

Founded in 1852  
by Sidney Davy Miller

# MILLER CANFIELD

LARA LENZOTTI KAPALLA  
TEL (313) 496-7573  
FAX (313) 496-8454  
E-MAIL [kapalla@millercanfield.com](mailto:kapalla@millercanfield.com)

Miller, Canfield, Paddock and Stone, P.L.C.  
150 West Jefferson, Suite 2500  
Detroit, Michigan 48226  
TEL (313) 963-6420  
FAX (313) 496-7500  
[www.millercanfield.com](http://www.millercanfield.com)

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November 16, 2010

## VIA FAX AND U.S. MAIL

Richard B. Tomlinson, Esq.  
DRIGGERS, SCHULTZ & HERBST, PC  
2600 W Big Beaver Road, Suite 550  
Troy, MI 48084

Re: Experi-Metal, Inc v Comerica, Inc  
Case No. 2:09-CV-14890

Dear Richard:

It has come to our attention that Joe Thomas of your office contacted a former member of Comerica's senior management, Dan McCarty, about the pending lawsuit.

Mr. McCarty only very recently left Comerica's employ, a fact that Mr. Thomas was apparently not privy to. Mr. McCarty was working for Comerica during the time the lawsuit has been pending. In his role in senior management, he had communications with counsel and obtained privileged information. Such information and conversations remain protected by privilege.

Your firm's communications with Mr. McCarty potentially implicate Comerica's right to exercise its privilege. Accordingly, Comerica has a right to have counsel present for any such communications, in order to protect that privilege. To the extent your firm wishes to further communicate with Mr. McCarty, please coordinate those communications through our office.

Sincerely,

Miller, Canfield, Paddock and Stone, P.L.C.

By:   
Lara Lenzotti Kapalla

cc: Todd A. Holleman, Esq.

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