



officers, directors, employees, agents, consultants, attorneys and all other persons acting or purporting to act on behalf, or under the control, of any of the foregoing.

2. Articles of Incorporation. The term "Articles of Incorporation" means the paperwork submitted by MEYER to the Missouri Secretary of State on March 16, 2007 as shown in Exhibit A of the Compliant.

3. You and Your. The terms "you" and "your" mean SLU, as that term is defined herein, and anyone acting on SLU's behalf.

4. Communication. The term "communication" means any oral, written, mechanical, electronic, or other transmission of words, symbols, numbers, depictions to any person, entity, file or repository of data or information (in the form of facts, ideas, inquiries or otherwise).

5. Document. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of this term in Federal Rule of Civil Procedure 34 and by way of further definition, and without limitation, "document" also includes any information stored in a computer retrievable format including computer models, E-mail, and any other form of electronically, optically, magnetically or other machine-readable stored information. When producing information stored in a computerized format you should identify what program or programs were used to create the computer stored information and, if that program is not commercially available, you will identify the source of the program and you are required to make a copy of the program available for copying if not prohibited by copyright laws or any other licensing agreement. A draft or non-identical copy is a separate document within the meaning of this term.

6. Person. The term "person" is defined as any natural person or any business, legal or governmental entity, organization or association.

7. Concerning. The term "concerning" means relating to, referring to, describing, evidencing, constituting or consisting of.

8. And/Or. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

9. Number. The use of the singular form of any word includes the plural and vice versa.

### INSTRUCTIONS

1. A request to identify "all facts" is intended to include without limitation the identification of: (1) all documents and things that relate to the allegation or contention that is the subject of the Interrogatories; (2) any facts SLU claims support any such allegation or contention; and (3) any and all persons having knowledge of any such fact, allegation, contention or position.

2. All interrogatories which call for the identification of a document or writing shall be interpreted to call for the following information with respect to each such document or writing:

- (a) The date, title and subject matter of the document or writing and a brief summary of the contents thereof;
- (b) The person[s], and/or-entity[ies], involved or associated with the creation, preparation, and/or execution of the document or writing;
- (c) The title of the file or folder, if any, in which the document or writing is kept;
- (d) The identity of each person having custody or control of the document or writing, or any copies thereof; and,

(e) The source of the information sought in (a) - (d) above.

3. All interrogatories which call for the identification of facts shall be deemed to call for the following information with respect to each such fact:

- (a) A full and specific statement of each such fact;
- (b) The identification of each person who has personal knowledge of each such fact;
- (c) The identification of each document or writing which is a source of or which evidences each such fact; and
- (d) The identification of each oral conversation or communication which is a source of or evidences such fact.

4. All interrogatories which call for the identification of a person shall be interpreted to call for, to the extent known, the person's full name; current or last known full address; home telephone number; and current or last known employer, job title, business address and business telephone number of that person.

5. In the event any information is withheld on any claim of privilege or immunity from disclosure, including without limitation a claim of attorney/client privilege or work product immunity, describe in detail the precise basis for the claim of privilege or immunity, identify the requested information that is being withheld with sufficient particularity to enable a claim of privilege or immunity to be adjudicated, and cite any authority which you assert supports any claim of privilege or immunity. If a legal objection based on a claim of privilege or immunity from disclosure applies only to a part of an interrogatory, but not the entirety thereof, state the part to which the claim of privilege or immunity applies and answer the remainder of the Interrogatories.

6. In the case where an identified document has been destroyed or is alleged to have been destroyed, provide the date and reasons for the document's destruction, identify each person with knowledge of its destruction, and identify each person who is responsible for its destruction.

### INTERROGATORIES

1. Please provide the name and address of the person or persons answering these interrogatories, including all persons who provided information used in answering these interrogatories.

ANSWER:

2. As to the alleged infringement, state the date and circumstance under which SLU first learned of the Articles of Incorporation and identify the person with knowledge of such circumstance.

ANSWER:

3. Identify all persons with knowledge of the Articles of Incorporation, including but not limited to those persons with knowledge of the Article of Incorporation's:

- a. Formation;
- b. Existence;
- c. Dissolution or Termination.

ANSWER:

4. Identify all persons with whom you have communicated regarding the Articles of Incorporation, including but not limited to those persons with knowledge of the Article of Incorporation's:

- a. Formation;
- b. Existence;
- c. Dissolution or Termination.

ANSWER:

5. State whether SLU obtained any advice of counsel or opinion of counsel as to potential infringement or violation of any rights of SLU, and if so, state for each such opinion or advice of counsel: who rendered it and the date of the opinion or advice was rendered; and identify all documents that show, discuss, or relate to the opinion or advice.

ANSWER:

6. Indicate all acts of MEYER which SLU contends constitute an act of trademark infringement by MEYER.

ANSWER:

7. Set forth all categories and amounts of damages specifying the documents or other evidentiary materials upon which such damages are based or bearing on the nature and extent of such damages and indicate how such damages were calculated.

ANSWER:

8. Identify all facts that you contend support your allegation that the alleged wrongdoings by MEYER were willful.

ANSWER:

9. Identify all facts that you contend support your allegation that the alleged wrongdoings by MEYER were willful and deliberate, designed especially to trade upon alleged goodwill associated with SLU.

ANSWER:

10. Identify all facts that you contend support your allegation that the alleged wrongdoings by MEYER result in SLU suffering and continuing to suffer irreparable harm.

ANSWER:

11. Provide the name, employer, title, business and home addresses and telephone numbers for each person with operational or maintenance responsibility for SLU's computer system(s), including, but not limited to, the person(s) who maintain the hardware on the system(s); the person(s) responsible for installing software on the system(s); the person(s) responsible for the day-to-day operation of the system(s); the person(s) responsible for making backups or archiving files and data on the system(s); and the person(s) who can provide any passwords that may be necessary to access the appropriate computer system(s) or files.

ANSWER:

12. If not the same person(s) as identified in your answer to the immediately preceding interrogatory, identify by job title, job description, and business address and telephone number, the person(s) employed by SLU who is/are the most knowledgeable about the policies, procedures and actual practices for retention and destruction of documents at SLU.

ANSWER:

13. Describe all efforts and procedures taken by SLU for this litigation to gather and secure documents, including, but not limited to, electronically generated or stored word processing files, spreadsheets or other electronic documents, electronic mail, and backup copies of information that may be relevant to the facts of this case. Describe the manner in which the notice of such efforts or procedures was communicated to SLU's employees.

ANSWER:

14. Describe all record retention and destruction policies and procedures followed by SLU including, but not limited to, the date the policy was adopted; the types of documents covered and the respective retention periods; the frequency of document destruction; whether any record is kept or what documents were destroyed, the manner and frequency with which the policy is communicated to SLU's employees; and the identity of all employees with responsibility for implementing and executing the policy.

ANSWER:



15. Identify any data that has been deleted, physically destroyed, discarded, damaged (physically or logically), or overwritten, whether pursuant to a document retention policy or otherwise, since the commencement of this litigation. Specifically identify those documents that relate to or reference the subject matter of this litigation.

ANSWER:

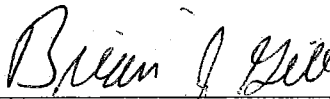
16. For each witness who may be used by you at trial to present evidence under Federal Rules of Evidence 702, 703, or 705 provide all information described in or required by Rule 26(a)(2) of the Federal Rules of Civil Procedure.

ANSWER:

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Respectfully Submitted,

POLSTER, LIEDER, WOODRUFF & LUCCHESI, L.C.

By 

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2008, the foregoing was served via United States Mail,  
postage prepaid, on the following party:

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ATTORNEYS FOR PLAINTIFF

