

# **EXHIBIT E**

**Jackson, Veronica**

**From:** Shartle, Bryan [bshartle@sessions-law.biz]  
**Sent:** Friday, September 04, 2009 10:29 AM  
**To:** Wein, Andrew  
**Cc:** Wilson, Donna; Glenn.Farnet@keanmiller.com; Jackson, Veronica; Gina.Banks@keanmiller.com; tbuck@bluewilliams.com; disrael@sessions-law.com  
**Subject:** RE: Pinero v. Jackson Hewitt--Please Produce Defendants' Initial Disclosures

No, I didn't say that. I said we are not available on September 10. I am suggesting that you wait until after the hearing on September 9 to discuss these issues.



**Bryan C. Shartle, Attorney | SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.**  
 Direct: 504.846.7917 | Mobile: 985.768.0252 | Fax: 504.828.3737 | bshartle@sessions-law.biz  
 3850 N. Causeway Blvd., Suite 200, Metairie, LA 70002-7227 | Main: 504.828.3700 | www.sessions-law.com  
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**From:** Wein, Andrew [mailto:AWein@KelleyDrye.com]  
**Sent:** Friday, September 04, 2009 9:14 AM  
**To:** Shartle, Bryan  
**Cc:** Wilson, Donna; Glenn.Farnet@keanmiller.com; Jackson, Veronica; Gina.Banks@keanmiller.com; tbuck@bluewilliams.com; disrael@sessions-law.com  
**Subject:** RE: Pinero v. Jackson Hewitt--Please Produce Defendants' Initial Disclosures  
**Importance:** High

Bryan -

Just to be clear, are you refusing to produce your client pending resolution of your Motion for Leave to Amend?

Andrew

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

**From:** Shartle, Bryan [mailto:bshartle@sessions-law.biz]  
**Sent:** Friday, September 04, 2009 7:41 AM  
**To:** Wein, Andrew; bshartle@sessions-law.com  
**Cc:** Wilson, Donna; Glenn.Farnet@keanmiller.com; Jackson, Veronica; Gina.Banks@keanmiller.com; tbuck@bluewilliams.com; disrael@sessions-law.com  
**Subject:** RE: Pinero v. Jackson Hewitt--Please Produce Defendants' Initial Disclosures

We are not available for September 10.

**From:** Wein, Andrew [mailto:AWein@KelleyDrye.com]  
**Sent:** Friday, September 04, 2009 12:26 AM  
**To:** bshartle@sessions-law.com  
**Cc:** Wilson, Donna; Glenn.Farnet@keanmiller.com; Jackson, Veronica; Gina.Banks@keanmiller.com; tbuck@bluewilliams.com; disrael@sessions-law.com  
**Subject:** RE: Pinero v. Jackson Hewitt--Please Produce Defendants' Initial Disclosures

Bryan -

Please get back to me as soon as possible. We obviously need to make the appropriate arrangements.

Andrew

**From:** Wein, Andrew  
**Sent:** Thu 9/3/2009 12:07 PM  
**To:** Bryan C. Shartle (bshartle@sessions-law.com)  
**Cc:** Wilson, Donna; Glenn M. Farnet (Glenn.Farnet@keanmiller.com); Jackson, Veronica; Gina.Banks@keanmiller.com; Thomas Buck (tbuck@bluewilliams.com); David Israel (disrael@sessions-law.com)  
**Subject:** RE: Pinero v. Jackson Hewitt--Please Produce Defendants' Initial Disclosures

Bryan -

Since there is way of knowing how long it may take Magistrate Knowles to rule on your latest Motion to Amend, and given that you appear likely to appeal that ruling if you were to lose, we are not willing to postpone the deposition until that motion is resolved. However, we willing to postpone the the following day, September 10, 2009, so as to avoid any scheduling conflicts.

Finally, we are not obligated to depose your client on topics which are not properly at issue in this case, and in connection with she was previously denied leave to amend to include in her Complaint. Accordingly, we will reserve all rights to request a further deposition of your client if and when she amends her Complaint.

Please let me know whether you will be making your client available for a deposition on September 10, 2009.

Andrew

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

**From:** Shartle, Bryan [mailto:bshartle@sessions-law.biz]  
**Sent:** Wednesday, September 02, 2009 10:45 AM  
**To:** Wein, Andrew  
**Cc:** Homes, Justin; Wilson, Donna; Aucoin, Harold; glenn.farnet@keanmiller.com; Israel, Dave; Jackson, Veronica; Gina.Banks@keanmiller.com; tbuck@bluewilliams.com  
**Subject:** RE: Pinero v. Jackson Hewitt--Please Produce Defendants' Initial Disclosures  
**Importance:** High

9/9/2009

Andrew:

Thanks for the initial disclosures.

As for the deposition, do you really want to move forward with the deposition before the motion for leave is resolved? If we produce her on September 9, 2009, we will not produce her again later. Also, as you know, we will be in Court at the same time you set plaintiff's deposition. I suggest you reissue the notice for another mutually convenient date. Please advise whether you are unwilling to move the deposition.



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size=2 width="100%" align=center tabindex=-1>

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

**Sent:** Wednesday, September 02, 2009 9:14 AM

**To:** Shartle, Bryan

**Cc:** Homes, Justin; Wilson, Donna; Aucoin, Harold; glenn.farnet@keanmiller.com; Israel, Dave; Jackson, Veronica; Gina.Banks@keanmiller.com; tbuck@bluewilliams.com

**Subject:** RE: Pinero v. Jackson Hewitt--Please Produce Defendants' Initial Disclosures

Bryan -

Our initial disclosures are attached.

Also, in preparation for next week, can I confirm the deposition of your client for September 9?

Andrew

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

**From:** Shartle, Bryan [mailto:bshartle@sessions-law.biz]

**Sent:** Tuesday, September 01, 2009 10:47 AM

**To:** Wilson, Donna; Wein, Andrew; Jackson, Veronica; glenn.farnet@keanmiller.com; Gina.Banks@keanmiller.com; shannon.fassbender@keanmiller.com; tbuck@bluewilliams.com

**Cc:** Homes, Justin; Aucoin, Harold; Israel, Dave; Shartle, Bryan

**Subject:** Pinero v. Jackson Hewitt--Please Produce Defendants' Initial Disclosures

**Importance:** High

Counsel:

We agreed to exchange initial disclosures by August 31, 2009. Please produce your disclosures. Thanks.



**Bryan C. Shartle, Attorney | SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.**  
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