

**From:** "David Gingras" <david@ripoffreport.com>

**Date:** Sat, 8 May 2010 00:11:30 -0700

**To:** <blackertesq@yahoo.com>

**Subject:** RE: AEI et al. v. Xcentric (C.D. Cal. 10-cv-1360) Draft Rule 26f Report

Dan,

Thanks for the response. As I indicated before, I am obviously unable to give you any legal advice. However, I would NOT recommend that you do anything in terms of disclosing information about your clients or what they have told you, even if this seems like it might be appropriate. I understand that you may feel the need to correct the record, and there is probably a method to do this later, but even under these unusual circumstances, please do not forget that you continue to have duties to your clients including the duty to protect them to the extent you can do so without simultaneously doing anything that conflicts with your ethical obligations. This is exactly why there probably is an unresolvable conflict of interest here.

Again, unless you have already decided what you are going to do, the best advice is to call the state bar ethics hotline and seek their guidance. No matter what, calling them in advance of any issue is always a good idea (I have done this many times myself and while they won't give you legal advice, they will get you all the information you need to make an informed decision).

My letter to you on Monday will explain my views of what I believe you need to do. Until then, please do not make any rush decisions about anything. I realize this situation is bad, but it's not the end of the world.

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