

Exhibit A
to
Plaintiff's 4-1-08 Ltr. to Judge Alsup re:
Hearing on Class Cert

From: Katz, Ron
Sent: Monday, March 31, 2008 11:49 AM
To: 'David Greenspan'; Hilbert, Ryan
Cc: 'Jeffrey Kessler'; 'David Feher'; 'Molly M Donovan'; 'lleclair@mckoolsmith.com'; Cohen, Noel; 'jnaylor@MckoolSmith.com'
Subject: RE: Class Certification Motion Hearing Date

Dave--

You are correct that Plaintiffs are interested in having the class certification motion heard sooner rather than later, which is why we engaged in motion practice on that subject before. For that reason, Plaintiffs would agree to your proposal re April 17, but, as I mentioned below, we believe that Judge Alsup is not available on that date. Also for that reason, Plaintiffs respectfully do not agree to the later dates that you propose.

Very truly yours,

Ron

-----Original Message-----

From: Katz, Ron
Sent: Friday, March 28, 2008 12:25 PM
To: 'David Greenspan'; Hilbert, Ryan
Cc: Jeffrey Kessler; David Feher; Molly M Donovan; 'lleclair@mckoolsmith.com'; Cohen, Noel; jnaylor@MckoolSmith.com
Subject: RE: Class Certification Motion Hearing Date

We will consult and consider this, Dave, and we will get back to you by early next week. We have been informed that Judge Alsup is not available on April 17. Ron

-----Original Message-----

From: David Greenspan [mailto:dgreenspan@DeweyLeBoeuf.com]
Sent: Friday, March 28, 2008 11:38 AM
To: Katz, Ron; Hilbert, Ryan
Cc: Jeffrey Kessler; David Feher; Molly M Donovan
Subject: Class Certification Motion Hearing Date

Ron and Ryan,

I am following up on my voicemail to Ryan regarding changing the hearing date on Plaintiffs' class certification motion. Jeffrey is out of the country on April 24th (the date Plaintiffs have noticed) as well as the following Thursday (May 1st). We know that Plaintiffs are interested in having their motion heard sooner rather than later, so we would be willing to agree to move the hearing date up to April 17th (the 34th day of the 35-day track). Please let us know if you are agreeable to this schedule and we will prepare a joint stipulation to submit to the Court. Thanks.

Dave

David Greenspan
Dewey & LeBoeuf LLP
1301 Avenue of the Americas
New York, NY 10019
Direct: +1 212 259 6438
General: +1 212 259 8000
Fax: +1 212 259 6333
dgreenspan@dl.com
www.dl.com

Confidentiality:

This e-mail message, including attachments, is confidential, is intended only for the named recipient(s) above and may contain information that is privileged, attorney work product, proprietary or exempt from disclosure under applicable law. The unauthorized use, dissemination, distribution or reproduction of this e-mail message, including attachments, is strictly prohibited. If you have received this message in error, or are not an intended recipient, please immediately notify the sender and delete this e-mail message, including attachments, from your computer. Thank you.

Circ 230:

To ensure compliance with the requirements of Treasury Department Circular 230, unless we expressly state otherwise herein, any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or other tax related penalties or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.
