

EXHIBIT 10
TO DECLARATION OF O'CONNOR

Floyd Jahner

From: mark cuban [mark.cuban@dallasmaavs.com]
Sent: Thursday, July 27, 2006 8:02 PM
To: 'Floyd Jahner'
Cc: 'Robert Hart'
Subject: RE: Nellie

Agree, do it

m

From: Floyd Jahner [mailto:floyd.jahner@dallasmaavs.com]
Sent: Thursday, July 27, 2006 2:17 PM
To: 'Mark Cuban'
Subject: Nellie

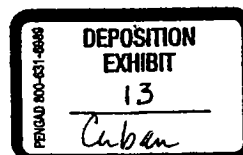
I called him back and took one shot at negotiating something less than the \$200,000 per year. He wouldn't agree to anything less but was open to a lump sum payment. I think he will agree to a \$500,000 lump sum settlement and then the \$200,000 per year goes away. If you agree, this would be a good deal for us as the PV of \$200,000 over 5 years at 6% would be approx. \$875K versus a one time payment of \$500K.

Should I call him back and get him to agree? I would get this in a written amendment to his contract and then cut one check.

Ok?

Floyd

10/18/2006



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