

EXHIBIT 1

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facsimile transmittal

To: Tim Shimko; Roger Cohen Fax: 216-241-2702; 297-5040

From: Rich McDaniel Date: 7/2/2008

Re: Shimko v. Woodcock Pages: 3

CC:

Urgent For Review Please Comment Please Reply Please Recycle

Notes: Please see attached letter I mailed a copy last week. --Rich



RICHARD J. MCDANIEL

June 27, 2008

David Welling
Timothy Shimko
Timothy Shimko & Associates
2010 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115

Re: Shimko v. Woodcock, et. al.

Dear David and Tim:

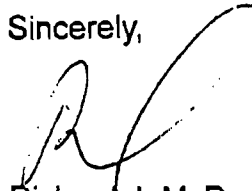
Pursuant to my earlier interrogatories and requests for production and the Arizona Rules of Disclosure, please provide me with a complete accounting showing all payments you/your firm received; the nature of the payment (wire transfer, check, etc.); the date of the payment; the bank or financial institution from which the payment was drawn and the one into which it was deposited; and how these payments were credited to payment of your firm's bills and/or loan repayment. Please identify and explain in detail any checks, wire transfers, or other payments that you contend had insufficient funds. Please provide evidence that there were insufficient funds and these were returned not honored by your bank. I also need a full accounting of your firm's billings; amounts you contend you were paid; what bills those payments covered; and the specific invoices and amounts you contend you are still owed. The numbers I calculate are different than the ones you have represented to the Court.

I do not want to be surprised at trial by information that should have long ago been disclosed to defendants and provided in response to discovery requests. Please provide this information to my office no later than July 15, 2008. If I have not received it by then I will motion the Court to compel. Thanks for your anticipated cooperation.

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June 27, 2008

Sincerely,

A handwritten signature in black ink, appearing to be 'R. McDaniel', written over a horizontal line.

Richard J. McDaniel
Attorney at Law

C: Roger Cohen