

Ryan Fountain

From: Ryan Fountain <RyanFountain@aol.com>
Sent: Monday, October 18, 2010 10:57 AM
To: 'Smith, Melanie L.'
Cc: 'Irmscher, David P.'; 'Meyer, Peter A.'
Subject: RE: Heartland/Forest River
Attachments: forestriverheartlandirmscherOct10.pdf

Melanie:

Since Friday, I have been unable to obtain verification from the hotel IP persons or my own ISP company that my email was actually sent or received. As I am sure you will understand, I am distressed when this sort of thing happens since it could compromise important confidential information rather unexpectedly.

However, in the present case, there was nothing very confidential in the memo. **Since you do not have it and I cannot find what happened to it, attached is another copy. Substantively, I do not think there is much in this that is different from what Dave and I discussed on October 5, so I assume that by now Dave has some idea of what Heartland is willing to do in regards to these items.**

Also, as per my email of October 14, I need to hear from Dave with respect to the Donat transcript issues and the discovery due in the second suit. **Please ask Dave to call me today to complete the Rule 37 process.**

Ryan

From: Smith, Melanie L. [mailto:Melanie.Smith@bakerd.com]
Sent: Monday, October 18, 2010 9:37 AM
To: Ryan Fountain
Cc: Irmscher, David P.; Meyer, Peter A.
Subject: Heartland/Forest River

Mr. Fountain,

Please resend your e-mail of October 10th. Dave has checked his folders and does not have it. Please contact Dave to discuss further.

Melanie Smith

Legal Secretary
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ATTENTION:

To ensure compliance with applicable Internal Revenue Service Regulations, we inform you that any tax advice contained in this electronic message was not intended or written to be used, and cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code.

This message and all its attachments are PRIVATE and may contain information that is CONFIDENTIAL and PRIVILEGED.