

# EXHIBIT A

**From:** "Catherine J. MacIvor" <CMacIvor@mflegal.com>  
**To:** "Marcos Jimenez" <mjimenez@kennynachwalter.com>  
**Date:** 12/17/2007 12:41:04 PM  
**Subject:** RE: Blaszkowski - Safeway

Mr. Jimenez,

As previously discussed, I will serve interrogatories to you as to the Safeway employees which will be directed to their employment and what they do. While I have not seen the final draft, I anticipate that they are less than 15 simple interrogatories and may be less than 10. However, I am not waiving the right to seek their depositions after receiving the answers and this is provided that we receive the responses within 48 hours of service.

As for interrogatories in lieu of a 30(b)(6) deposition, I cannot agree to that. I am happy to work with you to try to work out any objections that you may have regarding the topics and the document requests. Please provide potential dates as soon as possible for the Safeway and Stop & Shop 30(b)(6) depositions.

I do not consent to interrogatories to the Plaintiffs at this time. I will be happy to discuss that with you as well.

Regards,

Catherine J. MacIvor  
Partner  
Maltzman Foreman, PA  
2 South Biscayne Boulevard  
Suite 2300  
Miami, Florida 33131  
Tel : (305) 358-6555  
Fax: (305) 374-9077  
Email: CMacIvor@mflegal.com

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

From: Marcos Jimenez [mailto:mjimenez@kennynachwalter.com]  
Sent: Friday, December 14, 2007 4:46 PM  
To: Catherine J. MacIvor  
Cc: Robert Alwine  
Subject: RE: Blaszkowski - Safeway

Ms. MacIvor:

No problem with the typo.

I'm happy to attempt interrogatories without prejudice to your position regarding depositions, but two days seems awfully short without knowing the number of interrogatories and their topics. If you'd like to give me an idea of the number of interrogatories and topics, then perhaps we can continue to make progress. Two days might be enough, depending on your answer.

I have prepared a motion for protective order, which for now I will hold off filing until I hear back from you.

Also, please let me know whether you consent to our propounding limited interrogatories to your two Florida named plaintiffs without prejudice to our defenses.

Please let me know on both of these items by Monday.

Thank you.

Marcos Daniel Jimenez  
Kenny Nachwalter, P.A.  
1100 Miami Center  
201 S. Biscayne Blvd.  
Miami, FL 33131-4327  
305.373.1000 (office)  
305.372.1861 (facsimile)  
mdj@kennynachwalter.com

>>> "Catherine J. MacIvor" <CMacIvor@mflegal.com> 12/14/2007 3:26 PM  
>>>

Mr. Jimenez,

I apologize for the typo.

I am willing to attempt interrogatories provided that I have an executed response within two days of service and it is without prejudice to noticing a deposition if I believe that is still necessary based upon the responses.

I am available December 19, 2007 in the afternoon.

Regards,

Catherine J. MacIvor  
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-----Original Message-----

From: Marcos Jimenez [mailto:mjimenez@kennynachwalter.com]  
Sent: Thursday, December 13, 2007 5:23 PM  
To: Robert Alwine; Catherine J. MacIvor  
Cc: Ana Gonzalez; Christina Frohock  
Subject: Re: Blaszkowski - Safeway

Ms. MacIvor:

First, my last name is spelled Jimenez.

Second, we object to these depositions. Our position is that your jurisdictional discovery can be accomplished in a cost-effective and efficient manner through interrogatories.

Consider this our effort under Local Rule 7.1 to confer regarding this discovery that you seek.

I am available for a hearing before Judge Altonaga any time at 3:30 pm or after tomorrow, December 14, 2007, and also any time on Wednesday, December 19, 2007.

Marcos Daniel Jimenez  
Kenny Nachwalter, P.A.  
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>>> "Catherine J. MacIvor" <CMacIvor@mflegal.com> 12/13/2007 4:10 PM  
>>>

Dear Mssrs. Jiminez and Alwine:

Please provide the names and addresses of the four employees who were

referenced in the Safeway Affidavit filed in mid-November as soon as possible as well as dates for their depositions. If we do not receive their names or addresses by Monday, we will serve notices for taking deposition on you with only the job title that we were provided.

Thank you for your anticipated cooperation.

Catherine J. MacIvor  
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