

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

**ADVANCEME, INC.**

§

*Plaintiff,*

§

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

# **EXHIBIT F**

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

ADVANCEME, INC.

Plaintiff,

v.

RAPIDPAY LLC, BUSINESS CAPITAL  
CORPORATION, FIRST FUNDS LLC,  
MERCHANT MONEY TREE, INC., REACH  
FINANCIAL, LLC and FAST TRANSACT, INC. d/b/a  
SIMPLE CASH

Defendants.

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CIVIL ACTION NO. 6:05-cv-424-LED-JDL

PATENT CASE

**DEFENDANTS' CORRECTED EXHIBIT LIST**

<p><b>Presiding Judge:</b>  <b>LEONARD DAVIS</b></p>	<p><b>Plaintiff's Attorney(s):</b>  Otis Carroll  Deborah Race  IRELAND, CARROLL &amp; KELLEY, P.C.  6101 S. Broadway, Suite 500  Tyler, Texas 75703  Tel: (903) 561-1600  Fax: (903) 581-1071</p> <p>Ronald S. Lemieux  Robert C. Matz  Vid Bhakar  Michael N. Edelman  Shanee Y. Williams  Giso S. Sadaghiani  Daisy S. Poon  PAUL, HASTINGS, JANOFSKY &amp; WALKER  LLP  Five Palo Alto Square, Sixth Floor  Palo Alto, CA 94306-2155  Tel: (650) 320-1800  Fax: (650) 320-1900</p>	<p><b>Defendants' Attorneys:</b>  Douglas R. McSwane, Jr.  J. Matt Rowan  POTTER MINTON, PC  110 North College  500 Plaza Tower  Tyler, Texas 75702  Tel: (903) 597-8311  Fax: (903) 593-0846</p> <p>Willem G. Schuurman  Joseph D. Gray  Brian K. Buss  R. Floyd Walker  Graham E. Sutliff  VINSON &amp; ELKINS L.L.P.  The Terrace 7  2801 Via Fortuna, Suite 100  Austin, Texas 78746  Tel: (512) 542-8400  Fax: (512) 542-8612</p> <p>Hilary Preston  VINSON &amp; ELKINS L.L.P.  666 Fifth Avenue  26th Floor  New York, NY 10103  Tel: (212) 237-0000  Fax: (212) 237-0100</p>
<p><b>Trial / Hearing Date(s):</b> July 16, 2007</p>	<p><b>Court Reporter:</b> Shea Loan</p>	<p><b>Courtroom Deputy:</b> Rosa Ferguson</p>

**\*\*Categories: (A) - Will use; (B) - May Use; (C) - Probably Won't Use**

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C</b> <b>a</b> <b>t</b> <b>e</b> <b>g</b> <b>o</b> <b>r</b> <b>y</b>	<b>M</b> <b>a</b> <b>r</b> <b>k</b> <b>e</b> <b>d</b>	<b>O</b> <b>f</b> <b>f</b> <b>e</b> <b>r</b> <b>e</b> <b>d</b>	<b>O</b> <b>b</b> <b>j</b> <b>e</b> <b>c</b> <b>t</b> <b>i</b> <b>o</b> <b>n</b>	<b>A</b> <b>d</b> <b>m</b> <b>i</b> <b>t</b> <b>t</b> <b>e</b> <b>d</b>	<b>DATE</b>	<b>WITNESS</b>
1.	U.S. Patent No. 6,941,281 (B. Johnson Deposition Ex. 2, G. Johnson Deposition Ex. 1, Elasri Deposition Ex. 13)		A					9/6/05	Barbara Johnson Gary Johnson Ruth Elasri
2.	Letter from Lee Suckow with enclosures regarding the sending of LeCard charges directly to accounts	LC_00001-5	A					10/29/92	
3.	July 23, 1992 letter from Lee Suckow (Secher Deposition Ex. 3)	LC_00006	A					7/23/92	Adam Secher
4.	Cash Advance Agreement (Suckow Deposition Ex. 1, Secher Deposition Ex. 4)	LC_00007-8	A					3/2/95	Lee Suckow Adam Secher
5.	Advertising Advance Agreement (April 28, 1994) (Suckow Deposition Ex. 2)	LC_00009-10	A					4/28/94	Lee Suckow
6.	LeCard statement to Club Lucky (Suckow Deposition Ex. 4)	LC_00011-12	A					6/96	Lee Suckow
7.	“Travel Clubs Can Cut Your Vacation Costs in Half”, February 1, 1993, CNNMoney.com (Exhibit P to April 12, 2007 Second Motion for Summary Judgment)	LC00013-18	A					2/1/93	

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8.	Diner's Club Account Activity, Billing Date 5/6/94	LC_00019	A					5/6/94	
9.	Diner's Club Account Activity, Billing Date 4/5/94	LC_00020	A					4/5/94	
10.	Copy of Diners Club International cards issued to Robert H. Howard and Marjory P. Howard	LC_00021	A						
11.	Litle & Company Member Agreement with National Processing Company, Inc. and First National Bank of Louisville  (Bouchard Deposition Ex. 4, Litle Deposition Ex.4, Bourne Deposition Ex. 6, and part of Abbott Deposition Ex. 3)	LI_00017-29	A					6/9/92	Tim Litle Larry Bouchard John Randall Bourne Allen Abbott
12.	Letter from Litle & Co., NPC, and FNBL to Museum Publications of America  (Exhibit Z to April 13, 2007 Reply in Support of Motion for Summary Judgment)	LI_00016	A					2/28/92	
13.	Manjeet Kripalani & Tatiana Pouschine, "People thought I was nuts," <i>Forbes Magazine</i> , June 8, 1992  (Litle Deposition Ex. 6, Abbott Deposition Ex. 6, Bouchard Deposition Ex. 6, and part of Bourne Deposition Ex. 2)	LI_00001-3	A					6/8/92	Tim Litle Allen Abbott Larry Bouchard John Randall Bourne

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14.	Letter from Allen Abbott to Tim Litle regarding proposal for Litle & Company to provide short term financing to Exposures (Abbott Deposition Ex. 5 and part of Litle Deposition Ex. 8)	LI_00065-67	A					12/27/89	Allen Abbott
15.	Memorandum from Tim Litle to John Shirey (Part of Litle Deposition Ex. 8)	LI_00063-64	A					1/24/90	Tim Litle
16.	Schedule E-1 Promissory Note for Postage Address, Exposures, Inc. (Parts of Abbott Deposition Ex. 3, Bouchard Deposition Ex. 5, Bourne Deposition Ex. 2, and Litle Deposition Ex. 9)	LI_00004	A					6/22/90	Allen Abbott Larry Bouchard John Randall Bourne Tim Litle
17.	Echedule F-1 Security Agreement, Eposures, Inc. (Parts of Bourne Deposition Ex. 6 and Litle Deposition Ex. 9)	LI_00006	A					6/25/90	John Randall Bourne Tim Litle
18.	Echedule E-4 Demand for Promissory Note for Postage Advances, Exposures, Inc. (Parts of Abbott Deposition Ex. 3, Bouchard Deposition Ex. 5, Bourne Deposition Ex. 2, and Litle Deposition Ex. 9)	LI_00008	A					6/19/91	Allen Abbott Larry Bouchard John Randall Bourne Tim Litle
19.	Schedule F-4 Security Agreement, Exposures, Inc. (Parts of Bourne Deposition Ex. 6 and Litle Deposition Ex. 9)	LI_00007	A					6/19/91	John Randall Bourne Tim Litle

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20.	Schedule E-1 Demand Promissory Note for Postage Advances and Schedule F-1 Security Agreement, Museum Publications of America  (Litle Deposition Ex. 7)	LI_00033-35	A					9/27/93	Tim Litle
21.	Schedule E-2 Demand Promissory Note for Postage Advances and Schedule F-2 Security Agreement, for Museum Publications of America	LI_00036-38	A					10/20/93	
22.	Schedule E-3 Demand Promissory Note for Postage Advances and Schedule F-3 Security Agreement, Museum Publications of America	LI_00040-42	A					1/20/94	
23.	Schedule E-4 Demand Promissory Note for Postage Advances and Schedule F-4 Security Agreement, Museum Publications of America	LI_00055-57	A						
24.	Letter from Lynda Fiala to Mr. Chris Chubb	LI_00047	A					1/20/94	
25.	Fax from Marie Turmain, Boston Publishing Company to Mike Duffy, Litle & Co.  (Exhibit G to March 12, 2007 Motion for Summary Judgment)	LI_00060-62	A					1/17/94	



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26.	Fax from Marie Turmaine, Boston Publishing Company to Mike Duffy, Litle & Co.  (Exhibit H to March 12, 2007 Motion for Summary Judgment)	LI_00048-50	A					1/17/94	
27.	Fax from Marie Turmaine, Boston Publishing Company to Mike Duffy, Litle & Co.	LI_00045-46	A					1/14/94	
28.	Letter from Robert George, Boston Publishing to Michael Duffy, Litle & Co, and First USA Merchant Services, Inc.  (Litle Deposition Ex. 5, Bouchard Deposition Ex. 7)	LI_00030-31	A					2/17/94	Tim Litle Larry Bouchard
29.	Subordination Agreement among Exposures, Inc., The Connecticut Bank and Trust Company, Consumer Venture Partners I, LP, and First Boston Investment Limited Partnership	LI_00009-15	B						
30.	Letter from Michael P. Duffy to Mr. Michael Riccio	LI_00032	A					2/24/94	
31.	Cover pages to Security Agreement Schedules E3 and F3	LI_00039	A						
32.	Leter from Michael P Duffy to Mr. Robert J. George with attachments	LI_00043	A					1/29/94	

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33.	Fax from Marie Turmain to Mike Duffy	LI_00044	A					1/19/94	
34.	Secured Party Copy of UCC Form 1, Financing Statement	LI_00051	A						
35.	Copy of check from Litle & Co. to Seecretary of State for \$10	LI_00052	A						
36.	Fax cover sheet transmitting \$10 payment from Litle & Co to Secretary of State	LI_00053	A						
37.	Filing Officer copy of UCC Form 1	LI_00054	A						
38.	Secured Party Copy of UCC Form 1, Financing Statement	LI_00058	A						
39.	Fax from Marie Turmain to Mike Duffy	LI_00059	A					1/26/94	
40.	Declaration of Tim Litle		A					5/21/07	
41.	AdvanceMe's Objections and Response to Defendants' Amended First Set of Interrogatories to Plaintiff AdvanceMe		A					10/31/06	
42.	AdvanceMe's Supplemental Objections and Response to Defendants' Amended First Set of Interrogatories		A					01/12/07	

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43.	AdvanceMe's Objections and Responses to Defendants' Second Set of Interrogatories		A					03/08/07	
44.	Irrevocable Payment Instructions (Benedict Deposition Ex. 2)	RF_00045-46	B						William Benedict
45.	Merchant Financing Program advertisement (Benedict Deposition Ex. 3)	RF_00040	B						William Benedict
46.	Tim Bragg (Reach) letter to Mary McCabe (Bellizzi) (Benedict Deposition Ex. 4)	RF_00034	B					3/20/06	William Benedict
47.	Reach Advertisement titled "Your Financial needs are now within Reach!" (Benedict Deposition Ex. 5)	RF_00035	B						William Benedict
48.	10 Top Reasons Small Businesses Get Working Capital from Reach Financial (Benedict Deposition Ex. 6)	RF_00033	B						William Benedict
49.	Reach Advertisement titled "Reach Merchant Financing Program – Merchants get cash when they need it most" (Benedict Deposition Ex. 7)	RF_00037	B						William Benedict

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50.	Company X – Reach Merchant Financing Program (Benedict Deposition Ex. 8)	RF_00036	B						William Benedict
51.	Reach Financial Purchase Agreement (Benedict Deposition Ex. 12)	RF_00043-44	B						William Benedict
52.	Reach Financial Purchase Agreement Rider (Benedict Deposition Ex. 13)	RF_00047	B						William Benedict
53.	Reach Finance, L.P. PowerPoint Presentation (Benedict Deposition Ex. 15)	RF_00059-89	B					9/6/05 to 8/30/06	William Benedict
54.	Reach Withholding Worksheet; Various e-mails (Benedict Deposition Ex. 18)	RF_000957-1003	B					5/8/06 to 11/13/06	William Benedict
55.	Paymentech advertisement (Benedict Deposition Ex. 22)		B					1/30/07	William Benedict
56.	Cash Advance Agreement (Jackson Deposition Ex. 7)	MMT_00002-7	A						William Jackson
57.	Merchant Services Agreement (Talbert Deposition Ex. 15)	FF_00087-88	B						David Talbert

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58.	Declaration of Allen Abbott (Abbott Deposition Ex. 4)		A					12/21/06	Allen Abbott
59.	Laurent Bouchard CV (Bouchard Deposition Ex. 3)		A						Larry Bouchard
60.	Competitive Landscape (Boudette Deposition Ex. 3, Gepford Deposition Ex. 4, Burnside Deposition Ex. 3, Morgenstein Deposition Ex. 5, Hardwick Deposition Ex. 8)	ADVAM0004110	A						Michelle Boudette Jeanette Gepford Tom Burnside Bill Morgenstein Cliff Hardwick
61.	Declaration of John Randall Bourne (Bourne Deposition Ex. 5)		A					1/26/07	John Randall Bourne
62.	Competitive Analysis (Burnside Deposition Ex. 2)		A						Tom Burnside
63.	Reach MicroLoan Daily Report (Carter Deposition Ex. 2)	COMDATA0001- 4, 1475-76	B					1/16/07; 1/27/06	Jennifer Carter
64.	Reach Withholding, ACH Report (Carter Deposition Ex. 8)	COMDATA0166, 0007-8	B						Jennifer Carter
65.	First Funds, LLC – Merchant Agreement (3/1/07 Derussy Deposition Ex. 3)	FF_00048-52	A						Cortes Derussy

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66.	Document titled "Set Up and Flow of Secondary Processor (3/1/07 Derussy Deposition Ex. 10)	FF_00265	B						Cortes Derussy
67.	Cynergydata Merchant Application (Elasri Deposition Ex. 5)	AM_00068 - 00071	A					01-20-05	Ruth Elasri
68.	Web Pages on Hidden Value Systems (Falke Deposition Ex. 1)		B						Les Falke
69.	Pages from Capital Access Network, Inc. Business Plan December 1998 Copy Number x (Falke Deposition Ex. 2)	CH0042-44	A					12/98	Les Falke
70.	Pages from Capital Access Network, Inc. Business Plan August 1999 (Falke Deposition Ex. 3, Gepford Deposition Ex. 3, Hardwick Deposition Ex. 5)	CH0051-54	A					8/99	Les Falke Jeanette Gepford Cliff Hardwick
71.	Form 10-K Filing on Transmedia Network Inc. (Falke Deposition Ex. 5 and Barbara Johnson Deposition Ex. 6)	TR 00001-62	A					9/30/95	Les Falke Barbara Johnson
72.	Article from South Florida Business Journal titled "Dining Cards: Will work for food" (Falke Deposition Ex. 6)		A					8/5/96	Les Falke

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73.	PowerPoint presentation slides on Capital Access Network (Falke Deposition Ex. 7)	ADV 0005691-98	A					5/01	Les Falke
74.	U.S. Patent No. 6,826,544 (Falke Deposition Ex. 8, Barbara Johnson Deposition Ex. 3)		B					11/30/04	Les Falke Barbara Johnson
75.	Les Falke Biography (Falke Deposition Ex. 9)	ADVAM 005775	A						Les Falke
76.	Competitive Analysis (Gepford Deposition Ex. 5; Hardwick Deposition Exs. 3 and 4 ; AM_2149 also Goldman Deposition Ex. 1, Boudette Deposition Ex. 2, and Morgenstein deposition Ex. 4)	AM_02149-51	A						Jeanette Gepford Michelle Boudette Glen Goldman Bill Morgenstein Cliff Hardwick
77.	Letter from Keller Rohrback L.L.P. to Tiffany Gilbert of AdvanceMe, Inc. regarding Acadia Funding, Inc./Jeanette Gepford enclosing Trade Secrets Pre-Application Verification, letter to all sales reps and presentation on unfair competition, trade secrets and tortuous interference (Gepford Deposition Ex. 8)		B					6/7/06	Jeanette Gepford
78.	AdvanceMe Organizational Chart (Goldman Deposition Ex. 2)	ADV 0005709	A						Glen Goldman

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79.	E-mail from Robert Baker to John Konop and Mike Weigel, cc to Glenn Goldman, T. Burnside, R Ferrante regarding entertainment.com and igtcard.com (Goldman Deposition Ex. 3)	ADVAM0004750-51	A					9/29/03	Glen Goldman
80.	E-mail from John Konop to Robert Baker, cc to Glen Goldman, T. Burnside, R Ferrante regarding entertainment.com and igtcard.com (Goldman Deposition Ex. 4)	ADVAM0004752-53	A					9/23/03	Glen Goldman
81.	E-mail from Robert Baker to Executives regarding iDine 10/22 Earnings call (Goldman Deposition Ex. 5)	ADVAM0004802-04	A					10/22/03	Glen Goldman
82.	Comprehensive Report on Lee Suckow (Goldman Deposition Ex. 7)	ADV0005351-67	A					2/17/04	Glen Goldman
83.	Off-site Management Meeting Schedule at the AdvanceMe Leadership Conference, May 30, 2003 – June 1, 2003 (Hardwick Deposition Ex. 7)	CH0006-7	A					5/30/03 to 6/1/03	Clifford Hardwick
84.	Presentation slides from AdvanceMe Leadership Conference May 30 – June 1, 2003 titled “In Good Taste” (Hardwick Deposition Ex. 9)	CH0008-35	A					5/30/03 to 6/1/03	Clifford Hardwick
85.	Letter from Tom Burnside to Cliff Harwick regarding offer of employment (Hardwick Deposition Ex. 10)		B					7/19/05	Clifford Hardwick



<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C</b> <b>a</b> <b>t</b> <b>e</b> <b>g</b> <b>o</b> <b>r</b> <b>y</b>	<b>M</b> <b>a</b> <b>r</b> <b>k</b> <b>e</b> <b>d</b>	<b>O</b> <b>f</b> <b>f</b> <b>e</b> <b>r</b> <b>e</b> <b>d</b>	<b>O</b> <b>b</b> <b>j</b> <b>e</b> <b>c</b> <b>t</b> <b>i</b> <b>o</b> <b>n</b>	<b>A</b> <b>d</b> <b>m</b> <b>i</b> <b>t</b> <b>t</b> <b>e</b> <b>d</b>	<b>DATE</b>	<b>WITNESS</b>
86.	Severance Agreement and Release between AdvanceMe and Cliff Harwick (Hardwick Deposition Ex. 11)		B					2/12/01	Clifford Hardwick
87.	Document titled List of Documents for AdvanceMe Inc. (Hardwick Deposition Ex. 12)	CH001-2	B						Clifford Hardwick
88.	Expert Report of Donald Headlund (Headlund Deposition Ex. 4)		A					3/7/07	Donald Headlund
89.	Rebuttal Expert Report of Donald Headlund (Headlund Deposition Ex. 5)		A					4/2/07	Donald Headlund
90.	TX Direct Merchant Agreement and Application Form (Headlund Deposition Ex. 14)	FF_00094-103	A						Donald Headlund
91.	Merchant Bankcard Application Packet (Barbara Johnson Deposition Ex. 5)	FUSA 0001-4 (double sided)	B						Barbara Johnson
92.	Declaration of self-Authenticating Business Records (Barbara Johnson Deposition Ex. 7)		A						Barbara Johnson
93.	Declaration of Self-Authenticating Business Records (Barbara Johnson Deposition Ex. 8)		A						Barbara Johnson

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
94.	“Lending a Hand” article on AdvanceMe, May 2006 (Barbara Johnson Deposition Ex. 9)		B						Barbara Johnson
95.	Form 10-Q on Vertrue, Inc. (Gary Johnson Deposition Ex. 3)		B					5/14/04	Gary Johnson
96.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 23 (Konop Deposition Ex. 4)	CH0055-57	A						John Konop
97.	September 2006 <i>Inc. Magazine</i> article by Tim Litle (Litle Deposition Ex. 2)		A					9/06	Tim Litle
98.	Curriculum Vitae of Thomas J. (Tim) Litle (Litle Deposition Ex. 3)		A						Tim Litle
99.	TX Direct Merchant Agreement (Lott Deposition Ex. 6)	FF_00094-99	A						Daniel Lott
100.	Business records from TX Direct (Lott Deposition Ex. 11)	TXD_04034-38	B						Daniel Lott
101.	Business records from TX Direct (Lott Deposition Ex. 12)	TXD_04050-54, 00089-101	B						Daniel Lott

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102.	Who's Who in America profile on Bill Morgenstein (Morgenstein Deposition Ex. 3)		A						Bill Morgenstein
103.	Letter from Morgenstein to Joe Valeo (Morgenstein Deposition Ex. 6)		B					3/26/05	Bill Morgenstein
104.	E-mail from Morgenstein regarding an employment contract (Morgenstein Deposition Ex. 7)		B					5/7/05	Bill Morgenstein
105.	E-mail from Nathan Warshaw (Morgenstein Deposition Ex. 8)		B					5/6/05	Bill Morgenstein
106.	Message from Morgenstein to Tom Burnside (Morgenstein Deposition Ex. 9)		B					5/18/05	Bill Morgenstein
107.	Memo from Morgenstein to Victoria Cundiff (Morgenstein Deposition Ex. 10)		B					5/30/05	Bill Morgenstein
108.	Letter from Les Falke with attached employment agreement (Morgenstein Deposition Ex. 11)		B					1/17/00	Bill Morgenstein

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C</b> <b>a</b> <b>t</b> <b>e</b> <b>g</b> <b>o</b> <b>r</b> <b>y</b>	<b>M</b> <b>a</b> <b>r</b> <b>k</b> <b>e</b> <b>d</b>	<b>O</b> <b>f</b> <b>f</b> <b>e</b> <b>r</b> <b>e</b> <b>d</b>	<b>O</b> <b>b</b> <b>j</b> <b>e</b> <b>c</b> <b>t</b> <b>i</b> <b>o</b> <b>n</b>	<b>A</b> <b>d</b> <b>m</b> <b>i</b> <b>t</b> <b>t</b> <b>e</b> <b>d</b>	<b>DATE</b>	<b>WITNESS</b>
109.	Letter from Lee Suckow (Suckow Deposition Ex. 3, Falke Deposition Ex. 4 ; Hardwick Deposition Ex. 6)	LC_00001	A					10/29/92	Lee Suckow Les Falke Cliff Hardwick
110.	Carte Blanche letter to Chicago Chop House (Suckow Deposition Ex. 5)	LC_00004	A					4/29/92	Lee Suckow
111.	Letter from Robert Matz to Lee Suckow (Suckow Deposition Ex. 6)		A					7/28/06	Lee Suckow
112.	Handwritten document titled Transaction in Restaurant (Suckow Deposition Ex. 7)		A						Lee Suckow
113.	Handwritten document titled Transaction back to Restaurant (Suckow Deposition Ex. 8)		A						Lee Suckow
114.	Documents relating to LeCard (Suckow Deposition Ex. 9, Landon Deposition Ex. 3, Sorwell Deposition Ex. 3, McBrearty Deposition Ex. 3)	LC_00001-12	A						Lee Suckow Edward Landon Gerette Sorwell Tom McBrearty
115.	E-mails between Tony Wilden and Henry Harp regarding Reach Financial (Wilden Deposition Ex. 8)		B					11/30/06	Anthony Wilden

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116.	E-mail from Deb Brown to Laura Hauber, Jennie Fink, Brian Howard regarding Reach funding program (Wilden Deposition Ex. 12)		B					9/1/06	Anthony Wilden
117.	Statement of Undisputed Material Facts and Invalidity Claim Chart for Claim 1  (Exhibit S to March 12, 2007 Motion for Summary Judgment)		B					3/12/07	
118.	Statement of Undisputed Material Facts and Invalidity Claim Chart for Claims 2-9  (Exhibit T to March 12, 2007 Motion for Summary Judgment)		B					3/12/07	
119.	Statement of Undisputed Material Facts and Invalidity Claim Chart for Claim 10  (Exhibit U to March 12, 2007 Motion for Summary Judgment)		B					3/12/07	
120.	Statement of Undisputed Material Facts and Invalidity Claim Chart for Claims 11-19  (Exhibit V to March 12, 2007 Motion for Summary Judgment)		B					3/12/07	

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121.	Statement of Undisputed Material Facts and Supporting Evidence (Exhibit K to April 12, 2007 Second Motion for Summary Judgment)		B					4/12/07	
122.	Invalidity Claim Chart for Claims 1-9 (Exhibit L to April 12, 2007 Second Motion for Summary Judgment)		B					4/12/07	
123.	Invalidity Claim Chart for Claims 10-19 (Exhibit M to April 12, 2007 Second Motion for Summary Judgment)		B					4/12/07	
124.	Declaration of Gerette Sorwell (Exhibit X to May 9, 2007 Reply in Support of Second Motion for Summary Judgment)		A					5/9/07	
125.	Defendants' Third Amended Invalidity Contentions		B					2/12/07	
126.	Merchant Service Card Processing Service Agreement Terms and Conditions (Reference to 3rd Amended Invalidity Contentions)	BOA 00001-20	B						

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127.	Credit Card Processing Agreement among Electronic Data Systems Corporation, Reno Air, Inc. and First USA Merchant Services, Inc. (Reference to 3rd Amended Invalidity Contentions)	EDSADV 00046-94	B						
128.	Reserve Account Agreement between EDS and Reno Air (Reference to 3rd Amended Invalidity Contentions)	EDSADV 00095-103	B						
129.	Affidavit of Elliot Merberg in Transmedia v. 33 E. 61st Street Restaurant Corp.	TR 00063-74	A						
130.	Agreement between Transmedia Network, Inc. and 33 E. 6th Street Restaurant Corp.	TR 00075-76	A						
131.	Standard Terms and Conditions to Transmedia agreements	TR 00077A	A						
132.	“Dining Card Menu Features Lots of Options,” The South Florida Business Journal, 8/5/96, reprinted on www.bizjournals.com	TR 00077-81	A						
133.	“Dining Cards: Will Work for Food,” The South Florida Business Journal, 8/5/96, reprinted on www.bizjournals.com	TR 00082-87	A						
134.	“Restaurateurs Split on Utility of New Dining-Out Card – Transmedia Network Inc. Promotion,” Los Angeles Business Journal, 9/5/94, reprinted on www.findarticles.com	TR 00088-91	A						

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135.	Rewards Network profile on Answers.com	TR 00092-101	A						
136.	AdvanceMe May 19-22, 2005 Leadership Conference presentation materials	CH0003-5	A					5/19-22/05	
137.	AdvanceMe Leadership Conference June 3-6, 2004 presentation materials	CH0036-38	A					6/3/6/04	
138.	Pages from Capital Access Network Inc. December 1998 Business Plan Copy Number 1	CH0039-41	A					12/98	
139.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH0045-50	A					8/99	
140.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 23	CH0058-60	A					8/99	
141.	Letter from Les Falke to Jay Massimo regarding business plan	CH0062	A					12/29/98	
142.	Letter from Les Falke to Andrew Ross regarding business plan	CH0063	A					12/29/98	
143.	Letter from Les Falke to Steve regarding business plan	CH0064	A					12/30/98	
144.	Letter from Les Falke to Mark regarding business plan	CH0065	A					12/30/98	



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145.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH0066-68	A					8/99	
146.	Cover page to Capital Access Network Inc. August 1999 Business Plan Copy Number 28	CH0069	A					8/99	
147.	Cover page to Capital Access Network Inc. August 1999 Business Plan Copy Number 29	CH0070	A					8/99	
148.	Cover page to Capital Access Network Inc. August 1999 Business Plan Copy Number 30	CH0071	A					8/99	
149.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 30	CH0072-74	A					8/99	
150.	Capital Access Network Inc. December 1998 Business Plan Copy Number 1	CH 00075-109	A					12/98	
151.	Capital Access Network Inc. December 1998 Business Plan Copy Number x	CH 00110-125	A					12/98	
152.	Countrywide Business Alliance Inc. Quarterly Balance Sheets	CH 00126-130	A					Undated	
153.	Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH 00131-148	A					8/99	
154.	Capital Access Network Inc. August 1999 Business Plan Copy Number 14	CH 00149-170	A					8/99	

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155.	Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH 00171-186	A					8/99	
156.	Capital Access Network Inc. August 1999 Business Plan Copy Number 23	CH 00187-201	A					8/99	
157.	Countrywide Business Alliance Inc. Quarterly Statements of Operations	CH 00202-206	A					Undated	
158.	Countrywide Business Alliance Inc. Quarterly Balance Sheets	CH 00207-211	A					Undated	
159.	Countrywide Business Alliance Inc. Quarterly Cash Flow Forecasts	CH 00212-216	A					Undated	
160.	Report titled Brown Brothers Funding in Current Month	CH 00217-222	A					1/4/00	
161.	Capital Access Network Inc. August 1999 Business Plan Copy Number 23	CH 00223-237	A					8/99	
162.	Countrywide Business Alliance Inc. Quarterly Statements of Operations	CH 00238-242	A					Undated	
163.	Countrywide Business Alliance Inc. Quarterly Balance Sheets	CH 00243-247	A					Undated	
164.	Countrywide Business Alliance Inc. Quarterly Cash Flow Forecasts	CH 00248-252	A					Undated	

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165.	Letter from Les Falke to Daniel Wolf regarding business plan	CH 00253	A					8/18/99	
166.	Letter from Les Falke to Jonathan Epstein regarding business plan	CH 0254	A					8/18/99	
167.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH 00255-262	A					8/99	
168.	Fax cover and letter from Craig Hamrah to Les Falke with handwritten notes	CH 00263-265	A					1/21/99 1/6/99	
169.	Application for Patent on Automated Payment System and Method, continuation in part of prior application No. 08/890,398 (Serial No. 09/046,062)	ADV0001904-33	B					3/23/98	
170.	Combined Declaration and Power of Attorney for Patent Application (Serial No. 09/046,062)	ADV0001934-37	B					3/16/98	
171.	Verified Statement (Delcaration) Claiming Small Entity Status (Serial No. 09/046,062)	ADV0001938-39	B					3/16/98	
172.	Information Disclosure Statement (Serial No. 09/046,062)	ADV0001940-44	B					3/23/98	
173.	Supplemental Information Disclosure Statement (Serial No. 09/046,062)	ADV0001945-49	B					10/29/98	

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174.	Preliminary Amendment (Serial No. 09/046,062)	ADV0001950-58	B					6/2/99	
175.	Office Action (Serial No. 09/046,062)	ADV0001959-77	B					6/23/99	
176.	PTO cover sheet to document mailed 8/16/99 (no enclosed document immediately following) (Serial No. 09/046,062)	ADV0001978	B					8/16/99	
177.	Office Action (Serial No. 09/046,062)	ADV0001979-94	B					8/17/99	
178.	Office Action (Serial No. 09/046,062)	ADV0001995-2010	B					2/1/00	
179.	PTO confirmation of filing, Certificate of Mailing, Transmittal Form, and Fee Transmittal form corresponding to request for extension of time and a response (Serial No. 09/046,062)	ADV0002011-14	B					2/16/00	
180.	Petition for Extension of Time (Serial No. 09/046,062)	ADV0002015	B					2/16/00	
181.	Amendment and Response (Serial No. 09/046,062)	ADV0002016-23	B					2/16/00	
182.	Check to Commissioner of Patents and Trademarks (Serial No. 09/046,062)	ADV0002024	B					2/16/00	

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183.	Office Action (Serial No. 09/046,062)	ADV0002025-32	B					5/4/00	
184.	Formal Paper submitting that the Feb. 1, 2000 Office Action is a duplicate	ADV0002033	B					8/1/00	
185.	Copy of check to Commissioner of Patents and Trademarks and check stub (Serial No. 09/046,062)	ADV0002037-38	B					9/1/00	
186.	Amendment and Response (Serial No. 09/046,062)	ADV0002039-49	B					9/5/00	
187.	Application for Patent on Automated Payment, Continuation of prior application Serial No. 08/890,398	ADV0002050-73	B					7/20/99	
188.	Combined Declaration and Power of Attorney for Patent Application (Serial No. 08/890,398)	ADV0002074-77	B					7/9/97	
189.	Incomplete Verified Statement (Delcaration) Claiming Small Entity Status (Serial No. 08/890,398)	ADV0002078	B						
190.	Preliminary Amendment (Continuation of Serial No. 08/890,398)	ADV0002079-83	B					7/20/99	
191.	Information Disclosure Statement (Serial No. 09/356,711)	ADV0002084-91	B					12/3/99	
192.	Continuation-in-Part Application – Automated Payment System and Method (Serial No. 09/420,923)	ADV0002092-2123	B					10/19/99	

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193.	Form of Countrywide Business Alliance Merchant Agreement	ADV0002124	B					Undated	
194.	Information Disclosure Statement (Serial No. 09/420,923)	ADV0002125-32	B					12/3/99	
195.	Notice of Draftsperson's Patent Drawing Review on drawings filed 12/19/99	ADV0002133	B					Undated	
196.	Excerpts of Transcript of the Deposition of Les Falke taken September 10, 2003 in Angrisani v. Capital Access Networks	ADV0003012-16, ADV0003025-26, ADV0003028-32, ADV0003036-37, ADV0003050	B					9/10/03	
197.	Excerpts of Transcript of the Deposition of Gary Johnson taken November 13, 2003 in Angrisani v. Capital Access Networks	ADV0003077-79, ADV0003083, ADV0003089-91,	B					11/13/03	
198.	Excerpts of Transcript of the Deposition of Gary Johnson taken November 14, 2003 in Angrisani v. Capital Access Networks	ADV0003101-05, ADV0003109-10	B					11/14/03	
199.	AdvanceMe presentation titled Sales Restructure Plan	ADV0004009-41	B					4/27/05	
200.	E-mail from Glen Goldman to Rich Ferrante	ADV0004042-45	B					10/11/02	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
201.	E-mail from Robert Baker to Rich Ferrante	ADV0004046-49	B					2/25/03	
202.	Form Confidentiality Agreements for Capital Access Network, Inc.	ADV0004050-65	B					4/25/02, 5/23/02	
203.	Document titled Overview: Capital Access Network, Inc. ("CAN")	ADV0004066-69	B					5/03	
204.	E-mail to Tom Burnside attaching undated presentation on Capital Access Network	ADV0004088-110	B					1/11/01	
205.	Presentation on Capital Access Network	ADV0004111-31	B					Undated	
206.	Document titled Additional Terms of the Merchant Agreement	ADV0004134-39	B					Undated	
207.	Draft of Strategic Plan Discussion	ADV0004163-69	B					3/10/02	
208.	Document titled Executive Summary	ADV0004170-74	B					Undated	
209.	Presentation on Capital Access Network	ADV0004175-97	B					Undated	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
210.	E-mail to Tom Burnside	ADV0004198-200	B					5/1/02	
211.	Document titled Executive Summary	ADV0004201-05	B					Undated	
212.	Document titled SIC Code Distribution	ADV0004269	B					4/23/02	
213.	Document titled Background/Values	ADV0004289-318	B					Undated	
214.	Document titled CAN versus Traditional Lenders	ADV0004349-51	B					11/2/01	
215.	E-mail from Robert Baker regarding iDine	ADV0004371-74	B					3/28/02	
216.	E-mail from Robert Baker forwarding marketing materials	ADV0004375-76	B					9/12/03	
217.	Presentation pages dated 5/16/03 7:46:24AM	ADV0004491-99	B					5/16/03	
218.	Presentation titled 12 Month Turn Contracts, dated 6/26/03 3:22:54 PM	ADV0004638-54	B					6/26/03	
219.	Presentation titled 12 Month Turn Contracts, dated 6/29/03 2:35:21 PM	ADV0004672-83	B					6/29/03	



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220.	Presentation titled 12 Month Turn Contracts, dated 6/26/03 3:39:52 PM	ADV0004695-711	B					6/26/03	
221.	Presentation titled 12 Month Turn Contracts, dated 6/30/03 2:13:35 PM	ADV0004729-41	B					6/30/03	
222.	E-mail from Les Falke attaching press release on Transmedia	ADV0004742-47	B					11/27/01	
223.	E-mail from Robert Baker regarding "entertainment book" and IGT	ADV0004750-51	B					9/29/03	
224.	E-mail from John Konop regarding IGT	ADV0004752-53	B					9/29/03	
225.	E-mail from Robert Baker	ADV0004754-55	B					9/29/03	
226.	E-mail from Rich Ferrante regarding 12 Month Turn Contracts presentation	ADV0004756-58	B					8/5/03	
227.	E-mail from Tom Burnside sending iDine article	ADV0004772-78	B					4/18/03	
228.	E-mail from John Konop regarding iDine	ADV0004779-80	B					9/26/01	
229.	Document titled CAN versus Traditional Lenders	ADV0004784-86	B					11/2/01	

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230.	Document titled Capital Access Networks Executive Summary	ADV0004787-96	B					Undated	
231.	E-mail from Robert Baker regarding iDine earnings	ADV0004802-04	B					10/22/03	
232.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005054-55	B					4/25/01	
233.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005056-57	B					2/23/01	
234.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005058-59	B					12/8/00	
235.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005060-62	B					7/25/00	
236.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005063-65	B					4/13/00	
237.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005066-67	B					3/10/00	
238.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005068-69	B					1/13/00	
239.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005070-71	B					12/14/99	

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240.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005072-73	B					9/17/99	
241.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005074-75	B					7/15/99	
242.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005076-77	B					6/9/99	
243.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005078	B					9/1/98	
244.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005079-80	B					4/25/01	
245.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005081-82	B					7/13/01	
246.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005083	B					8/7/01	
247.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005084-85	B					10/19/01	
248.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005086-87	B					5/20/03	
249.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005088-90	B					9/22/05	

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250.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005091-92	B					12/14/05	
251.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005093-94	B					3/29/06	
252.	Agenda: Board of Directors Meeting	ADV0005095	B					4/25/01	
253.	Agenda: Board of Directors Meeting	ADV0005096-97	B					10/19/01	
254.	Agenda: Board of Directors Meeting	ADV0005098	B					5/20/03	
255.	Agenda: Board of Directors Meeting	ADV0005099	B					9/22/05	
256.	Agenda: Board of Directors Meeting	ADV0005100	B					12/14/05	
257.	Agenda: Board of Directors Meeting	ADV0005101	B					3/29/06	
258.	Agenda: AdvanceMe Transaction Service – ATS	ADV0005102	B					Undated	
259.	Document titled Company Overview	ADV0005103-04	B					Undated	

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260.	Document titled Operational Overview	ADV0005105	B					Undated	
261.	Document titled Financial Overview	ADV0005106	B					Undated	
262.	Document titled Competitive Landscape	ADV0005107	B					Undated	
263.	Presentation titled Competitive Analysis	ADV0005108-11	B					Undated	
264.	Presentation titled iDine Study for Leadership Conference May 30-June 1, 2003	ADV0005112-22	B					5/30/03	
265.	Presentation titled In Good Taste for Leadership Conference May 30-June 1, 2003	ADV0005123-36	B					5/30/03	
266.	List of company names and addresses; appears to be a spreadsheet on accounts	ADV0005137-40	B					Undated	
267.	Presentation titled Why AdvanceMe Wins	ADV0005141-44	B					Undated	
268.	Set of materials on AdvanceMe competitor information	ADV0005147-60	B					Undated	
269.	Spreadsheet of competitor information	ADV0005161-64	B					Undated	

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270.	Checklist of renewal rejection reasons	ADV0005165	B					Undated	
271.	Table titled AMI Competitor Review	ADV0005197-99	B					12/7/06	
272.	Chart titled Comparison of Market Leaders	ADV0005208	B					Undated	
273.	Illinois Corporation Search results on Clever Ideas	ADV0005321	B					3/9/01	
274.	Dun & Bradstreet report on Clever Ideas	ADV0005322-35	B					2/9/04	
275.	Clever Ideas Results Report	ADV0005336-43	B					5/28/03	
276.	Confidential Customer Data Analysis, Clever Ideas Café	ADV0005344-50	B					5/28/03	
277.	Background report on Lee Suckow	ADV0005351-67	B					2/17/04	
278.	Background report on Clever Ideas	ADV0005368-75	B					2/9/04	
279.	Pages from valuedmember.com web site	ADV0005376-82	B					2/9/04	

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280.	Pages from Clever Ideas web site	ADV0005383-434	B					2/9/04	
281.	Pages from iDine web site	ADV0005446-55	B					3/8/04	
282.	NYS Department of State search results on Rewards Network	ADV0005456	B					3/24/04	
283.	iDine/Rewards Network 2002 Annual Report	ADV0005457-63	B					Undated	
284.	Pages from iDine web site	ADV0005464-71	B					3/8/04	
285.	iDine Rewards Network Consolidated Financial Statements December 31, 2002 and 2001	ADV0005472-513	B					2/5/03	
286.	Pages from iDine web site	ADV0005514-43	B					2/8/04	
287.	SEC Form 10-K for iDine Rewards Network, fiscal year ending December 31, 2002	ADV0005544-73	B					Undated	
288.	Pages from iDine web site	ADV0005574-89	B					3/8/04	
289.	CNNMoney.com results for Rewards Network, Inc.	ADV0005590-93	B					2/5/04	

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290.	Dun & Bradstreet report on iDinecom Inc.	ADV0005594-96	B					2/5/04	
291.	Pages from iDine web site	ADV0005597-608	B					2/5/04	
292.	Pages from Rewards Network web site	ADV0005609-19	B					2/28/05	
293.	Countrywide Business Alliance Sales Meeting Agenda	ADVAM0005701	B					12/1/98	
294.	Document titled Dining Programs: iDine	ADVAM0005724	B					Undated	
295.	Report on UCC's Present on Experion Business Reports as of April 7th, 2003	ADV0005778-5951	B					Undated	
296.	Page from Clever Ideas web site	ADV0005952	B					3/1/0?	
297.	E-mail exchange between Glenn Goldman to John Konop	ADV0005963	A					8/26/05	
298.	First Funds promotional materials	FF_00018-19	B						
299.	Bankcard Central Terminal Input Data Form	FF_00093	B						



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300.	Unexecuted Merchant Agreement between TX Direct and NCMIC Finance Corporation	FF_01438-43	B					Undated	
301.	E-mail from Krissy Burkey to David Talbert (First Funds production of .pst 12/19/06)		B					1/30/06	
302.	E-mail from pamelap@tmo.blackberry.net to Paul Hayden, Douglas Davis, Dawayne Beaufort, Ann-Marie Rose, ccing Angela Chu and Jahee Yang (First Funds production of .pst 12/19/06)		B					10/9/06	
303.	E-mail from Krissy Burkey to Paul Hayden (First Funds production of .pst 12/19/06)		B					7/21/06	
304.	E-mail from Ellen Lanney to Angela Chu (First Funds production of .pst 12/19/06)		B					9/15/06	
305.	E-mail from Krissy Burkey to Philip Head, ccing Douglas Davis, Jacob Dorfman, Angela Chu, and Jacking Logan, regarding and attaching the new ACH Merchant Agreement (First Funds production of .pst 12/19/06)		B					9/26/06	
306.	E-mail from Angela Chu to Steve Buckley (First Funds production of .pst 12/19/06; Exhibit 13 to opposition to motion for sanctions)		B					9/19/06	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C</b> <b>a</b> <b>t</b> <b>e</b> <b>g</b> <b>o</b> <b>r</b> <b>y</b>	<b>M</b> <b>a</b> <b>r</b> <b>k</b> <b>e</b> <b>d</b>	<b>O</b> <b>f</b> <b>f</b> <b>e</b> <b>r</b> <b>e</b> <b>d</b>	<b>O</b> <b>b</b> <b>j</b> <b>e</b> <b>c</b> <b>t</b> <b>i</b> <b>o</b> <b>n</b>	<b>A</b> <b>d</b> <b>m</b> <b>i</b> <b>t</b> <b>t</b> <b>e</b> <b>d</b>	<b>DATE</b>	<b>WITNESS</b>
307.	E-mail from Krissy Burkey regarding Process and Card Type Guidelines (First Funds production of .pst 12/19/06; Exhibit 16 to opposition to motion for sanctions)		B					8/24/06	
308.	E-mail from Krissy Burkey to Vlad Sadovisky (First Funds production of .pst 12/19/06; Exhibit 20 to opposition to motion for sanctions)		B					3/31/06	
309.	E-mail from Amerimercahnt Payment Systemts to whj@thelegacynetwork.com	MMT_01695	B					10/31/06	
310.	E-mail from AmeriMerchant Payment Systems to Bill Jackson approving payments	MMT_01697-98	A					10/31/06	
311.	E-mail from John Meinel regarding account closure	MMT_01705	A					8/14/06	
312.	E-mail from John Meinel regarding account closure	MMT_01706	A					4/24/06	
313.	E-mail from John Meinel regarding account closure	MMT_01707	A					9/18/06	
314.	Irrevocable Payment Instructions, between Comdata and Reach Financial	RF_00051-52	B					9/19/05	
315.	E-mail from Bryan Clanton to Marci Leary regarding ACH rejects from the bank	RF_01004-05	A					10/18/06	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C</b> <b>a</b> <b>t</b> <b>e</b> <b>g</b> <b>o</b> <b>r</b> <b>y</b>	<b>M</b> <b>a</b> <b>r</b> <b>k</b> <b>e</b> <b>d</b>	<b>O</b> <b>f</b> <b>f</b> <b>e</b> <b>r</b> <b>e</b> <b>d</b>	<b>O</b> <b>b</b> <b>j</b> <b>e</b> <b>c</b> <b>t</b> <b>i</b> <b>o</b> <b>n</b>	<b>A</b> <b>d</b> <b>m</b> <b>i</b> <b>t</b> <b>t</b> <b>e</b> <b>d</b>	<b>DATE</b>	<b>WITNESS</b>
316.	E-mail from Marci Leary to Jennif Fink regarding change to withholdings, with attachment	RF_01010-11	A					1/29/07	
317.	E-mail from Marci Leary to Bryan Clanton regarding change to withholdings, with attachment	RF_01012-14	A					1/9/07	
318.	Statement of Account for Reach Financial	RF_01015-22	A					1/31/07	
319.	Checking Account Inquiry on Reach Financial	RF_01023	A						
320.	Voided check	RF_01024	A						
321.	Checking Account Inquiry on Reach Financial	RF_01025	A						
322.	Voided check	RF_01026	A						
323.	Checking Account Inquiry on Reach Financial	RF_01027	A						
324.	Voided check	RF_01028	A						
325.	Monthly Billing Statement to Marina Car Wash	RF_01041	A					12/06	

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326.	Bank of America Business Checking Statement for Marina Car Wash	RF_01042-52	A					12/06	
327.	Statement for Merchant KPRNY, Inc.	RF_01053	A					Undated	
328.	Wells Fargo Business Checking Statement for KPRNY, Inc. (pages 1-7)	RF_01054-60	A					8/06	
329.	Internetworking Technology Handbook, Chapter 3 "Introduction to WAN Technologies" (attached as Ex. B to the Rebuttal Expert Report of Donald Headlund served April 2, 2007), available at <a href="http://www.cisco.com/univercd/cc/td/doc/cisintwk/ito_d oc/introwan.htm">http://www.cisco.com/univercd/cc/td/doc/cisintwk/ito_d oc/introwan.htm</a>		B						
330.	Cisco IOS Release 12.0 Dial Solutions Configuration Guide, "Managing Modems" (attached as Ex. C to the Rebuttal Expert Report of Donald Headlund served April 2, 2007), available at <a href="http://www.cisco.com/univercd/cc/td/doc/product/software/ios120/12cgcr/dial_c/index.htm">http://www.cisco.com/univercd/cc/td/doc/product/software/ios120/12cgcr/dial_c/index.htm</a>		B						
331.	Slides of LeCard Invalidity argument presented by Defendants at May 22, 2007 Hearing		B					5/22/07	
332.	Slides of Litle Invalidity argument presented by Defendants at May 22, 2007 Hearing		B						

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333.	Transcript of Hearing regarding Konop Deposition		B					2/8/07	
334.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0033-34	B					1/4/07	
335.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0040-41	B					1/3/07	
336.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0045-46	B					1/2/07	
337.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0049-50	B					12/29/06	
338.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0055-56	B					12/27/06	
339.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0060-61	B					12/26/06	
340.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0064-65	B					12/22/06	

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341.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0088-89	B					12/14/06	
342.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0097-98	B					12/12/06	
343.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0107-108	B					12/8/06	
344.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0118-119	B					12/6/06	
345.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0125-126	B					12/5/06	
346.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0130-131	B					12/4/06	
347.	E-mail from bclanton@comdata.com to Admin Sales attaching outgoing ACH report file	COMDATA0139-141	B					12/1/06	
348.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0142-143	B					12/1/06	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
349.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0536-537	B					8/31/06	
350.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0555-556	B					8/30/06	
351.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0566-567	B					8/29/06	
352.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0575-577	B					8/28/06	
353.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0587-588	B					8/25/06	
354.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0591-592	B					8/24/06	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
355.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0595-596	B					8/23/06	
356.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0606-607	B					8/22/06	
357.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0610-612	B					8/21/06	
358.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0615-616	B					8/18/06	
359.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0628-629	B					8/17/06	
360.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0637-638	B					8/16/06	



<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
361.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0645-646	B					8/15/06	
362.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0647-649	B					8/14/06	
363.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0654-655	B					8/11/06	
364.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0663-664	B					8/10/06	
365.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0673-674	B					8/9/06	
366.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0686-687	B					8/8/06	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
367.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0690-692	B					8/7/06	
368.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0700-701	B					8/4/06	
369.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0704-705	B					8/3/06	
370.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0712-713	B					8/2/06	
371.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0714-715	B					8/1/06	
372.	E-mail from prodfax@nobel-net.com to transactions@reachfinancial.com, Admin Sales, twilden@nobel-net.com, kjohnson@reachfinancial.com attaching Reach MicroLoan Daily Report	COMDATA0716-718	B					7/31/06	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
373.	Specification (Application No. 09/356,711)	281FH0010-19	B					7/20/99	
374.	Claims (Application No. 09/356,711)	281FH0020-23	B					7/20/99	
375.	Drawings (Application No. 09/356,711)	281FH0024-28	B					7/20/99	
376.	Preliminary Amendment (Application No. 09/356,711) (Exhibit AA to April 13, 2007 Reply in Support of Motion for Summary Judgment)	281FH0005-9	A					7/20/99	
377.	Non-Final Rejection (Application No. 09/356,711) (Exhibit X to March 12, 2007 Motion for Summary Judgment)	281FH0268-276	A					1/24/02	
378.	Final Rejection (Application No. 09/356,711)	281FH0286-294	B					8/22/02	
379.	Final Rejection (Application No. 09/356,711)	281FH0328-336	B					1/12/04	
380.	Request for Continued Examination (Application No. 09/356,711)	281FH0341	B						

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C</b> <b>a</b> <b>t</b> <b>e</b> <b>g</b> <b>o</b> <b>r</b> <b>y</b>	<b>M</b> <b>a</b> <b>r</b> <b>k</b> <b>e</b> <b>d</b>	<b>O</b> <b>f</b> <b>f</b> <b>e</b> <b>r</b> <b>e</b> <b>d</b>	<b>O</b> <b>b</b> <b>j</b> <b>e</b> <b>c</b> <b>t</b> <b>i</b> <b>o</b> <b>n</b>	<b>A</b> <b>d</b> <b>m</b> <b>i</b> <b>t</b> <b>t</b> <b>e</b> <b>d</b>	<b>DATE</b>	<b>WITNESS</b>
381.	Request for Extension of Time and Amendment (Application No. 09/356,711) (Barbara Johnson Deposition Ex. 4)	281FH0344, 338-340, 342-343	A					7/14/04	Barbara Johnson
382.	Claims (Application No. 09/356,711)	281FH0338-340	B						
383.	Applicant Arguments/Remarks Made in an Amendment (Application No. 09/356,711)	281FH0342-343	B						
384.	Notice of Allowance and Fees Due (PTOL-85) (Application No. 09/356,711)	281FH0351-353	B					4/1/05	
385.	Notice of Allowability (Application No. 09/356,711)	281FH0354-358	B					4/1/05	
386.	Examiner Interview Summary Record (Application No. 09/356,711)	281FH0359-361	B					4/1/05	
387.	Office Action – Non-Final Rejection (Application No. 08/890,398)	FHC0185-192	B					11/10/98	
388.	Response after Non-Final Action – Amendment and Response (Application No. 08/890,398) (Falke Deposition Ex. 10)	FHC0626, FHC0628-632	A					1/20/99	Les Falke
389.	Office Action – Final Rejection (Application No. 08/890,398)	FHC0633-640	B					2/16/99	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
390.	Response After Final (Application No. 08/890,398)	FHC0645-650	B					6/3/99	
391.	Advisory Action (Application No. 08/890,398)	FHC0651-652	B					7/8/99	
392.	Continued Prosecution Application (Application No. 08/890,398)	FHC0657-658	B					7/16/99	
393.	Preliminary Amendment (Application No. 08/890,398)	FHC0661-665	B					7/16/99	
394.	Final Rejection (Application No. 08/890,398)	FHC0666-667, FHC0398-403	B					8/6/99	
395.	Examiner Interview Summary Record (Application No. 08/890,398)	FHC0405	B					8/31/99	
396.	Appeal Brief (Application No. 08/890,398) (Exhibit W to March 12, 2007 Motion for Summary Judgment)	FHC0678-700	A					6/7/00	
397.	Examiner's Answer to Appeal Brief (Application No. 08/890,398)	FHC0732-741	B					8/10/00	
398.	Notice of Allowability (Application No. 08/890,398)	FHC0769-773	B					7/13/04	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C</b> <b>a</b> <b>t</b> <b>e</b> <b>g</b> <b>o</b> <b>r</b> <b>y</b>	<b>M</b> <b>a</b> <b>r</b> <b>k</b> <b>e</b> <b>d</b>	<b>O</b> <b>f</b> <b>f</b> <b>e</b> <b>r</b> <b>e</b> <b>d</b>	<b>O</b> <b>b</b> <b>j</b> <b>e</b> <b>c</b> <b>t</b> <b>i</b> <b>o</b> <b>n</b>	<b>A</b> <b>d</b> <b>m</b> <b>i</b> <b>t</b> <b>t</b> <b>e</b> <b>d</b>	<b>DATE</b>	<b>WITNESS</b>
399.	Notice of Allowance and Fees Due (PTOL-85) (Application No. 08/890,398)	FHC0774-776	B					7/21/04	
400.	Media Funding Corporation background document	BM0001-03	B						
401.	Fax to Peter Beiler with draft letter regarding business plan by Media Funding Corporation	BM0004-7	B					11/8/95	
402.	Form of Media Funding and Royalty Agreement	BM0008-19	B						
403.	Form of Media Agency and Royalty Agreement	BM0020-27	B						
404.	Form of Media Funding and Royalty Agreement	BM0028-41	B						
405.	Form of Media Funding and Royalty Agreement	BM0042-53	B						
406.	Handwritten Notes	BM0054-55	B					3/17/95	
407.	Form of Media Funding and Royalty Agreement marked up	BM0056-70	B						
408.	Draft letter to first USA Paymentech regarding Media Agency and Royalty Agreement	BM0071-73	B					1996	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C a t e g o r y</b>	<b>M a r k e d</b>	<b>O f f e r e d</b>	<b>O b j e c t i o n</b>	<b>A d m i t t e d</b>	<b>DATE</b>	<b>WITNESS</b>
409.	Draft letter to first USA Paymentech regarding Media Agency and Royalty Agreement	BM0074-76	B					1996	
410.	Letter from Matthew Fladell to Jonathan Noel with attached Media Funding and Servicing Fee Agreement and fax coversheet from Matthew Fladell forwarding to Rob Corey	BM077-95	B					6/12/97	
411.	Fax coversheet forwarding attached Media Funding and Servicing Fee Agreement to Peter Bieler	BM0096-115	B					6/12/97	
412.	Fax coversheet from Peter Bieler to Michael Wolfe regarding comments on revision, with attached marked Disbursement and Waiver Agreement	BM0116-24	B					4/8/97	
413.	Fax coversheet from Jonathan Rich forwarding attached marked Disbursement and Waiver Agreement	BM0125-33	B					4/9/97	
414.	Fax coversheet from G. Helen Athan forwarding attached revised Disbursement and Waiver Agreement	BM0134-40	B					4/7/97	
415.	Marked copy of Disbursement and Waiver Agreement	BM0141-46	B					3/7/97	
416.	Fax coversheet from Susan Willson to Rob Corey enclosing attached merchant deposit information	BM0147-49	B					6/20/97	
417.	Invoice from Media Funding Corporation to Golf Solutions, Inc. with fax coversheet	BM0150-52	B					5/27/97	

<b>DEF EXH. NO.</b>	<b>DESCRIPTION</b>	<b>BATES NO.</b>	<b>C</b> <b>a</b> <b>t</b> <b>e</b> <b>g</b> <b>o</b> <b>r</b> <b>y</b>	<b>M</b> <b>a</b> <b>r</b> <b>k</b> <b>e</b> <b>d</b>	<b>O</b> <b>f</b> <b>f</b> <b>e</b> <b>r</b> <b>e</b> <b>d</b>	<b>O</b> <b>b</b> <b>j</b> <b>e</b> <b>c</b> <b>t</b> <b>i</b> <b>o</b> <b>n</b>	<b>A</b> <b>d</b> <b>m</b> <b>i</b> <b>t</b> <b>t</b> <b>e</b> <b>d</b>	<b>DATE</b>	<b>WITNESS</b>
418.	Draft marked letter regarding Media Agency and Royalty Agreement	BM0153-55	B					1995	
419.	Letter to Peter Bieler from Litle & Co. regarding agreement on business relationship	BM0156-57	B					3/2/95	
420.	Letter from Larry Bouchard to Peter Bieler regarding business relationship and what Litle & Co. has to offer	BM0158	B					3/7/95	
421.	Draft Agreement between “member” and Litle & Co.	BM0159	B					Undated	
422.	Letter from Larry Bouchard to Peter Bieler regarding establishment of working relationship	BM0160	B					3/27/95	
423.	Letter from Larry Bouchard to Peter Bieler regarding transaction pricing and additional fees	BM0161	B					4/18/95	
424.	Draft marked letter regarding Media Agency and Royalty Agreement	BM0162-64	B					1995	
425.	Form of Media Funding and Royalty Agreement	BM0165-66	B					Undated	



Dated: June 19, 2007

Respectfully submitted,

By : /s/ Joseph D. Gray

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*Counsel for Defendants First Funds LLC, Merchant  
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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 F 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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Joseph D. Gray

Austin 837253v.4