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Via Electronic and First Class Mail Only

December 14, 2007

Jonathan G. Polak, Esq.
SOMMER BARNARD PC
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204
e-mail: jpolak@sommerbarnard.com

Re: *Nerds on Call, Inc. v. Internet Billing Services, Inc., et. al.*
Case No. 1:07-cv-0535-DFH-TAB

Dear Jonathan:

Please allow this letter to serve as our written response to Mr. Ballard's letter of December 7, 2007 and the settlement conference of December 12, 2007.

We share your clients' collective desire to "air the issues in this matter" given your clients' obvious and absolute refusal to meaningfully discuss any reasonable settlement in this Case. However, and the foregoing notwithstanding, our client, Nerds on Call, Inc. ("NoC"), is willing to dismiss, without prejudice, the above-captioned, currently pending action in the Southern District of Indiana subject to the following condition: NoC will agree to execute a stipulation of dismissal in this matter that states any subsequent action brought by NoC as against your client(s) with regard to these matters shall be brought in the Eastern District of California and / or the United States Patent and Trademark Office – Trademark Trial and Appeal Board.


Of course, the foregoing proposed interim resolution is made without waiver of any of NoC's rights, claims, causes of action, defenses, and / or interests where these matters are concerned and without acknowledgment of the validity of any of the defenses, rights, claims, causes of action, defenses, and / or interests of your clients, Internet Billing Services, et. al.

As you are aware, our response to your Motion to Dismiss is due this Friday, December 21, 2007. (Weather permitting) I have depositions in New York on Monday and Tuesday and, again, on Thursday. As a professional courtesy I would hope that you could provide me with a response to the foregoing on or before the close of business on December 18, 2007.

Jonathan Polak, Esq.
December 14, 2007
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Thank you for your attention to the foregoing.

Cordially,

A handwritten signature in black ink, appearing to read "Theodore J. Minch". The signature is enclosed within a hand-drawn oval shape.

Theodore J. Minch
Sovich Minch, LLP

TJM/pm

Cc: Mr. Kevin Bouchonnet, President / Nerds on Call, Inc.