

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

EXPERI-METAL, INC.,
a Michigan corporation,

Plaintiff,

Case No. 2:09-CV-14890

v.

Hon. Patrick J. Duggan

COMERICA BANK,
a foreign banking organization,

Defendant.

Richard B. Tomlinson (P27604)
Daniel R. Boynton (P30359)
Joseph W. Thomas (P33226)
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DEFENDANT COMERICA BANK'S FIRST AMENDED WITNESS LIST

Defendant, by and through its attorney, Miller, Canfield, Paddock and Stone, P.L.C. and pursuant to the Court's scheduling order, hereby submits its Witness List. Defendant may call the following individuals to testify at trial:

1. Debra S. Nosanchuk, Comerica Bank;
2. Catherine A. Davis, Comerica Bank;
3. Denise Ling, Comerica Bank;
4. Valiena Allison, ExperiMetal, Inc.;

5. Keith Maslowski, ExperiMetal, Inc.;
6. Rita Pniewski, Comerica Bank;
7. Claudia Cassa, Comerica Bank;
8. Connie Jernigan, Comerica Bank
9. Melverta Ruff, Comerica Bank
10. Shawn Murphy, Comerica Bank
11. Brenda Paige, Comerica Bank
12. Paul A. Carrubba, expert witness, can be contacted through counsel for Comerica
13. Custodians of records for the parties,
14. Any witnesses named by Plaintiff;
15. Representatives of the FBI and law enforcement agencies that investigated the phishing attack;
16. Any necessary and appropriate rebuttal witness and any sur-rebuttal witnesses;
17. Any witness whose identity becomes known to Defendant through the course of discovery in this matter;
18. Defendant hereby reserves the right to call any witness not identified in this Witness List for any purpose permitted under the Federal Rules of Civil Procedure;

19. Defendant hereby reserves the right to amend this Witness List.

Respectively submitted,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: /s/Lara Lenzotti Kapalla
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Dated: September 29, 2010

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2010, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system and the Court will send notification of such filing to the parties.

Richard B. Tomlinson - rtomlinson@driggerschultz.com

/s/ Lara Lenzotti Kapalla
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