

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 1 DATE: 8/28/09

EXHIBIT NO./L/TR	WITNESS	DESCRIPTION	ADM/ AUTH	STIP	OFFER	RECD.	REF.	RUL. RSVD.	COMMENTS/ INFO
1.		Jonathan Ain's medical records from Colorado Orthopedic Consultants Bate Nos. : 1.1 - 1.26							
2.		Jonathan Ain's radiological reports from Medical Imaging of Colorado, Invision and Invision Sally Jobe Bates Nos.: 2.1 - 2.13							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 2 DATE: 8/28/09

3.	Images from Jonathan Ain's radiological films and MRI's from Medical Imaging of Colorado, Invision and Invision Sally Jobe Bates Nos.: 3.1 - 3.								
4.	Comparison of images of Jonathan Ain's radiological films and MRI's to normal films and MRI's Bates Nos.: 4.1 - 4.								
5.	Medical diagram of the cervical, thoracic and lumbar spine Bates No.: 5.1								
6.	Anatomical diagram of the human anatomy Bates No.: 6.1								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 3 DATE: 8/28/09

7.		Surveillance video taken of Jonathan Ain by Unum on 3/14/07, 3/15/07 and 3/16/07, Clips 1 - 63 Bates Nos.: 7.1 - 7.63							
8.		UNUMProvident Internal Memorandum - Field Investigative Report from Kenneth Ross to File dated 3/19/07 Bates Nos.: 8.1 - 8.10							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 4 DATE: 8/28/09

9.	Dr. Joel Saks reports dated 4/12/07, 4/24/07, and 5/8/07, Clinical Review request dated 5/17/07, Peer Call Comments dated 5/31/07, 5/31/07 letter to Dr. John Myers, 10/26/07 report, 11/1/07 Designated Medical Officers Opinion Referral and Response Form, 12/17/07 report, 1/8/08 report, and 3/3/08 report Bates Nos.: 9.1 - 9.40					
10.	Dr. G. Lance Matheny reports Bates Nos.: 10.1 - 10.10					

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 5 DATE: 8/28/09

11.		Jonathan Ain's medical records from Dr. John Myers Bates Nos.: 11.1 - 11.47								
12.		Jonathan Ain's applications for disability insurance, amendments to applications, and Disability Income Policies, with Unum for policies LAN694857, LAN778185, and LAN781070 Bates Nos.: 12.1 - 12.43								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 6 DATE: 8/28/09

13.	Jonathan Ain's application for disability insurance and Disability Income Policy, No. LAN 705355 Bates Nos.: 13.1 - 13.19								
14.	Jonathan Ain's UNUM Income Protection Claim Bates Nos.: 14.1 - 14.12								
15.	Action Plan/Logs Bates No.: 15.1 - 15.6								
16.	Jonathan Ain's Claimant's Supplemental Statements Bates Nos.: 16.1 - 16.39								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 9 DATE: 8/28/09

25.	Mass Mutual Time Line, Disability Progress Report with fraud Warning Statements, Claimant's Statement for Disability Benefits, Claimant's Occupational Description, and Attending Physician Statements Bates Nos.: 25.1 - 25.89						
26.	Confirmation of Interview dated 5/10/09 Bates Nos.: 26.1 - 26.6						

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 10 DATE: 8/28/09

27.		The Hartford Time Line, Application for Long Term Disability Income Benefits, Claimant Questionnaire's, attending Physician statements and Physical Capacities and Evaluation Forms Bates Nos.: 27.1 - 27.69							
28.		FAA Airman Exam Summaries and Applications Depo. Ex. 35 Bates Nos.: 28.1 - 28.39							
29.		Exemplar cast and fishing videos Bates No.: 29.1 - 29.2							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 11 DATE: 8/28/09

30.		12/7/06 Fax Cover Sheet from Ken Ross to Lori Rosen attaching State of Colorado Suspected Fraud Claim Bates Nos.: 30.1 - 30.5							
31.		Videotaped interviews with Drs. James Dreisbach and Peter Weingarten Bates No.: 31.1							
32.		Dr. James Dreisbach's records re: Jonathan Ain Bates Nos.: 32.1 - 32.3							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 12 DATE: 8/28/09

33.		Video of radiology work station and activity Bates No.: 33.1							
34.		Thin Air: March 2006 Article Bates No.: 34.1							
35.		Adah Chung, OTR Work Site Evaluation Bates Nos.: 35.1 - 35.2							
36.		UnumProvident clinical, Vocational and Medical Professionals' Statement Regarding Professional Conduct Bates Nos.: 36.1 - 36.9							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 13 DATE: 8/28/09

37.	The Benefits Center Claims Manual, Medical Information Depo Ex. 26 Bates Nos.: 37.1 - 37.5								
38.	The Benefits Center Claims Manual, Evaluation of Occupational Duties (Physical Work Intensity Descriptions) Depo. Ex. 27 Bates Nos.: 38.1 - 38.2								
39.	Patricia Carroll's records on Jonathan Ain Bates Nos.: 39.1 - 39.18								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 15 DATE: 8/28/09

44.	Jonathan Ain's medical records from Dr. Douglas Dennis Bates Nos.: 44.1 - 44.14								
45.	Jonathan Ain's medical records from Dr. Daniel Greenholz Bates Nos.: 45.1 - 45.8								
46.	John Groves, M.D. medical review on Jonathan Ain Bates Nos.: 46.1 - 46.2								
47.	D. Horvath records on Jonathan Ain Bates No.: 47.1								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 18 DATE: 8/28/09

56.		Jonathan Ain's medical records from Dr. Brian Wieder Bates Nos.: 56.1 - 56.8							
57.		Report of Dr. L. Barton Goldman dated 12/27/08 and Virginia Haight, O.T.R Functional Capacity Evaluation dated 12/18/08 Bates Nos.: 57.1 - 57.55							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 19 DATE: 8/28/09

58.	The Benefit Center Claims Manual Independent Medical Examinations and Functional Capacity Evaluations Depo. Ex. 60 Bates Nos.: 58.1 - 58.2								
59.	The Benefits Center Claims Manual Independent Assessments Depo. Ex. 61 Bates Nos.: 59.1 - 59.9								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 20 DATE: 8/28/09

60.	Exhibit 6 Guidelines for Independent Medical Evaluations Bates Nos.: 60.1 - 60.2								
61.	Amendment to the Regulatory Settlement Agreement Depo. Ex. 36 Bates Nos.: 61.1 - 61.4								
62.	9/20/07 emails from Lori Rosen to Ken Ross Depo. Ex. 63 Bates Nos.: 62.1 - 62.2								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 21 DATE: 8/28/09

63.		Accusation by the Insurance Commissioner of the State of California dated October 1, 2005, including any and all attachments Depo. Ex. 75 Bates Nos.: 63.1 - 63.13							
64.		The UNUM Difference Thorough, Fair and Objective Evaluation of Claims Depo. Ex, 77 Bates Nos.: 64.1 - 64.2							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 22 DATE: 8/28/09

65.		The Benefits Center Claims Manual Multi- Disciplinary Roundtable Reviews Depo. Ex. 78 Bates Nos.: 65.1 - 65.2							
66.		6/20/07 email from Sandy DeCoff to Lori Rosen, etc. re: MITrack Follow- ups and other updates Depo. Ex. 97 Bates Nos.: 66.1							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 23 DATE: 8/28/09

67.		6/20/07 at 1:05 p.m. email from Lori Rosen to lorir@charter.net ; whowouldguess200@yahoo.com attaching denial ain.doc Bates Nos.: 67.1 - 67.6							
68.		6/21/07 at 5:52 a.m. email from Lori Rosen to Rosen, Lori and whowouldguess200@yahoo.com attaching denial ain.doc Bates Nos.: 68.1 - 68.7							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 24 DATE: 8/28/09

69.		6/21/07 at 6:13 a.m. email from Lori Rosen to Rosen, Lori and whowouldguess200 @yahoo.com attaching denial ain.doc Bates Nos.: 69.1 - 69.7							
70.		6/22/07 at 2:44 p.m. email from Lori Rosen to Ken Ross attaching letter from Lorie.doc Bates Nos.: 70.1 - 70.11							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 25 DATE: 8/28/09

71.		6/25/07 at 7:33 p.m. email from Ken Ross to kgrosscfe@cox.net attaching letter from Lorie.doc Bates Nos.: 71.1 - 71.11							
72.		6/25/07 at 8:05 a.m. email from Lori Rosen to DeCoff, Sandy attaching letter from Lorie.doc Bates Nos.: 72.1 - 72.11							
73.		6/28/07 at 11:14 a.m. email from Sima, Maureen to Birch, James attaching 17803 Ain.doc Bates Nos.: 73.1 - 73.8							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 26 DATE: 8/28/09

74.	6/28/07 at 3:31 p.m. email from Birch, James to Rosen, Lori attaching Ain letter.doc Bates Nos.: 74.1 - 74.13								
75.	6/29/07 at 12:24 p.m. email from Rosen, Lori to Bell, Jerry and Ross, Ken attaching letter from Ain letter.doc Bates Nos.: 75.1 - 75.13								
76.	Summary of Exhibits 67 through 76 - Lori Rosen's denial letter Bates No.: 76.1								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 27 DATE: 8/28/09

77.		6/28/07 email from Luke Demers to Maureen Griffin attaching QCC response from James Birch Depo. Ex. 52 Bates Nos.: 77.1 - 77.2							
78.		Report of the Targeted Multistate Income Market Conduct Examination including any and all attachments dated 11/18/04 Bates Nos.: 78.1 - 78.20							
79.		6/1/07 email from Ken Ross to Ken Kessler re: Fish Dates Depo. Ex. 66 Bates No.: 79.1							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 29 DATE: 8/28/09

84.		12/14/07 letter from Ken Ross to Debbie Bendell and 1/3/08 letter from Debbie Bendell to Kenneth Ross Bates Nos.: 84.1 - 84.3							
85.		2/6/09 letter from Dennis Ward to Deirdre Ostrowski re: decline to file criminal charges against Dr. Ain Bates No.: 85.1							
86.		8/17/07 email from Ken Ross to Bif Lagan re: just checking Bates Nos.: 86.1							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 30 DATE: 8/28/09

87.		Jonathan Ain Investigation Checklist and email dated 12/12/06 from Ken Ross to Ross, Ken Bates Nos.: 87.1 - 87.2								
88.		2/2/07 letter from Suzanne Peters, State of Colorado to Kenneth Ross Bates No.: 88.1								
89.		2/28/07 letter from Ken Ross to Suzanne Peters, State of Colorado Bates Nos.: 89.1 - 89.2								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 31 DATE: 8/28/09

90.	6/27/07 email from Jerry Bell to Ken Ross and Jerry Bell to Biff Lagan attaching Draft Affidavit Bates Nos.: 90.1 - 90.8								
91.	6/27/07 email from Ken Ross to Chris Hopkins re: final case summary Bates No.: 91.1								
92.	7/6/07 email from Jerry Bell to Chuck Stevens re: SIU Case Examples Bates Nos.: 92.1 - 92.2								
93.	8/1/07 fax cover sheet from Ken Ross to Lori Rosen Depo. Ex. 132 Bates Nos.: 93.1 - 93.8								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST X DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 32 DATE: 8/28/09

94.	First anonymous letter to UNUM Life Ins. Bates Nos.: 94.1 - 94.2								
95.	Second anonymous letter sent to Mass Mutual Ins. with envelope Bates Nos.: 95.1 - 95.2								
96.	Unum's File Documentation Management Bates Nos.: 96.1 - 96.3								
97.	Unum's Fraud Referral Guidelines Bates No.: 97.1								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 33 DATE: 8/28/09

98.		Powerpoint Presentation - Fraud Awareness for Claims Professions June 2007 Update Special Investigative Unit, UNUM Bates Nos.: 98.1 - 98.34							
99.		List - IDI Claim Litigation Opened 0/1/03 - 10/10/08 Involving of UNUM/America Bates Nos.: 99.1 - 99.4							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 34 DATE: 8/28/09

100.	In the Matter of Unum Life Insurance Company of America, Regulatory Settlement Agreement Targeted Multistate Disability Income Market Conduct Examination Bates Nos.: 100.1 - 100.54							
------	---	--	--	--	--	--	--	--

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB **PLAINTIFF'S LIST** **DEFENDANT'S LIST** _____ **THIRD PTY DEFTS LIST** _____
CASE CAPTION: **JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA** **PAGE NO:** 35 **DATE:** 8/28/09

101.		Public Report of the Market Conduct Examination of the Claims Practices of the UNUM Life Insurance Company of America, et al by the State of California Dept. of Insurance Market Conduct Division Field Claims Bureau dated June 30, 2003 including any and all attachments Bates Nos.: 101.1 - 101.22							
------	--	--	--	--	--	--	--	--	--

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 36 DATE: 8/28/09

102.	California Settlement Agreement between the Insurance Commissioner of the State of California and UNM Life Insurance Company of America, et al dated October 2005 including any and all attachments Bates Nos.: 102.1 - 102.20								
------	--	--	--	--	--	--	--	--	--

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 37 DATE: 8/28/09

103.		Decision and Order of Insurance Commissioner Upon Settlement by the Insurance Commissioner of the State of California dated October 3, 2005 including any all attachments Bates Nos.: 103.1 - 103.6							
104.		Finding of Fact and Conclusions of Law in G. Clinton Merrick, Jr. vs. Paul Revere Life Insurance Company, et al., Case No. CV-S-00-0731-JCM-RJJ dated 11/11/08 Depo Exh. 173 Bates Nos.: 104.1 - 104.39							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB **PLAINTIFF'S LIST** **DEFENDANT'S LIST** _____ **THIRD PTY DEFTS LIST** _____
CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA **PAGE NO:** 39 **DATE:** 8/28/09

108.		Unum's Supplemental Response to request for Production Nos. 8 and 11, and Responses to Requests or Production of Documents Raised in September 12, 2008 letter and Ain's Counsel Bates Nos.: 108.1 - 108.12							
109.		Unum's Responses to Ain's Second set of Interrogatories and Request for Production of Documents and First Set of Request or Admissions Bates Nos.: 109.1 - 109.44							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: **JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA** PAGE NO: 40 DATE: 8/28/09

110.	Unum's Responses to Ain's Third set of Interrogatories Bates Nos.: 110.1 - 110.10								
111.	Unum's Responses to Plaintiff Jonathan Ain's Interrogatories and Request for production of Documents Bates Nos.: 111.1 - 111.4								
112.	Emails dated 2/19/08 and 2/20/08 re: Vocational Inventory Bates No.: 112.1								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 41 DATE: 8/28/09

113.		Documents from Unum Company website: Company Information, History, Vision and Values, Business Snapshot, Corporate and social responsibility and Investors Bates Nos.: 113.1 - 113.6							
114.		Unum Code of Business Practices and Ethics for Directors, Officers, and Employees of Unum Bates Nos.: 114.1 - 114.20							
115.		Unum Life Ins. Co. Of American Profile for 2007 Bates No.: 115.1							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 44 DATE: 8/28/09

123.		January 1999 Guidelines for Medical Review Requests (Merrick trial exhibit) Bates no.: 123.1							
124.		June 10, 2002 email from Dennis Herson to DL DJHTEAM re: quote (Merrick trial exhibit) Bates No.: 124.1							
125.		June 10, 2002 email from Dennis Herson to DL DJHTEAM re: Yippeeee (Merrick trial exhibit) Bates No.: 125.1							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST X DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 45 DATE: 8/28/09

126.	June 25, 2002 email from Dennis Herson to DL DJHTEAM (Merrick trial exhibit) Bates No.: 126.1								
127.	July 3, 2002 email from email from Dennis Herson to DL DJHTEAM re: Open Claims w/Part Time RTW Dates - June 2002 (Merrick Trial Exhibit) Bates No. 127.1								
128.	Summary of Recommendations, (Merrick trial exhibit) Bates Nos.: 128.1 - 128.128.5								

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 46 DATE: 8/28/09

129.		Worcester Customer Care Center 2001 Operating Plan (Merrick trial exhibit) Bates Nos.: 129.1 - 129.7							
130.		Minutes of the Meeting of the Board of Directors of UnumProvident Corporation dated 10/27/04 (Merrick trial exhibit) Bates Nos.: 130.1 - 130.2							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 47 DATE: 8/28/09

131.		Chart as of 8/13/00 - Monthly Averages/Actual Months for Unum in Chattanooga, Worcester and Portland (Merrick trial exhibit) Bates Nos.: 131.1 - 131.2							
132.		8/6/99 UnumProvident Internal Memorandum from David Kennan to Ralph Mohnhey re: July Monthly Report - Worcester (Merrick trial exhibit) Bates Nos.: 132.1 - 132.3							

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 48 DATE: 8/28/09

133.	10/7/99 UnumProvident Internal Memorandum from David Kennan to Ralph Mohnhey re: September Monthly Report - Worcester (Merrick trial exhibit) Bates Nos.: 133.1 - 133.13									
134.	Any exhibits necessary for impeachment or rebuttal									
135.	Any and all x-rays, CT's, MRI's or other radiographic findings and films									

PMW

EXHIBIT LIST

CASE NO. 08-cv-540-WYD-BNB PLAINTIFF'S LIST DEFENDANT'S LIST _____ THIRD PTY DEFTS LIST _____
 CASE CAPTION: JONATHAN AIN vs. UNUM LIFE INSURANCE COMPANY OF AMERICA PAGE NO: 49 DATE: 8/28/09

136.	Any and all medical articles and/or reports contained in all witness files and/or discussed in any deposition								
137.	Any and all charts and/or diagrams to be used for demonstrative purposes at trial								
138.	Summary of testimony and exhibits which may be prepared during trial								
139.	Medical and anatomical images, diagrams and charts illustrating Plaintiff's medical condition and physical limitations								

PNP