewsCorp board meeting in London, and I discussed the events of the most recent HP board meeting, on a confidential basis, with a fellow director, Viet Dinh. As you probably know, Viet is a Professor of Law at Georgetown, and his most popular course is "Corporate Governance."

Viet was shocked at the HP chairman's recording of board members telephone and computer inter-connections. I emphasized that no communications were actually transcribed. He said that even monitoring connections and/or e-mail addresses requires a subpoena (which as far as I know was never obtained) but, with or without a subpoena, such monitoring was simply "unconscionable."

Larry, was any of this cleared with you before the event?

Thanks in advance for your thoughts. Best, Tom

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