

WEDNESDAY, MARCH 14, 2007

Dustin Devaughn

From: Dustin Devaughn
Sent: Wednesday, March 14, 2007 3:12 PM
To: 'John V. Wachtel'; 'Alexander B. Mitchell'
Subject: Monsour v. Menu Maker

Val and Alex:

This confirms we have provided Menu Maker Foods with a settlement offer of \$420,000.

When I was speaking with Val, I think I gave him the wrong FRCP number. It is the last sentence of FRCP 56(d) that mandates that Judge Belot's findings of fact in his ruling on defendant's motion for summary judgment "shall be deemed established and the trial shall be conducted accordingly."

Best regards,

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