

Ryan Fountain

From: Ryan Fountain <RyanFountain@aol.com>
Sent: Friday, September 24, 2010 10:10 PM
To: David.Irmscher@bakerd.com
Subject: Forest River v. Heartland: Donat Deposition

Dave:

Heartland's blanket designation at the start of the deposition, prior to any questions being asked, of the entire deposition transcript as Attorneys Eyes Only is considered to be an act of bad faith, in violation of the Protective Order. I request that you remove that designation and instead designate only those items which in good faith are properly designated at that level of confidentiality. In addition and specifically, I request that you allow me to immediately inform Forest River about Mr. Donat's testimony concerning Heartland's normal selling price of certain products in the Fall of 2008 to Forest River's dealer invitees being at a loss and that the documents we received show Heartland engaged in massive discounting to dealers at the time it obtained Forest River's dealer listing.

Ryan