

Exhibit A

From: Wein, Andrew
Sent: Thursday, July 09, 2009 7:43 PM
To: 'Shartle, Bryan'
Cc: Israel, Dave; Homes, Justin; Aucoin, Harold; Wilson, Donna; Thomas Buck (tbuck@bluewilliams.com); Glenn M. Farnet (Glenn.Farnet@keanmiller.com)
Subject: RE: Pinero v. Jackson Hewitt - Jackson Hewitt's Response to Plaintiff's First Request for the Production of Documents

Bryan -

Given the tone and content of your email below, it appears our objections to plaintiff's discovery request have been misunderstood. To be clear, **the request itself is improper**, and inherently seeks attorney mental impressions and work product by requesting documents "which we contend" demonstrate compliance with rules or laws. Our response and objections certainly were "serious," as the Federal Rules do not require parties to share their attorney mental impressions and work product as to interpretations of the law.

Further, contrary to your email, you did not quote the Safeguard Rule, but rather characterized it in an argumentative fashion that is not answerable. And it is not our obligation to rephrase or properly frame Plaintiff's discovery requests to make them comply with the Federal Rules.

That said, notwithstanding the tenor of your email, we hope the parties will be able to discuss, in a civil manner, a way in which you can rephrase Plaintiff's request to comply with the Federal Rules, and thus inform Jackson Hewitt, in a meaningful way, what documents you wish for us to produce. As our response indicated, Jackson Hewitt invites you to identify the documents you seek -- sans characterizations, argument, and improper attempts to obtain mental impressions and work product of counsel -- so that we can amend and/or supplement our response. I am available Friday afternoon or Monday if you wish to discuss this further.

Regards,

Andrew

Andrew S. Wein
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-----Original Message-----

From: Shartle, Bryan [mailto:bshartle@sessions-law.biz]
Sent: Wednesday, July 08, 2009 10:38 PM
To: Wein, Andrew; Wilson, Donna
Cc: Israel, Dave; Homes, Justin; Aucoin, Harold; Shartle, Bryan
Subject: RE: Pinero v. Jackson Hewitt - Jackson Hewitt's Response to Plaintiff's First Request for the Production of Documents

Are you serious?

We track the words of the Rule, a Rule your client is required to understand and comply with, and you produce no documents based these objections?

I suggest you reconsider your position.

If you are withholding documents because of a privilege, then identify them in a Privilege Log, as the Federal Rules require. I will give you until Wednesday of next week to produce the Privilege Log. If you don't produce the log by then, I will assume there are no responsive documents, or the documents are not privileged.

Again, I suggest you reconsider your position.

Bryan C. Shartle, Esq.
Cell: 985-768-0252
Sent by Treo

-----Original Message-----

From: Wein, Andrew [<mailto:AWein@KelleyDrye.com>]

Sent: Wednesday, July 08, 2009 08:15 PM Eastern Standard Time

To: bshartle@sessions-law.com

Cc: tbuck@bluewilliams.com; Glenn.Farnet@keanmiller.com; Gina.Banks@keanmiller.com; Wilson, Donna, Jackson, Veronica

Subject: Pinero v. Jackson Hewitt - Jackson Hewitt's Response to Plaintiff's First Request for the Production of Documents

Bryan -

Enclosed please find Jackson Hewitt Tax Service Inc.'s and Jackson Hewitt Inc.'s Response to Plaintiff Vicki L. Pinero's First Request for the Production of Documents.

Regards,

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