

# EXHIBIT EE

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**From:** Dean Boland

**Sent:** Tuesday, August 28, 2012 5:07:43 PM (UTC-05:00) Eastern Time (US & Canada)

**To:** Southwell, Alexander H.; Paul Argentieri; Larry Stewart

**Subject:** Stewart Documents

Alex:

You have been provided on more than one occasion, all the documents you are still seeking today. We reject your contention that Mr. Stewart has not provided everything he has responsive to your requests. What you did with those documents and why you cannot locate them or seem to think you have received them for the first time in either July 2012 or August 23, 2012 is a mystery only you can solve.

Mr. Stewart took samples of ink that remain untested in vials in this lab. Those ink samples are documented on filename DOC082312.PDF that you have. This PDF was put together in response to your repeated request. It is a PDF of files you previously received. Obviously, that file was created by combining other documents you had previously received. And, it was created on August 23, 2012 which would necessarily cause it to have metadata from that day. Your imagination of a conspiracy here evidences technological ignorance on this point.

Page 3 of 9 on the PDF shows how many samples were taken and where they were taken from. In fact page 6 of 9 of that PDF has Mr. Stewart's handwritten note stating "Location Map of my plugs" and is dated July 25, 2011. A map of the location of his samples, I would suppose, shows on the document where he took the samples from. Every circle on the relevant pages of the PDF denote where he took a sample from. Each circle may have one or more than one plug taken from it. Your confusion lies in assuming that each circle denotes one plug. That is incorrect. Therefore, the document you have maps perfectly the location of all plugs taken from the FB contract by Mr. Stewart.

Mr. Stewart has not been provided his transcript by you to review to confirm your claims. On several occasions during his deposition he requested to review his file to answer a question and instead, you simply moved on to another topic.

Taking ink samples does not equate to testing ink samples. You appear to be confused by that. Mr. Stewart has been clear about the samples he took and what he tested. All samples he obtained were obtained on July 25, 2011.

As to what is obvious from your view of the video, I have no comment on that. You have not provided us any evidence that Mr. Stewart used two TLC worksheets during his examination. If he reviews his records and finds any additional information responsive to your requests, he will provide immediately. As of now, you have a copy of all TLC worksheets that Mr. Stewart has in his file for this case. Mr. Stewart and Mr. Speckin shared a scanner for the July 25, 2011 examination and exchanged scans made before and after Mr. Stewart's plugs were obtained.

We have provided copies of all of the notes and images that Mr. Stewart has in his possession. There may be confusion whether they were provided via a FEDEX package or on a CD, nonetheless, all these items have been provided. It is documented by Mr. Stewart that he sent you both copies in paper of his printed notes and a CD of image files. The October 2011 CD may or may not have contained a TLC Worksheet, but that paper document has been provided in photocopy format and a scanned PDF on two previous occasions.

It appears from your questions that you may have misplaced the paper documents included in the FEDEX package from October 2011 that also contained the CD. We have since provided those paper documents, copies of them, to you.

All samples Mr. Stewart took of the document were taken on July 25, 2011. That would include ink, paper and toner samples. He has not tested any ink samples as of this time.

If there is anything else you have misplaced, please advise. We have provided you everything you have requested and further explained what you were provided with multiple long emails and letters.

Mr. Stewart has provided Defendants everything in his possession responsive to your request. There is nothing else to provide. If you provide evidence of a second TLC worksheet, we will review it and respond accordingly.

Dean Boland.

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Please note, I typically only review my emails once daily. If there is something urgent in any email, please do not hesitate to contact my office at 216-236-8080.