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A101**Jason Gerlach**

From: Jonathan Kanov [JKanov@FHDLaw.COM]
Sent: Monday, December 22, 2003 2:44 PM
To: 'jgerlach@howardrice.com'
Subject: Source-EBD

Jason-

I'm finally getting over the flu after being hit hard last week. I have received numerous discovery docs from my client today which need to be stamped and then will be exchanged.

Also, I think we were too optimistic in only extending the expert witness deadline until the end of the month. Our proposed expert is out of touch all month, and the holidays impede making any substantial progress. Furthermore, I know both sides and the experts are awaiting review of additional discovery docs. We also need to take at least several additional depositions, as is probably the case for EBD. Thus, I have taken the liberty of drafting a stipulation extending the date for disclosure of expert witnesses to Feb. 10, rebuttal experts to Feb. 20 and the close of discovery to Mar. 15. None of these proposed deadlines impedes on the trial date or other scheduling order deadlines, and considering the intense factual nature of the case, I think both sides can use the additional time.

If you agree with the Stipulation, please let me know and I will amend as necessary and file it with the Court. Otherwise, Source will file it as a motion. I will be in the office through Dec. 24, so please let me know your thoughts as soon as possible. Hope your child is feeling better-

Jonathan

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