

Lisa Borodkin < lborodkin@gmail.com>

XCentric Ventures case

Lisa Borodkin < lborodkin@gmail.com>

Fri, Jul 2, 2010 at 1:02 PM

To: david@ripoffreport.com

Cc: Maria Crimi Speth <mcs@jaburgwilk.com>, "paul@berra.org" <paulsberra@gmail.com>, Daniel Blackert
<blackertesq@yahoo.com>

David,

This confirms that Dan and I just left a telephone message for you at your office requesting a time for you before 4:30 today when you are free to call Magistrate Walsh together to resolve the issue of Mr. Magedson's continued 30(b)(6) and personal deposition.

For the record, I wanted to give you advance notice of two issues in particular:

- 1. Your letter is late. It was due yesterday, Thursday, July 1, 2010. Please find attached the relevant pages of the transcript from the June 24, 2010 proceeding. I hope you will avoid any prejudiceto Plaintiffs caused by your late response by accommodating our need for a call with Magistrate Walsh today.
- 2. Plaintiffs are entitled to have a prepared, knowledgeable witness for any 30(b)(6) deposition. If Mr. Magedson is not knowledgeable about the topics, Xcentric's obligation is to produce a witness who is.

I look forward to your call. Due to Magistrate Walsh being unavailable all next week, we need to have this issue resolved today. If I do not hear from you by a reasonable time, I will call myself.

Lisa

[Quoted text hidden]

2 attachments



Pages from transcript of 6 24 10 hearing.pdf



Page 30 from 6 24 10 hearing transcript.pdf ₫ 32K



Lisa Borodkin < lborodkin@gmail.com>

XCentric Ventures case

Lisa Borodkin < lborodkin@gmail.com>

Fri, Jul 2, 2010 at 1:08 PM

To: Maria Crimi Speth <mcs@jaburgwilk.com>

Cc: david@ripoffreport.com, "paul@berra.org" <paulsberra@gmail.com>, Daniel Blackert <blackertesq@yahoo.com>

Maria,

Your letter was late. You did not follow the Magistrate's Order.

Please let us know when you can talk. If we can resolve it telephonically among ourselves, we will.

Lisa

On Fri, Jul 2, 2010 at 1:05 PM, Maria Crimi Speth < mcs@jaburgwilk.com > wrote:

Lisa:

Once again, you are forgetting or ignoring the Magistrate's request to us. He asked us to work together to list the items that really are in dispute. You have made no attempt to provid to us your position on this. All you did was list every question that he did not answer, and many that he did. You left it up to David to address every single instance, including those that we know you don't dispute or that you know were answered. David has carefully done that and set forth our position. This was time consuming but we had to do it to comply with the Magistrate's request. It was more time consuming than it needed to be because you didn't narrow it.

Now, twenty-one minutes after you received David's letter, you want to immediately call the Magistrate even though you haven't responded to David's letter. We need to confer on this and narrow the issues.

I know you ordered the transcript of the hearing. Please read the section on this issue and follow the Magistrate's request.

Maria Crimi Speth, Esq. Jaburg & Wilk, P.C. 3200 N. Central Ave., Suite 2000 Phoenix, AZ 85012

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From: Lisa Borodkin [mailto:lborodkin@gmail.com]

Sent: Friday, July 02, 2010 12:46 PM

To: david@ripoffreport.com

Cc: Maria Crimi Speth; paul@berra.org; Daniel Blackert

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Subject: Re: XCentric Ventures case

Hi David,

Thanks for your letter. What time are you available for a conference call to Magistrate Walsh today? We need to do one before we break for the holiday.

Lisa

On Fri, Jul 2, 2010 at 12:22 PM, David Gingras < david@ripoffreport.com > wrote:

Lisa,

Per Magistrate Walsh's order, attached is our response to your letter re: unanswered deposition questions.

For purposes of clarity and ease of reference, I have attached a copy of your letter to this email as well.

Have a good holiday weekend.

David Gingras, Esq.

General Counsel

Xcentric Ventures, LLC

http://www.ripoffreport.com/

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