

EXHIBIT E

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August 15, 2008

DESIGNATED AS CONFIDENTIAL PURSUANT TO AGREED PROTECTIVE ORDER

VIA EMAIL AND FIRST CLASS MAIL

Brion B. Doyle, Esq.
Varnum, Riddering, Schmidt & Howlett, LLP
333 Bridge Street, N.W.
P.O. Box 352
Grand Rapids, MI 49501-0352

Re: In re Kmart Corp. - Claims of Global Property Services, Inc. ("Global")

Dear Brion:

This letter responds to your email to me, dated July 29, 2008, wherein you requested that Kmart respond to a list of "follow up" questions posed by Global's consultant to enable Global's consultant to provide Kmart with an "alternative procedure and quote for a search and production of information from the P and W drives." Email from B. Doyle to G. Mesires, dated July 29, 2008.

As Kmart has previously indicated, Kmart contends that the data on the P and W drives is not reasonably accessible because of undue burden and/or cost. Per the Court's suggestion during the status hearing on April 30, 2008, Kmart indicated that it was willing to consider mediating this dispute with an e-discovery mediator. On May 20, 2008, you advised me that Global was not willing to submit this dispute to mediation. See letter from G. Mesires to Hon. Susan Pierson Sonderby, dated May 20, 2008. Instead, you advised that Global will submit a sampling proposal to Kmart to determine "as to what additional steps, if any, should be taken to further search the drives." Email from B. Doyle to G. Mesires, dated May 27, 2008. Moreover, you indicated that "Global's consultant is optimistic that a sampling of the P and W drives can be accomplished at a fraction of the cost that is provided in Kmart's quotations from the e-discovery vendors." *Id.*

I am concerned that Global is now backing away from its sampling proposal and instead will pursue an "alternative procedure" to search and produce information from the P and W drives. As we have previously indicated, Kmart will consider the feasibility of any forthcoming proposal that Global submits to Kmart. However, just as we advised you with Global's nascent sampling proposal, we are not able to agree to any "alternative procedure" to

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search and produce documents from the P and W drives until the specifics of your methodology have been proposed. Notwithstanding, and without prejudice or waiver to Kmart's right to prosecute its pending Motion for Protective Order, Kmart will continue to explore alternative approaches to resolve this dispute without further intervention of the Court. Accordingly, set forth below are Kmart's responses to Global's consultant's "follow-up" questions:¹

1. Please confirm the accuracy of these statements and make any necessary corrections:

a. The P drive is considered the Public drive. All store associates and other Kmart employees have access to this drive, and it is used primarily to store Microsoft Office application files (Word, Excel, PowerPoint, Access).

Answer: Correct, except, generally, the P drive is accessible by Kmart and Sears associates. Generally, store associates do not have individual id's to access the P drive. Most stores have generic id's for the Store Manager or the Store Director. Generic id's do not have login scripts so the id's do not automatically map a drive to the P or W drive.

b. The W drive has more specific permissions for different Kmart users and departments. Department folders are only accessible by other employees in the same department (and the system administrator(s)). User folders are only accessible by a single employee (and the system administrator(s)).

Answer: Correct, except there are no "user folders" on the W drive unless an associate creates his or her own below-the-top level secured folders. An associate who is a member of a "work group" (or department) can create subfolders. Permissions can be set by the associate to restrict access to him/herself or leave access open to other members of the department. The "work group" member can also create as many subfolders as they wish.

2. Does the W drive have separate user folders, such that all Workgroup users have their own private shares? For example, in this scenario John Smith has access to "his" logical W drive, which is a private share called "jsmith".

¹ Kmart's technical support personnel in Troy, Michigan ("Troy Technical Support Center") were mainly responsible for the preparation of these answers. Further, Kmart believes that the information being sought in several of these questions has been previously provided to Global since Kmart filed its Motion for Protective Order in September 2007.

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Answer: No. The W drive is a departmental shared work place where associates store work related information. The W drive folder can have open access, or they can be restricted to departments or work groups. There is no restriction to the number of subfolders that can be created under a folder created by a work group member. In addition, individual associates are responsible for implementing security restrictions on any and all folders that they create.

a. If so, how many users have their own folders on this drive?

Answer: Not applicable.

b. If not, please indicate how user and department permissions are organized on this drive. A list of security groups and access rights on this drive would be helpful.

Answer: The W drive is restricted. Generally, this share drive is structured by business group. Each folder has its own main global group for access to each folder. Some groups may restrict access to subfolders. An associate must have a network id that is a member of a security group to have access to a folder on the W drive. Because of the number of associates and the complexities of mapping access rights, it is not feasible to provide a list of security groups and access rights for the P and W drives.

3. Please provide a separate, updated list of the top-level folders contained on each of the P and W drives, similar to documents KMART PW 0001 and KMART PW 0002 produced in February 2008.

Answer: Kmart does not believe that there have been any changes to the P and W drive top level folders since February 2008 that are material to Global's claims.

4. In addition, please provide a separate, updated list of folders contained on each of the P and W drives (at all levels of the folder hierarchy) that are likely to contain documents related to contracts or other documentation about Kmart's white and green services, procurement of those services, or other related materials. In particular, it would be relevant to select folders on the W drive that are used primarily by any accounting, finance, logistics, procurement, purchasing, vendor relations, or similar departments.

Answer: Kmart does not believe that there have been any changes to the P and W drive folder hierarchy since February 2008 that are material to Global's claims.

Documents previously produced include the following folder hierarchies:

- o P:/Store Operations folder and subfolders;

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- o W:/Facility Management Division/Facility Services folder and subfolders;
- o W:/Finance folder and subfolders;
- o W:/StoreOperations folder and subfolders

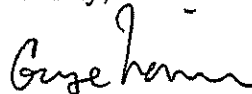
See KMART PW 0034-0051

5. On February 22, 2008, several e-mail messages by and between Paul Noonan, Jonathan Beato, and George Mesires were produced (bates numbered KMART PW 0020 through 0025), as well as a number of screenshots containing folder lists and folder details. The contents of these e-mail messages describe a manual search process undertaken by these individuals (and others) to find documents containing certain keywords. Please provide details about this search and review process. How was this search performed? Were any third-party tools used to search for keywords? Were any Windows tools, such as "Find Files and Folders", used? Were documents opened and scanned/searched for key words or phrases? How were the contents determined?

Answer: Kmart has previously produced the requested information. Indeed, the answers to Global's supplemental questions are readily available in the documents cited by Global's consultant. See KMART PW 0020-33; see also Kmart's Motion for Protective Order ¶¶4-9; Letter from G. Mesires to B. Doyle, dated July 3, 2008; Letter from G. Mesires to Hon. Susan Pierson Sonderby and B. Doyle, dated February 22, 2008, Exhibit D.

Please contact me with any questions relating to Kmart's responses to Global's supplemental request for information.

Sincerely,



George R. Mesires

cc: Diana Hsu (via email)
Deborah Ratterman (via email)
Wendi Sloane (via email)