

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS
RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE
600 W. CAPITOL, ROOM A403
LITTLE ROCK, ARKANSAS 72201-3325
(501) 604-5140
Facsimile (501) 604-5149

January 13, 2012

Mr. Joshua Sanford
Ms. Vanessa Kinney
Sanford Law Firm - Little Rock
One Financial Center
650 South Shackleford
Suite 400
Little Rock, AR 72211

Re: *Terra Renewal LLC v. Daniel McCarthy, et al.* -- 4:11-CV-00653-BRW

Dear Counsel:

I am continuing the default judgment motion hearing scheduled for 1:30 p.m., Tuesday, January 17, 2012 until 1:30 p.m., Thursday, February 2, 2012 because I need additional information before considering damages.

1. There is no proof of service in connection with the Amended Complaint. The Clerk's default was entered as to the original Complaint. Are you proceeding on the original Complaint? Please advise.
2. Jurisdiction is based on diversity. The agreement attached to the Complaint shows that it was sent to Plaintiff's representative in Oklahoma. Please provide evidence of Defendants' contacts with Arkansas.
3. The agreement attached to the Complaint provides that the laws of Wisconsin govern. Is this not the case?
4. The agreement attached to the Complaint is silent as to any personal guarantee. Please provide proof of Defendant Daniel McCarthy's personal guarantee of the first and second agreement.

Please provide the information requested above by 5:00 p.m., Thursday, January 26, 2012.

Cordially,

/s/ Billy Roy Wilson