

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

ADVANCEME, INC.

§

Plaintiff,

§

§

v.

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§

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,**

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Defendants.

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**CORRECTED EXHIBIT D TO THE PARTIES' JOINT FINAL PRE-TRIAL ORDER
(DOCKET NO. 286)**

EXHIBIT D

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

ADVANCEME, INC.

§

Plaintiff,

§

§

v.

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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,**

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Defendants.

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DEFENDANTS’ CORRECTED 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.

INDEX TO DEPOSITION DESIGNATIONS

1. ALLEN ABBOTT
2. JAMES R. ALEXANDER
3. LAURENT F. BOUCHARD
4. MICHELLE BOUDETTE
5. JOHN RANDALL BOURNE
6. JENNIFER CARTER
7. RUTH ELASRI
8. LES FALKE
9. JEANNETTE MAY GEPFORD
10. CLIFFORD HARDWICK
11. BARBARA S. JOHNSON
12. GARY JOHNSON
13. JOHN KONOP
14. EDWARD W. LANDON
15. THOMAS J. LITTLE, IV
16. NICK LOGAN
17. DANIEL LOTT
18. ANTHONY MALEY
19. TOM MCBREARTY
20. WILLIAM MORGENSTEIN
21. ADAM SECHER
22. GERETTE SORWELL
23. LEE SUCKOW
24. ANTHONY WILDEN

DEPOSITION OF ALLEN ABBOTT

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 11, 2007

Page/Line
5:17-22
9:25-10:7
10:11-23
11:11-24
12:8-19
21:23-24:4
25:6-27:6
28:2-14
28:20-29:16
30:11-24
31:2-9
31:25-32:10
32:24-33:16
33:20-22
34:25-35:13
36:12-38:13
38:15-39:5
39:9-24
40:7-41:23
42:7-16

DEPOSITION OF ALLEN ABBOTT**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 11, 2007**

Page/Line
62:3-17
62:19-63:11
63:16-20
63:24-64:18
65:19-66:7
66:14-22
67:7-68:8
70:5-15
71:6-11
72:9-16
72:20-23
73:6-13
73:18-75:11
81:8-82:6
84:13-85:5
85:19-86:3
87:1-89:22
89:24-90:4
92:4-18
92:20
93:3-94:7

DEPOSITION OF ALLEN ABBOTT

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 11, 2007

Page/Line

94:9-95:6

95:8

DEPOSITION OF JAMES R. ALEXANDER

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – March 9, 2007

Page/Line
6:9-10
8:19-9:7
10:2-12
12:15-13:4
13:11-16
13:20-14:6
15:2-11
27:16-21
28:19-31:21
34:11-35:4
37:2-38:3

DEPOSITION OF LAURENT F. BOUCHARD**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 31, 2007**

Page/Line
7:3-7
8:10-12
10:9-11:8
11:11-14:8
16:16-17:2
17:5-19
18:2-5
18:8-23
19:2-20:21
22:18-19
22:21-25:12
26:3-29:15
29:18-32:20
32:22
32:24-33:4
33:6-34:5
34:7-35:14
35:17-22
35:24-36:4
36:7-12
36:14-37:5

DEPOSITION OF LAURENT F. BOUCHARD**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 31, 2007**

Page/Line
37:7-41:1
41:4-46:1
46:3-14
46:16
46:24-47:3
47:6-50:12
51:8-15
51:17-55:23
56:1-57:7
57:11-59:16
62:10-64:24
65:2-9
67:18-72:11
72:14-73:20
73:23-74:18
74:20-77:5
77:23-78:19
78:21-79:9
79:11-16
80:24-82:23
83:2-89:12

DEPOSITION OF LAURENT F. BOUCHARD

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 31, 2007

Page/Line
89:15-92:14
92:17-98:1
100:21-24
101:3-20
104:9-121:4
125:13-127:19
128:19-131:2
132:24-136:23

DEPOSITION OF MICHELLE BOUDETTE

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 16, 2007

Page/Line
5:17-13:24
14:4-13
16:4-17:10
17:16-18:2
18:15-20:8
20:20-22:10
22:19-24
23:13-24:1
24:3-25:19
25:21-28:5
30:14-32:10
33:1-36:17
36:19-20
36:22-39:1
39:17-40:16
41:11-21
42:6-22
46:2-3
46:22-47:5
49:13-54:21
54:24-58:4

DEPOSITION OF MICHELLE BOUDETTE

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 16, 2007

Page/Line
61:4-16
65:14-67:13
68:9-73:15
75:20-78:22
80:4-81:1
85:12-90:10
94:8-95:15
99:15-20
102:4-103:5
105:22-106:8

DEPOSITION OF JOHN RANDALL BOURNE

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 26, 2007

Page/Line
5:16-18
11:2-12:9
12:13-19
13:7-22
14:18-22
15:20-23
19:11-20:4
20:6-22
21:21-25
22:3-23:18
23:20-28:19
28:23-31:9
31:21-23
31:25-32:6
32:12-33:20
33:25-34:8
35:1-7
38:3-25
39:2-41:8
41:14-22
42:3-43:7

DEPOSITION OF JOHN RANDALL BOURNE**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 26, 2007**

Page/Line
43:9-44:22
45:5-46:9
48:24-49:21
49:23
50:7-22
51:12-15
52:5-20
52:22-24
53:11-23
53:25-55:19
57:18-58:7
58:9-59:2
60:19-63:8
63:16-64:16
64:18-65:2
65:4-6
72:14-24
73:11-18
74:18-76:5
76:8-9
76:13-25

DEPOSITION OF JOHN RANDALL BOURNE

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 26, 2007

Page/Line
77:13-78:22
78:24-79:12
79:14-17
79:19-22
80:7-81:3
81:5-7
82:18-84:22
84:24
85:7-24
86:1-87:3
87:5-11
88:2-89:9
91:2-93:2
93:18-22
94:8-13
95:2-10
95:23-96:14
96:18-97:16

DEPOSITION OF JENNIFER CARTER**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 27, 2007**

Page/Line
5:15-6:12
8:13-9:16
24:16-25:17
26:3-27:3
28:3-30:18
33:3-34:3
34:7-35:10
37:3-38:16
38:10-16
38:22-39:9
40:15-41:7
42:4-45:8
50:11-51:5
53:3-20
54:24-55:11

DEPOSITION OF RUTH ELASRI

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 22, 2007

Page/Line
16:2-12
18:10-15
19:19-24
22:10-25
38:9-39:23
49:10-50:15
62:3-64:10
65:24-66:5
67:5-72:18
73:3-19
75:12-76:2
77:9-20
78:25-79:5
79:12-80:9
81:16-25
84:23-88:16
90:21-91:8
92:11-94:20
98:1-99:2
100:8-18
101:9-106:3

DEPOSITION OF RUTH ELASRI

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 22, 2007

Page/Line
106:14-107:2
107:4-18
110:10-111:8
120:21-24

DEPOSITION OF LES FALKE

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – March 2, 2007

Page/Line

5:6-156:5

DEPOSITION OF JEANNETTE MAY GEPFORD

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 15, 2007

Page/Line
4:11-16
4:23-10:5
10:17-26:17
28:14-44:5
46:10-47:13
48:3-49:23
52:22-54:3
63:5-74:16
95:14-96:23

DEPOSITION OF CLIFFORD CHARLES HARDWICK

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 7, 2007

Page/Line
5:8-24:6
25:12-69:3
71:9-72:16
75:9-112:8
122:1-123:24

DEPOSITION OF BARBARA S. JOHNSON**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – June 28, 2006**

Page/Line
9:14-17
10:3-12
11:7-15
13:20-21
14:2-15:21
17:8-23
18:16-20:14
21:14-26:25
33:4-23
36:23-37:3
37:11-38:7
74:18-81:24
84:8-99:3
102:5-115:14
117:14-118:12
120:5-144:7
157:20-158:20
165:3-183:23
191:4-214:8
217:2-233:22
235:3-239:4

DEPOSITION OF BARBARA S. JOHNSON

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – June 28, 2006

Page/Line
258:18-259:11
264:11-271:12
276:15-277:4
280:17-281:18

DEPOSITION OF GARY JOHNSON

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 23, 2007

Page/Line

4:13-39:7

41:5-43:24

47:22-56:10

56:23-72:15

DEPOSITION OF JOHN KONOP

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 8, 2007

Page/Line
15:16-18:2
18:22-30:4
30:21-31:23
32:24-33:25
34:8-36:6
36:20-37:20
38:4-39:1
40:2-41:2
42:23-43:7
43:10-44:16
47:10-19
48:1-49:5
50:13-54:13
55:5-23
56:15-22
58:5-59:10
59:16-60:19
61:6-62:7
63:19-67:20
79:12-80:19
82:7-83:3

DEPOSITION OF JOHN KONOP**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 8, 2007**

Page/Line
88:21-92:3
93:25-94:4
94:20-95:7
96:18-97:15
100:23-102:8
102:24-103:20
104:8-25
107:7-17
107:25-108:19
109:1-110:19
111:14-114:18
115:23-118:19
119:6-12
121:10-123:21
124:10-128:15
129:19-130:3
131:24-132:16
134:20-136:16
138:14-141:6
146:8-149:9
150:1-25

DEPOSITION OF JOHN KONOP

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 8, 2007

Page/Line
152:3-153:6
154:1-155:17
158:23-161:12
162:1-21
163:24-166:17
167:13-168:25
170:4-173:2
176:19-178:8
182:9-183:15
184:2-11
185:11-189:25
191:18-194:12
194:23-195:6
203:21-205:4
207:7-214:25
215:22-217:14
231:18-232:12
234:23-237:8
262:8-263:5
267:10-24
298:16-299:3

DEPOSITION OF JOHN KONOP

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 8, 2007

Page/Line
317:19-320:21
322:20-324:11
324:23-326:21
328:23-329:13
330:22-331:8

DEPOSITION OF EDWARD W. LANDON

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 14, 2007

Page/Line
5:7-8
5:19-18:23
19:13-44:2
44:10-50:22
55:20-56:1
68:19-69:23
70:23-71:7

DEPOSITION OF THOMAS J. LITTLE, IV**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – September 6, 2006**

Page/Line
8:18-23
10:13-11:17
11:24-13:15
14:4-11
22:7-8
22:13-28:3
28:13-19
28:22-34:8
35:13-36:7
36:16-37:9
38:9-39:10
42:1-44:24
45:24-46-3
46:7-49:15
49:25-55:3
55:9-56:19
56:21-57:3
57:9-63:2
65:8-66:10
66:22-67:18
67:21-22

DEPOSITION OF THOMAS J. LITTLE, IV**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – September 6, 2006**

Page/Line
67:25-70:9
70:14-72:17
72:21-73:13
73:16-74:3
74:12-75:5
75:8-76:16
76:19-82:9
82:12-83:2
83:7-13
83:16-88:24
89:1-92:20
93:3-99:1
99:3-14
99:17-110:11
110:13-113:10
113:23-114:4
114:11-22
114:24-115:25
152:1-16
152:19-21
152:23-155:18

DEPOSITION OF THOMAS J. LITTLE, IV

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – September 6, 2006

Page/Line
155:21-24
156:4-158:9
289:15-290:3
290:6-11
290:15

DEPOSITION OF NICK LOGAN

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – March 1, 2007

Page/Line

6:11-55:7

56:26-62:12

74:10-75:16

DEPOSITION OF DANIEL LOTT**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 26, 2007**

Page/Line
6:17-7:3
11:15-19
19:12-21:13
23:21-25:14
25:17-26:5
30:13-32:13
35:18-36:7
47:21-48:17
71:3-15
73:17-75:5
81:1-9
83:17-84:7
88:20-89:23
89:5-23
90:19-91:22
92:9-94:3
101:19-103:18
104:10-18
105:7-106:16
115:9-17

DEPOSITION OF ANTHONY MALEY**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 28, 2007**

Page/Line
6:17-23
11:7-13:25
15:25-18:3
24:1-8
27:2-27:20
28:18-30:18
33:21-34:3
39:18-40:6
47:8-50:12
50:19-52:17
52:23-53:15
55:18-57:5
57:17-59:14
59:24-60:20
61:22-62:8
62:14-64:11
66:1-8
66:24-67:9

DEPOSITION OF TOM MCBREARTY

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 13, 2007

Page/Line
5:23-8:21
10:7-19
15:23-18:24
19:4-22:23
24:12-28:6
28:17-33:3
35:9-36:1
36:18-43:19
44:12-46:18
48:7-19
49:5-25
51:21-58:21
59:12-69:6
75:25-78:4
78:14-83:5
93:3-16
94:17-25
95:15-96:16
102:2-10
103:3-107:5
113:25-114:3

DEPOSITION OF TOM MCBREARTY

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 13, 2007

Page/Line

117:1-120:11

122:7-123:6

DEPOSITION OF WILLIAM MORGENSTEIN

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 20, 2007

Page/Line
7:25-11:21
13:2-14:25
15:13-18:18
18:22-20:16
21:24-22:18
24:13-36:1
36:21-38:5
38:17-40:18
43:10-44:17
45:25-46:11
46:21-52:21
53:7-9
54:25-55:6
57:15-23
59:8-61:18
64:2-4
65:11-13
67:13-68:6
79:22-80:6
85:14-86:10
94:3-9

DEPOSITION OF WILLIAM MORGENSTEIN

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 20, 2007

Page/Line

95:14-98:12

99:6-14

DEPOSITION OF ADAM SECHER

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – January 30, 2007

Page/Line	
7:13-21	
8:8-10:1	
11:22-12:5	
13:10-19:20	
25:19-23	
27:6-19	
31:9-32:17	
35:4-36:6	
37:3-7	
40:20-41:9	
47:4-24	
49:6-18	
51:5-20	
55:2-56:23	
59:2-60:11	
64:14-65:6	

<u>DEPOSITION OF GERETTE SORWELL</u>	
Cause No. 6:05-CV-424: <i>Advanceme, Inc. v. Rapidpay, LLC, et al</i>; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 14, 2007	
Page/Line	
5:7-10	
6:8-11:6	
13:15-16:21	
17:10-28:24	
30:10-31:24	
33:14-35:19	
36:16-43:18	
45:1-47:7	
47:17-51:4	
58:17-61:2	

DEPOSITION OF LEE SUCKOW

Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – October 4, 2006

Page/Line
5:18-63:3
68:22-69:2
69:22-71:5
74:12-82:15
83:3-88:22
102:1-105:2
134:3-139:10

DEPOSITION OF ANTHONY WILDEN**Cause No. 6:05-CV-424: *Advanceme, Inc. v. Rapidpay, LLC, et al*; In the U.S. District Court; Eastern District of Texas; Tyler Division – February 20, 2007**

Page/Line
8:18-9:16
11:13-21
14:22-16:13
17:14-18:13
20:13-25
23:8-9
25:18-26:1
32:22-33:22
36:4-37:3
38:1-6
39:17-40:10
41:8-42:23
47:5-17
48:11-20
51:5-25
52:8-54:8
54:20-55:10
56:10-16
58:15-23
59:16-21
60:22-61:11

Dated: June 19, 2007

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document, Corrected Exhibit D to the Joint Final Pre-Trial Order, via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 19th day of June, 2007. Any other counsel of record will be served by first class mail on this same date.

/s/ Joseph D. Gray

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