

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADVANCEME, INC.	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	
	§	CAUSE NO. 6:05-CV- 424 (LED)
RAPIDPAY, LLC, BUSINESS CAPITAL CORPORATION, FIRST FUNDS LLC, MERCHANT MONEY TREE, INC., REACH FINANCIAL, LLC and FAST TRANSACT, INC. d/b/a SIMPLE CASH,	§	
	§	
<i>Defendants.</i>	§	
	§	
	§	

DEFENDANTS’ AFFIRMATIVE DEPOSITION DESIGNATIONS

Defendants First Funds, LLC, Merchant Money Tree, Inc., and Reach Financial, LLC (“Defendants”) hereby submit their affirmative deposition designations.

Defendants reserve the right to amend and/or supplement their affirmative designations, depending on the manner and order in which Plaintiff’s proof is presented at trial. Some of the deposition testimony designated below may better serve as counter-designations to affirmative deposition offers filed by Plaintiff. Defendants, therefore, reserve the right to re-designate any of their affirmative offers listed below as counter-designations to Plaintiff’s affirmative offers. Defendants also reserve the right to make additional counter-designations to Plaintiff’s affirmative offers. Defendants further reserve the right to de-designate any of their affirmative offers listed below and not offer such testimony either as an affirmative offer or as a counter-designation at trial.

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DEPOSITION OF ALLEN ABBOTT

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DEPOSITION OF WILLIAM MORGENSTEIN

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Dated: June 12, 2007

Respectfully submitted,

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