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To: Thomas T. Reith, Esq. **From:** India L. Minchoff

Fax: 617 345 3299 **Pages:** 2

Phone: **Date:** September 12, 2006

Re: Hofer, et al. v. Expedia, et al. **CC:** Attorney Milano 617 342 4938

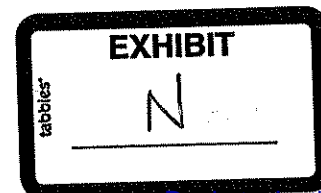
To: Scott D. Feringa, Esq. **From:** India L. Minchoff

Fax: 248 748 2760 **Pages:** 2

Phone: **Date:** September 12, 2006

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September 14, 2006

Scott D. Feringa, Esq.
Sullivan, Ward, Asher & Patton, P.C.
1000 MacCabees Center
25800 Northwestern Highway
Southfield, Michigan 48075

RE: Hofer, et al v. Gap, et al, C.A. 05-40170

Dear Attorney Feringa,

In response to your correspondence of September 13, 2006, I offer the following. The sandals will not be released since I do not believe that you or your client will abide by your proposed terms. In addition, if the production of the sandals was for the sole purpose of identifying the manufacturer, the position that you took in Court, I find that you were more than disingenuous during your initial requests for said sandals.

You and your client's representations have proven to be untrustworthy. Such is evidenced by your urging the Plaintiffs to drop their case due to fact that Ms. Hofer was a) intoxicated at the time of the accident and b) the Jamaican depositions, from your prospective, would sink the Plaintiffs' case. Both positions have been proven not only false, but also lacking in any factual support whatsoever.

In addition, I fail to see how any of the documents you claim were formally requested affect the Plaintiff's duly noticed depositions. Judge Saylor was quite clear regarding your obligations to produce the documents requests.

Very truly yours,


India L. Minchoff

cc. Stephen J. Kuzma, Esq.
Thomas Reith, Esq.
Sean Milano, Esq.