

EXHIBIT D

Henderson Jr., Uleses C.

From: L. Kristopher Rath [krath@hutchlegal.com]
Sent: Wednesday, October 03, 2007 4:12 PM
To: Henderson Jr., Uleses C.
Subject: RE: 1st Technology v. Bodog Entertainment Group S.A.: ION Media Subpoena

Mr. Henderson,

I told you that I would discuss the matter with ION and might be willing to stay the subpoena, if they had an objection to it or needed more time or had no documents. They told me they did not have an objection, if we agreed to confidentiality and had documents to produce. They, as the party subpoenaed, are willing to produce documents, so I see no reason to withdraw the subpoena at this time.

--Kris.

L. Kristopher Rath
Partner

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From: Henderson Jr., Uleses C. [mailto:UHenderson@foley.com]
Sent: Wednesday, October 03, 2007 3:54 PM
To: L. Kristopher Rath
Cc: Nguyen, James D.; Charles H. McCrea Jr.; Mark A. Hutchison; de Gyarfas, Victor
Subject: RE: 1st Technology v. Bodog Entertainment Group S.A.: ION Media Subpoena

From the Desk of: Uleses C. Henderson, Jr.



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Kris:

10/4/2007

Today we spoke with ION Media's lawyers about the ION subpoena. It is our understanding that you told them that 1st Technology expects ION to fully comply with the subpoena, and that Bodog Entertainment Group ("BEG") would need to quash the subpoena if it wanted the subpoena withdrawn. Obviously your position on this issue has changed since our discussion yesterday, where you said that you would consider withdrawing or staying the subpoena once you heard from ION Media (ION confirms that it has no agreements with any of the defendants in this action). At any event, your subpoena is facially invalid because it was issued by the District Court of Nevada, who has no jurisdiction over ION.

This email is to inform you that BEG plans to file a motion to quash 1st Technology's facially invalid subpoena tomorrow unless you confirm, by 10:00 am tomorrow, that 1st Technology agrees to withdraw the subpoena.

Regards,

Uleses C. Henderson, Jr.
FOLEY & LARDNER LLP
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Los Angeles, CA 90067
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Email: uhenderson@foley.com



From: Henderson Jr., Uleses C.
Sent: Tuesday, October 02, 2007 11:44 AM
To: 'lrath@hutchlegal.com'
Cc: Nguyen, James D.; 'Charles H. McCrea Jr.'; 'mhutchison@hutchlegal.com'; de Gyrfas, Victor
Subject: RE: 1st Technology v. Bodog Entertainment Group S.A.: ION Media Subpoena

Mr. Rath:

This is a follow-up to my September 24, 2007 email (enclosed herewith) regarding the ION subpoena. We have not heard from you. As discussed in my September 24 email, we believe that the ION subpoena is pre-mature and unnecessary at this juncture; especially in light of the pending motion to set aside default judgment before the Court. Once again, we ask that 1st Technology withdraw or at least stay the subpoena, pending the outcome of the motion.

I would like to meet and confer on this matter today, so that we can take appropriate action is necessary. I will call you at 2:00 pm, unless there is a better time for you to meet. We appreciate your prompt attention to this matter.

Regards,

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10/4/2007

Email: uhenderson@foley.com

From: Henderson Jr., Uleses C.
Sent: Monday, September 24, 2007 5:33 PM
To: 'lrath@hutchlegal.com'
Cc: Nguyen, James D.; 'Charles H. McCrea Jr.'; 'mhutchison@hutchlegal.com'
Subject: 1st Technology v. Bodog Entertainment Group S.A.: ION Media Subpoena

Mr. Rath:

We understand that your offices recently served a document subpoena to ION Media Networks ("ION"), in connection with the above-referenced matter (the "Subpoena"). The Subpoena requires ION to produce certain documents on or before October 8, 2007.

ION has no agreements with any of the named defendants in this action. Moreover, the Nevada court has stayed 1st Technology's requested debtor examination of Calvin Ayre, pending the court's decision on the defendants' motion to set aside the default judgment in this action (which will not be heard until October 11, 2007); thus, the court would likely also find that the Subpoena to ION is pre-mature and unnecessary at this juncture. Thus, we ask that 1st Technology withdraw the Subpoena, or at least agree to stay the Subpoena, pending the outcome of the defendants' motion to set aside default judgment.

Please let us know by tomorrow whether 1st Technology will agree to withdraw or stay the Subpoena, so that we can take appropriate action if necessary.

Regards,

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10/4/2007