

TUESDAY, MARCH 27, 2007 (CONTINUED)

Sent: Tuesday, March 27, 2007 10:21 AM
To: John V. Wachtel
Cc: mail@meuerslawfirm.com
Subject: RE: Monsour v. Menu Maker

What?

Val, When you and I spoke yesterday I specifically asked you if the \$250 was still on the table early yesterday morning and you said it was. My notes from the conversation reference the same. That is why my 9:18 a.m. email from yesterday did not reject the 250, but advised we would recommend 300 if Dick would go to that.

Your 3:51p.m. email from yesterday indicated that Dick would not go to 300 and was starting to get "iffy" about the 250 settlement offer. That is when my clients accepted the same. Your 3:51 email never indicated the 250 was off the table.

I was on the phone with Larry Meuers when I received your email and he is bewildered as well. Please do not let your client pull this.

Dustin L. DeVaughn ♦ ddevaughn@mtsgh.com.
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-----Original Message-----

From: John V. Wachtel [mailto:jvwachtel@kmazlaw.com]
Sent: Tuesday, March 27, 2007 10:39 AM
To: Dustin Devaughn
Cc: Alexander B. Mitchell
Subject: RE: Monsour v. Menu Maker

Dustin:

I do not remember saying that the offer was still on the table. I recall saying that I believed that it was. I would have had no authority from Graves regarding whether or not the offer still lived. If I did in fact say that the offer was still on the table, I was speaking out of turn and without having first spoken with Mr. Graves.

With regard to the statement "iffy" I was simply reporting what Mr. Cox had reported to me. Perhaps Meuers was bewildered. I wrote him to determine how to deal with the \$50,000.00 if the settlement went through. (Check the message.) I can only now say that I will be talking with Dick at some time between not and Wed., and will get back to you immediately.

Val

