

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

ADVANCEME, INC.,
Plaintiff,

v.

RAPIDPAY LLC,
MERCHANT MONEY TREE, INC.,
REACH FINANCIAL LLC, and
FAST TRANSACT, INC. d/b/a
SIMPLE CASH,
Defendants.

CASE NO. 6:05-CV-424 LED-JDL

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**ADVANCEME, INC.'S OBJECTIONS TO DEFENDANTS' CORRECTED
TRIAL EXHIBIT LIST**

Plaintiff AdvanceMe, Inc. hereby objects to Defendants' Corrected Trial Exhibit List.

ADVANCEME'S OBJECTION KEY

<u>Code</u>	<u>Objection</u>
106	Incomplete. This exhibit is objectionable because it is incomplete and the introduction of the remaining portions ought, in fairness, to be considered contemporaneously with it (<i>see</i> Fed. R. Evid. 106).
402	Relevance. This exhibit is objectionable because it is not relevant (<i>see</i> Fed. R. Evid. 402).
403	Misleading/Confusion of Issues/Waste of Time. This exhibit is objectionable because its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence (<i>see</i> Fed. R. Evid. 403).
408	Compromise and Offer to Compromise. This exhibit is objectionable because it relates to offers to compromise and/or settlement negotiations (<i>see</i> Fed. R. Evid. 408).
602	Personal Knowledge. This exhibit is objectionable because it constitutes testimony on a matter as to which the witness lacks personal knowledge (<i>see</i> Fed. R. Evid. 602).
611	Vague and Ambiguous, Argumentative, Harassment, Undue Embarrassment, Leading. This exhibit is objectionable because it is vague and ambiguous, argumentative, constitutes harassment or is unduly embarrassing to the witness, or the question is leading (<i>see</i> Fed. R. Evid. 611).

701	Lay Opinion/Legal Conclusion. This exhibit is objectionable because it is opinion testimony by a lay witness that is not reasonably based on perception and helpful to a clear understanding of the witness' testimony or the determination of a fact in dispute (<i>see</i> Fed. R. Evid. 701).
801	Hearsay. This exhibit is objectionable because it is a statement made by one other than the declarant while testifying at trial, offered into evidence to prove the truth of the matter asserted and not subject to any hearsay exception (<i>see</i> Fed. R. Evid. 801 and 802).
901	Authentication. This exhibit is objectionable because the evidence referred to therein has not been properly authenticated (<i>see</i> Fed. R. Evid. 901).
1001-1004	Best Evidence. This exhibit is objectionable because it is vague and ambiguous as to whether the witness is summarizing its own independent understandings or the contents of a document. If the latter, attempt to prove content of a document with secondary evidence (<i>see</i> Fed. R. Evid. 1001-1004).
A/C	Privilege. Attorney Client Privilege and/or Work Product Immunity
E	This exhibit is objectionable because it constitutes attempted expert testimony from a person who was not designated as an expert and who did not submit an expert report (<i>see</i> Fed. R. Civ. P. 26).
F	This exhibit is objectionable because it lacks foundation.

Plaintiff AdvanceMe's Objections to Defendants' Corrected Trial Exhibit List

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
1.	U.S. Patent No. 6,941, 281 (B. Johnson Deposition Ex. 2, G. Johnson Deposition Ex. 1, Elasri Deposition Ex. 13)		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	10/29/92		
3.	July 23, 1992 letter from Lee Suckow (Secher Deposition Ex. 3)	LC_00006	7/23/92	Adam Secher	
4.	Cash Advance Agreement (Suckow Deposition Ex. 1, Secher Deposition Ex. 4)	LC_00007-8	3/2/95	Lee Suckow Adam Secher	
5.	Advertising Advance Agreement (April 28, 1994) (Suckow Deposition Ex. 2)	LC_00009-10	4/28/94	Lee Suckow	
6.	LeCard statement to Club Lucky (Suckow Deposition Ex. 4)	LC_00011-12	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	2/1/93		106, 402, 403, 611, 801, 901, 1001-1004, CS, F, P.R. 3-3, P.R. 3-4

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
8.	Diner's Club Account Activity, Billing Date 5/6/94	LC_00019	5/6/94		106, 402, 403, 611, 801, 901, 1001-1004, CS, F, P.R. 3-3, P.R. 3-4
9.	Diner's Club Account Activity, Billing Date 4/5/94	LC_00020	4/5/94		106, 402, 403, 611, 801, 901, 1001-1004, CS, F, P.R. 3-3, P.R. 3-4
10.	Copy of Diners Club International cards issued to Robert H. Howard and Marjory P. Howard	LC_00021			106, 402, 403, 611, 801, 901, 1001-1004, CS, F, P.R. 3-3, P.R. 3-4
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	6/9/92	Tim Litle Larry Bouchard John Randall Bourne Allen Abbott	106, 801, 901, 1001-1004
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	2/28/92		106, 801, 901, 1001-1004
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	6/8/92	Tim Litle Allen Abbott Larry Bouchard John Randall Bourne	

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
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	12/27/89	Allen Abbott	
15.	Memorandum from Tim Litle to John Shirey (Part of Litle Deposition Ex. 8)	LI_00063-64	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	6/22/90	Allen Abbott Larry Bouchard John Randall Bourne Tim Litle	
17.	Schedule F-1 Security Agreement, Exposures, Inc. (Parts of Bourne Deposition Ex. 6 and Litle Deposition Ex. 9)	LI_00006	6/25/90	John Randall Bourne Tim Litle	
18.	Schedule 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	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	6/19/91	John Randall Bourne Tim Litle	
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	9/27/93	Tim Litle	

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
21.	Schedule E-2 Demand Promissory Note for Postage Advances and Schedule F-2 Security Agreement, for Museum Publications of America	LI_00036-38	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	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			
24.	Letter from Lynda Fiala to Mr. Chris Chubb	LI_00047	1/20/94		106, 801, 1001-1004, F
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	1/17/94		106, 801, 1001-1004, F
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	1/17/94		106, 801, 1001-1004, F
27.	Fax from Marie Turmaine, Boston Publishing Company to Mike Duffy, Litle & Co.	LI_00045-46	1/14/94		106, 801, 1001-1004, F
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	2/17/94	Tim Litle Larry Bouchard	106, 801, 1001-1004, F

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
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			106, F
30.	Letter from Michael P. Duffy to Mr. Michael Riccio	LI_00032	2/24/94		106, 801, 1001-1004, F
31.	Cover pages to Security Agreement Schedules E3 and F3	LI_00039			106, 801, 1001-1004, F
32.	Letter from Michael P Duffy to Mr. Robert J. George with attachments	LI_00043	1/29/94		106, 801, 1001-1004, F
33.	Fax from Marie Turmain to Mike Duffy	LI_00044	1/19/94		106, 801, 1001-1004, F
34.	Secured Party Copy of UCC Form 1, Financing Statement	LI_00051			106, 801, 1001-1004, F
35.	Copy of check from Litle & Co. to Secretary of State for \$10	LI_00052			106, 801, 1001-1004, F
36.	Fax cover sheet transmitting \$10 payment from Litle & Co to Secretary of State	LI_00053			106, 801, 1001-1004, F
37.	Filing Officer copy of UCC Form 1	LI_00054			106, 801, 1001-1004, F
38.	Secured Party Copy of UCC Form 1, Financing Statement	LI_00058			106, 801, 1001-1004, F

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
39.	Fax from Marie Turmain to Mike Duffy	LI_00059	1/26/94		106, 801, 1001-1004, F
40.	Declaration of Tim Litle		5/21/07		
41.	AdvanceMe's Objections and Response to Defendants' Amended First Set of Interrogatories to Plaintiff AdvanceMe		10/31/06		
42.	AdvanceMe's Supplemental Objections and Response to Defendants' Amended First Set of Interrogatories		01/12/07		
43.	AdvanceMe's Objections and Responses to Defendants' Second Set of Interrogatories		03/08/07		
44.	Irrevocable Payment Instructions (Benedict Deposition Ex. 2)	RF_00045-46		William Benedict	
45.	Merchant Financing Program advertisement (Benedict Deposition Ex. 3)	RF_00040		William Benedict	106
46.	Tim Bragg (Reach) letter to Mary McCabe (Bellizzi) (Benedict Deposition Ex. 4)	RF_00034	3/20/06	William Benedict	106
47.	Reach Advertisement titled "Your Financial needs are now within Reach!" (Benedict Deposition Ex. 5)	RF_00035		William Benedict	106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
48.	10 Top Reasons Small Businesses Get Working Capital from Reach Financial (Benedict Deposition Ex. 6)	RF_00033		William Benedict	106
49.	Reach Advertisement titled "Reach Merchant Financing Program – Merchants get cash when they need it most" (Benedict Deposition Ex. 7)	RF_00037		William Benedict	106
50.	Company X – Reach Merchant Financing Program (Benedict Deposition Ex. 8)	RF_00036		William Benedict	106
51.	Reach Financial Purchase Agreement (Benedict Deposition Ex. 12)	RF_00043-44		William Benedict	106
52.	Reach Financial Purchase Agreement Rider (Benedict Deposition Ex. 13)	RF_00047		William Benedict	106
53.	Reach Finance, L.P. PowerPoint Presentation (Benedict Deposition Ex. 15)	RF_00059-89	9/6/05 to	William Benedict	106, 701, 1001-1004
54.	Reach Withholding Worksheet; Various e-mails (Benedict Deposition Ex. 18)	RF_000957-1003	5/8/06 to	William Benedict	106, 701, 802, 1001-1004
55.	Paymentech advertisement (Benedict Deposition Ex. 22)		1/30/07	William Benedict	106, 802, 1001-1004

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
56.	Cash Advance Agreement (Jackson Deposition Ex. 7)	MMT_00002-7		William Jackson	106
57.	Merchant Services Agreement (Talbert Deposition Ex. 15)	FF_00087-88		David Talbert	106, Order from June 27, 2007 hearing
58.	Declaration of Allen Abbott (Abbott Deposition Ex. 4)		12/21/06	Allen Abbott	106, 602, F
59.	Laurent Bouchard CV (Bouchard Deposition Ex. 3)			Larry Bouchard	106, 402, 701
60.	Competitive Landscape (Boudette Deposition Ex. 3, Gepford Deposition Ex. 4, Burnside Deposition Ex. 3, Morgenstein Deposition Ex. 5, Hardwick Deposition Ex. 8)	ADVAM0004110		Michelle Boudette Jeanette Gepford Tom Burnside Bill Morgenstein Cliff Hardwick	106, 402, 403, 1001-1004
61.	Declaration of John Randall Bourne (Bourne Deposition Ex. 5)		1/26/07	John Randall Bourne	
62.	Competitive Analysis (Burnside Deposition Ex. 2)			Tom Burnside	
63.	Reach MicroLoan Daily Report (Carter Deposition Ex. 2)	COMDATA0001-4, 1475-76	1/16/07;	Jennifer Carter	106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
64.	Reach Withholding, ACH Report (Carter Deposition Ex. 8)	COMDATA0166, 0007-8		Jennifer Carter	106
65.	First Funds, LLC–Merchant Agreement (3/1/07 Derussy Deposition Ex. 3)	FF_00048-52		Cortes Derussy	106, Order from June 27, 2007 hearing
66.	Document titled “Set Up and Flow of Secondary Processor (3/1/07 Derussy Deposition Ex. 10)	FF_00265		Cortes Derussy	106, 1001-1004, Order from June 27, 2007 hearing
67.	Cynergydata Merchant Application (Elasri Deposition Ex. 5)	AM_00068-00071	01-20-05	Ruth Elasri	106, Order from June 27, 2007 hearing
68.	Web Pages on Hidden Value Systems (Falke Deposition Ex. 1)			Les Falke	
69.	Pages from Capital Access Network, Inc. Business Plan December 1998 Copy Number x (Falke Deposition Ex. 2)	CH0042-44	12/98	Les Falke	106
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	8/99	Les Falke Jeanette Gepford Cliff Hardwick	106
71.	Form 10-K Filing on Transmedia Network Inc. (Falke Deposition Ex. 5 and Barbara Johnson Deposition Ex. 6)	TR 00001-62	9/30/95	Les Falke Barbara Johnson	106, 602, F

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
72.	Article from South Florida Business Journal titled "Dining Cards: Will work for food" (Falke Deposition Ex. 6)		8/5/96	Les Falke	
73.	PowerPoint presentation slides on Capital Access Network (Falke Deposition Ex. 7)	ADV 0005691-98	5/01	Les Falke	106, 402, 403, 1001-1004
74.	U.S. Patent No. 6,826,544 (Falke Deposition Ex. 8, Barbara Johnson Deposition Ex. 3)		11/30/04	Les Falke Barbara Johnson	
75.	Les Falke Biography (Falke Deposition Ex. 9)	ADVAM 005775		Les Falke	106
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		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)		6/7/06	Jeanette Gepford	106
78.	AdvanceMe Organizational Chart (Goldman Deposition Ex. 2)	ADV 0005709		Glen Goldman	

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
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	9/29/03	Glen Goldman	402, 403
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	9/23/03	Glen Goldman	402, 403
81.	E-mail from Robert Baker to Executives regarding iDine 10/22 Earnings call (Goldman Deposition Ex. 5)	ADVAM0004802-04	10/22/03	Glen Goldman	402, 403
82.	Comprehensive Report on Lee Suckow (Goldman Deposition Ex. 7)	ADV0005351-67	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	5/30/03 to 6/1/03	Clifford Hardwick	402, 403
84.	Presentation slides from AdvanceMe Leadership Conference May 30 – June 1, 2003 titled “In Good Taste” (Hardwick Deposition Ex. 9)	CH0008-35	5/30/03 to 6/1/03	Clifford Hardwick	402, 403
85.	Letter from Tom Burnside to Cliff Harwick regarding offer of employment (Hardwick Deposition Ex. 10)		7/19/05	Clifford Hardwick	

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
86.	Severance Agreement and Release between AdvanceMe and Cliff Harwick (Hardwick Deposition Ex. 11)		2/12/01	Clifford Hardwick	
87.	Document titled List of Documents for AdvanceMe Inc. (Hardwick Deposition Ex. 12)	CH001-2		Clifford Hardwick	
88.	Expert Report of Donald Headlund (Headlund Deposition Ex. 4)		3/7/07	Donald Headlund	
89.	Rebuttal Expert Report of Donald Headlund (Headlund Deposition Ex. 5)		4/2/07	Donald Headlund	
90.	TX Direct Merchant Agreement and Application Form (Headlund Deposition Ex. 14)	FF_00094-103		Donald Headlund	106
91.	Merchant Bankcard Application Packet (Barbara Johnson Deposition Ex. 5)	FUSA 0001-4 (double sided)		Barbara Johnson	402, 802, 1001-1004
92.	Declaration of self-Authenticating Business Records (Barbara Johnson Deposition Ex. 7)			Barbara Johnson	
93.	Declaration of Self-Authenticating Business Records (Barbara Johnson Deposition Ex. 8)			Barbara Johnson	
94.	“Lending a Hand” article on AdvanceMe, May 2006 (Barbara Johnson Deposition Ex. 9)			Barbara Johnson	

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
95.	Form 10-Q on Vertrue, Inc. (Gary Johnson Deposition Ex. 3)		5/14/04	Gary Johnson	402, 403
96.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 23 (Konop Deposition Ex. 4)	CH0055-57		John Konop	
97.	September 2006 <i>Inc. Magazine</i> article by Tim Litle (Litle Deposition Ex. 2)		9/06	Tim Litle	106, 402, 802
98.	Curriculum Vitae of Thomas J. (Tim) Litle (Litle Deposition Ex. 3)			Tim Litle	
99.	TX Direct Merchant Agreement (Lott Deposition Ex. 6)	FF_00094-99		Daniel Lott	Order from June 27, 2007 hearing
100.	Business records from TX Direct (Lott Deposition Ex. 11)	TXD_04034-38		Daniel Lott	Order from June 27, 2007 hearing
101.	Business records from TX Direct (Lott Deposition Ex. 12)	TXD_04050-54, 00089-101		Daniel Lott	Order from June 27, 2007 hearing
102.	Who's Who in America profile on Bill Morgenstein (Morgenstein Deposition Ex. 3)			Bill Morgenstein	
103.	Letter from Morgenstein to Joe Valeo (Morgenstein Deposition Ex. 6)		3/26/05	Bill Morgenstein	

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
104.	E-mail from Morgenstein regarding an employment contract (Morgenstein Deposition Ex. 7)		5/7/05	Bill Morgenstein	
105.	E-mail from Nathan Warshaw (Morgenstein Deposition Ex. 8)		5/6/05	Bill Morgenstein	
106.	Message from Morgenstein to Tom Burnside (Morgenstein Deposition Ex. 9)		5/18/05	Bill Morgenstein	
107.	Memo from Morgenstein to Victoria Cundiff (Morgenstein Deposition Ex. 10)		5/30/05	Bill Morgenstein	106, 402, 403, 801
108.	Letter from Les Falke with attached employment agreement (Morgenstein Deposition Ex. 11)		1/17/00	Bill Morgenstein	106, 402, 403, 801
109.	Letter from Lee Suckow (Suckow Deposition Ex. 3, Falke Deposition Ex. 4 ; Hardwick Deposition Ex. 6)	LC_00001	10/29/92	Lee Suckow Les Falke Cliff Hardwick	106
110.	Carte Blanche letter to Chicago Chop House (Suckow Deposition Ex. 5)	LC_00004	4/29/92	Lee Suckow	106
111.	Letter from Robert Matz to Lee Suckow (Suckow Deposition Ex. 6)		7/28/06	Lee Suckow	402, 403
112.	Handwritten document titled Transaction in Restaurant (Suckow Deposition Ex. 7)			Lee Suckow	106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
113.	Handwritten document titled Transaction back to Restaurant (Suckow Deposition Ex. 8)			Lee Suckow	106
114.	Documents relating to LeCard (Suckow Deposition Ex. 9, Landon Deposition Ex. 3, Sorwell Deposition Ex. 3, McBrearty Deposition Ex. 3)	LC_00001-12		Lee Suckow Edward Landon Gerette Sorwell Tom McBrearty	106
115.	E-mails between Tony Wilden and Henry Harp regarding Reach Financial (Wilden Deposition Ex. 8)		11/30/06	Anthony Wilden	106, 802, 1001-1004
116.	E-mail from Deb Brown to Laura Hauber, Jennie Fink, Brian Howard regarding Reach funding program (Wilden Deposition Ex. 12)		9/1/06	Anthony Wilden	106, 802, 1001-1004
117.	Statement of Undisputed Material Facts and Invalidity Claim Chart for Claim 1 (Exhibit S to March 12, 2007 Motion for Summary Judgment)		3/12/07		403, 701, 802
118.	Statement of Undisputed Material Facts and Invalidity Claim Chart for Claims 2-9 (Exhibit T to March 12, 2007 Motion for Summary Judgment)		3/12/07		403, 701, 802
119.	Statement of Undisputed Material Facts and Invalidity Claim Chart for Claim 10 (Exhibit U to March 12, 2007 Motion for Summary Judgment)		3/12/07		403, 701, 802

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
120.	Statement of Undisputed Material Facts and Invalidity Claim Chart for Claims 11-19 (Exhibit V to March 12, 2007 Motion for Summary Judgment)		3/12/07		403, 701, 802
121.	Statement of Undisputed Material Facts and Supporting Evidence (Exhibit K to April 12, 2007 Second Motion for Summary Judgment)		4/12/07		403, 701, 802
122.	Invalidity Claim Chart for Claims 1-9 (Exhibit L to April 12, 2007 Second Motion for Summary Judgment)		4/12/07		403, 701, 802
123.	Invalidity Claim Chart for Claims 10-19 (Exhibit M to April 12, 2007 Second Motion for Summary Judgment)		4/12/07		403, 701, 802
124.	Declaration of Gerette Sorwell (Exhibit X to May 9, 2007 Reply in Support of Second Motion for Summary Judgment)		5/9/07		403, 701, 802
125.	Defendants' Third Amended Invalidity Contentions		2/12/07		403, 701, 802
126.	Merchant Service Card Processing Service Agreement Terms and Conditions (Reference to 3rd Amended Invalidity Contentions)	BOA 00001-20			402, 403, 602, 802, 901, 1001-1004, F
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			402, 403, 602, 802, 901, 1001-1004, F
128.	Reserve Account Agreement between EDS and Reno Air (Reference to 3rd Amended Invalidity Contentions)	EDSADV 00095-103			402, 403, 602, 802, 901, 1001-1004, F

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
129.	Affidavit of Elliot Merberg in Transmedia v. 33 E. 61st Street Restaurant Corp.	TR 00063-74			402, 403, 602, 801, 901,1001-1004, F
130.	Agreement between Transmedia Network, Inc. and 33 E. 6th Street Restaurant Corp.	TR 00075-76			402, 403, 602, 801, 901,1001-1004, F
131.	Standard Terms and Conditions to Transmedia agreements	TR 00077A			402, 403, 602, 801, 901,1001-1004, F
132.	"Dining Card Menu Features Lots of Options," The South Florida Business Journal, 8/5/96, reprinted on www.bizjournals.com	TR 00077-81			402, 403, 602, 801, 901,1001-1004, F
133.	"Dining Cards: Will Work for Food," The South Florida Business Journal, 8/5/96, reprinted on www.bizjournals.com	TR 00082-87			402, 403, 602, 801, 901,1001-1004, F
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			402, 403, 602, 801, 901,1001-1004, F
135.	Rewards Network profile on Answers.com	TR 00092-101			402, 403, 602, 801, 901,1001-1004, F
136.	AdvanceMe May 19-22, 2005 Leadership Conference presentation materials	CH0003-5	5/19-22/05		402, 403
137.	AdvanceMe Leadership Conference June 3-6, 2004 presentation materials	CH0036-38	6/3/6/04		402, 403
138.	Pages from Capital Access Network Inc. December 1998 Business Plan Copy Number 1	CH0039-41	12/98		

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
139.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH0045-50	8/99		
140.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 23	CH0058-60	8/99		
141.	Letter from Les Falke to Jay Massimo regarding business plan	CH0062	12/29/98		
142.	Letter from Les Falke to Andrew Ross regarding business plan	CH0063	12/29/98		
143.	Letter from Les Falke to Steve regarding business plan	CH0064	12/30/98		
144.	Letter from Les Falke to Mark regarding business plan	CH0065	12/30/98		
145.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH0066-68	8/99		
146.	Cover page to Capital Access Network Inc. August 1999 Business Plan Copy Number 28	CH0069	8/99		
147.	Cover page to Capital Access Network Inc. August 1999 Business Plan Copy Number 29	CH0070	8/99		
148.	Cover page to Capital Access Network Inc. August 1999 Business Plan Copy Number 30	CH0071	8/99		
149.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 30	CH0072-74	8/99		
150.	Capital Access Network Inc. December 1998 Business Plan Copy Number 1	CH 00075-109	12/98		A/C-95, A/C-98, A/C-109

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
151.	Capital Access Network Inc. December 1998 Business Plan Copy Number x	CH 00110-125	12/98		
152.	Countrywide Business Alliance Inc. Quarterly Balance Sheets	CH 00126-130	Undated		
153.	Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH 00131-148	8/99		A/C-148
154.	Capital Access Network Inc. August 1999 Business Plan Copy Number 14	CH 00149-170	8/99		A/C-162
155.	Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH 00171-186	8/99		
156.	Capital Access Network Inc. August 1999 Business Plan Copy Number 23	CH 00187-201	8/99		
157.	Countrywide Business Alliance Inc. Quarterly Statements of Operations	CH 00202-206	Undated		
158.	Countrywide Business Alliance Inc. Quarterly Balance Sheets	CH 00207-211	Undated		
159.	Countrywide Business Alliance Inc. Quarterly Cash Flow Forecasts	CH 00212-216	Undated		
160.	Report titled Brown Brothers Funding in Current Month	CH 00217-222	1/4/00		
161.	Capital Access Network Inc. August 1999 Business Plan Copy Number 23	CH 00223-237	8/99		
162.	Countrywide Business Alliance Inc. Quarterly Statements of Operations	CH 00238-242	Undated		

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
163.	Countrywide Business Alliance Inc. Quarterly Balance Sheets	CH 00243-247	Undated		
164.	Countrywide Business Alliance Inc. Quarterly Cash Flow Forecasts	CH 00248-252	Undated		
165.	Letter from Les Falke to Daniel Wolf regarding business plan	CH 00253	8/18/99		
166.	Letter from Les Falke to Jonathan Epstein regarding business plan	CH 0254	8/18/99		
167.	Pages from Capital Access Network Inc. August 1999 Business Plan Copy Number 1	CH 00255-262	8/99		
168.	Fax cover and letter from Craig Hamrah to Les Falke with handwritten notes	CH 00263-265	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	3/23/98		106, 1001-1004
170.	Combined Declaration and Power of Attorney for Patent Application (Serial No. 09/046,062)	ADV0001934-37	3/16/98		
171.	Verified Statement (Declaration) Claiming Small Entity Status (Serial No. 09/046,062)	ADV0001938-39	3/16/98		
172.	Information Disclosure Statement (Serial No. 09/046,062)	ADV0001940-44	3/23/98		
173.	Supplemental Information Disclosure Statement (Serial No. 09/046,062)	ADV0001945-49	10/29/98		
174.	Preliminary Amendment (Serial No. 09/046,062)	ADV0001950-58	6/2/99		
175.	Office Action (Serial No. 09/046,062)	ADV0001959-77	6/23/99		

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
176.	PTO cover sheet to document mailed 8/16/99 (no enclosed document immediately following) (Serial No. 09/046,062)	ADV0001978	8/16/99		
177.	Office Action (Serial No. 09/046,062)	ADV0001979-94	8/17/99		
178.	Office Action (Serial No. 09/046,062)	ADV0001995-2010	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	2/16/00		
180.	Petition for Extension of Time (Serial No. 09/046,062)	ADV0002015	2/16/00		
181.	Amendment and Response (Serial No. 09/046,062)	ADV0002016-23	2/16/00		
182.	Check to Commissioner of Patents and Trademarks (Serial No. 09/046,062)	ADV0002024	2/16/00		
183.	Office Action (Serial No. 09/046,062)	ADV0002025-32	5/4/00		
184.	Formal Paper submitting that the Feb. 1, 2000 Office Action is a duplicate	ADV0002033	8/1/00		
185.	Copy of check to Commissioner of Patents and Trademarks and check stub (Serial No. 09/046,062)	ADV0002037-38	9/1/00		
186.	Amendment and Response (Serial No. 09/046,062)	ADV0002039-49	9/5/00		
187.	Application for Patent on Automated Payment, Continuation of prior application Serial No. 08/890,398	ADV0002050-73	7/20/99		

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
188.	Combined Declaration and Power of Attorney for Patent Application (Serial No. 08/890,398)	ADV002074-77	7/9/97		
189.	Incomplete Verified Statement (Declaration) Claiming Small Entity Status (Serial No. 08/890,398)	ADV0002078			
190.	Preliminary Amendment (Continuation of Serial No. 08/890,398)	ADV0002079-83	7/20/99		
191.	Information Disclosure Statement (Serial No. 09/356,711)	ADV0002084-91	12/3/99		
192.	Continuation-in-Part Application – Automated Payment System and Method (Serial No. 09/420,923)	ADV0002092-2123	10/19/99		
193.	Form of Countrywide Business Alliance Merchant Agreement	ADV0002124	Undated		
194.	Information Disclosure Statement (Serial No. 09/420,923)	ADV0002125-32	12/3/99		
195.	Notice of Draftsperson's Patent Drawing Review on drawings filed 12/19/99	ADV0002133	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	9/10/03		106, 402, 403, 1001-1004
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	11/13/03		106, 402, 403, 1001-1004
198.	Excerpts of Transcript of the Deposition of Gary Johnson taken November 14, 2003 in Angrisani v. Capital Access Networks	ADV0003101-05, ADV0003109-10	11/14/03		106, 402, 403, 1001-1004

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
199.	AdvanceMe presentation titled Sales Restructure Plan	ADV0004009-41	4/27/05		106
200.	E-mail from Glen Goldman to Rich Ferrante	ADV0004042-45	10/11/02		106
201.	E-mail from Robert Baker to Rich Ferrante	ADV0004046-49	2/25/03		106
202.	Form Confidentiality Agreements for Capital Access Network, Inc.	ADV0004050-65	4/25/02, 5/23/02		106
203.	Document titled Overview: Capital Access Network, Inc. ("CAN")	ADV0004066-69	5/03		106
204.	E-mail to Tom Burnside attaching undated presentation on Capital Access Network	ADV0004088-110	1/11/01		106
205.	Presentation on Capital Access Network	ADV0004111-31	Undated		106
206.	Document titled Additional Terms of the Merchant Agreement	ADV0004134-39	Undated		106
207.	Draft of Strategic Plan Discussion	ADV0004163-69	3/10/02		106
208.	Document titled Executive Summary	ADV0004170-74	Undated		106
209.	Presentation on Capital Access Network	ADV0004175-97	Undated		106
210.	E-mail to Tom Burnside	ADV0004198-200	5/1/02		106
211.	Document titled Executive Summary	ADV0004201-05	Undated		106
212.	Document titled SIC Code Distribution	ADV0004269	4/23/02		106
213.	Document titled Background/Values	ADV0004289-318	Undated		106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
214.	Document titled CAN versus Traditional Lenders	ADV0004349-51	11/2/01		106
215.	E-mail from Robert Baker regarding iDine	ADV0004371-74	3/28/02		106
216.	E-mail from Robert Baker forwarding marketing materials	ADV0004375-76	9/12/03		106
217.	Presentation pages dated 5/16/03 7:46:24 AM	ADV0004491-99	5/16/03		106
218.	Presentation titled 12 Month Turn Contracts, dated 6/26/03 3:22:54 PM	ADV0004638-54	6/26/03		106
219.	Presentation titled 12 Month Turn Contracts, dated 6/29/03 2:35:21 PM	ADV0004672-83	6/29/03		106
220.	Presentation titled 12 Month Turn Contracts, dated 6/26/03 3:39:52 PM	ADV0004695-711	6/26/03		106
221.	Presentation titled 12 Month Turn Contracts, dated 6/30/03 2:13:35 PM	ADV0004729-41	6/30/03		106
222.	E-mail from Les Falke attaching press release on Transmedia	ADV0004742-47	11/27/01		106, 402, 403
223.	E-mail from Robert Baker regarding "entertainment book" and IGT	ADV0004750-51	9/29/03		106, 402, 403
224.	E-mail from John Konop regarding IGT	ADV0004752-53	9/29/03		106, 402, 403
225.	E-mail from Robert Baker	ADV0004754-55	9/29/03		106
226.	E-mail from Rich Ferrante regarding 12 Month Turn Contracts presentation	ADV0004756-58	8/5/03		106
227.	E-mail from Tom Burnside sending iDine article	ADV0004772-78	4/18/03		106, 402, 403

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
228.	E-mail from John Konop regarding iDine	ADV0004779-80	9/26/01		106, 402, 403
229.	Document titled CAN versus Traditional Lenders	ADV0004784-86	11/2/01		106, 402, 403
230.	Document titled Capital Access Networks Executive Summary	ADV0004787-96	Undated		106, 402, 403
231.	E-mail from Robert Baker regarding iDine earnings	ADV0004802-04	10/22/03		106, 402, 403
232.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005054-55	4/25/01		106, 402, 403
233.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005056-57	2/23/01		106, 402, 403
234.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005058-59	12/8/00		106, 402, 403
235.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005060-62	7/25/00		106, 402, 403
236.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005063-65	4/13/00		106, 402, 403
237.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005066-67	3/10/00		106, 402, 403
238.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005068-69	1/13/00		106, 402, 403
239.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005070-71	12/14/99		106, 402, 403

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
240.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005072-73	9/17/99		106, 402, 403
241.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005074-75	7/15/99		106, 402, 403
242.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005076-77	6/9/99		106, 402, 403
243.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005078	9/1/98		106, 402, 403
244.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005079-80	4/25/01		106, 402, 403
245.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005081-82	7/13/01		106, 402, 403
246.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005083	8/7/01		106, 402, 403
247.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005084-85	10/19/01		106, 402, 403
248.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005086-87	5/20/03		106, 402, 403
249.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005088-90	9/22/05		106, 402, 403
250.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005091-92	12/14/05		106, 402, 403

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
251.	Capital Access Network, Inc. Minutes of the Meeting of the Board of Directors	ADV0005093-94	3/29/06		106, 402, 403
252.	Agenda: Board of Directors Meeting	ADV0005095	4/25/01		106, 402, 403
253.	Agenda: Board of Directors Meeting	ADV0005096-97	10/19/01		106, 402, 403
254.	Agenda: Board of Directors Meeting	ADV0005098	5/20/03		106, 402, 403
255.	Agenda: Board of Directors Meeting	ADV0005099	9/22/05		106, 402, 403
256.	Agenda: Board of Directors Meeting	ADV0005100	12/14/05		106, 402, 403
257.	Agenda: Board of Directors Meeting	ADV0005101	3/29/06		106, 402, 403
258.	Agenda: AdvanceMe Transaction Service – ATS	ADV0005102	Undated		106, 402, 403
259.	Document titled Company Overview	ADV0005103-04	Undated		106, 402, 403
260.	Document titled Operational Overview	ADV0005105	Undated		106, 402, 403
261.	Document titled Financial Overview	ADV0005106	Undated		106, 402, 403
262.	Document titled Competitive Landscape	ADV0005107	Undated		106, 402, 403
263.	Presentation titled Competitive Analysis	ADV0005108-11	Undated		106, 402, 403
264.	Presentation titled iDine Study for Leadership Conference May 30-June 1, 2003	ADV0005112-22	5/30/03		106, 402, 403
265.	Presentation titled In Good Taste for Leadership Conference May 30-June 1, 2003	ADV0005123-36	5/30/03		106, 402, 403

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
266.	List of company names and addresses; appears to be a spreadsheet on accounts	ADV0005137-40	Undated		106, 402, 403
267.	Presentation titled Why AdvanceMe Wins	ADV0005141-44	Undated		106, 402, 403
268.	Set of materials on AdvanceMe competitor information	ADV0005147-60	Undated		106, 402, 403
269.	Spreadsheet of competitor information	ADV0005161-64	Undated		106, 402, 403
270.	Checklist of renewal rejection reasons	ADV0005165	Undated		106, 402, 403
271.	Table titled AMI Competitor Review	ADV0005197-99	12/7/06		106, 402, 403
272.	Chart titled Comparison of Market Leaders	ADV0005208	Undated		106, 402, 403
273.	Illinois Corporation Search results on Clever Ideas	ADV0005321	3/9/01		
274.	Dun & Bradstreet report on Clever Ideas	ADV0005322-35	2/9/04		
275.	Clever Ideas Results Report	ADV0005336-43	5/28/03		
276.	Confidential Customer Data Analysis, Clever Ideas Café	ADV0005344-50	5/28/03		
277.	Background report on Lee Suckow	ADV0005351-67	2/17/04		
278.	Background report on Clever Ideas	ADV0005368-75	2/9/04		
279.	Pages from valuedmember.com web site	ADV0005376-82	2/9/04		
280.	Pages from Clever Ideas web site	ADV0005383-434	2/9/04		
281.	Pages from iDine web site	ADV0005446-55	3/8/04		

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
282.	NYS Department of State search results on Rewards Network	ADV0005456	3/24/04		
283.	iDine/Rewards Network 2002 Annual Report	ADV0005457-63	Undated		
284.	Pages from iDine web site	ADV0005464-71	3/8/04		
285.	iDine Rewards Network Consolidated Financial Statements December 31, 2002 and 2001	ADV0005472-513	2/5/03		
286.	Pages from iDine web site	ADV0005514-43	2/8/04		
287.	SEC Form 10-K for iDine Rewards Network, fiscal year ending December 31, 2002	ADV0005544-73	Undated		
288.	Pages from iDine web site	ADV0005574-89	3/8/04		
289.	CNNMoney.com results for Rewards Network, Inc.	ADV0005590-93	2/5/04		
290.	Dun & Bradstreet report on iDinecom Inc.	ADV0005594-96	2/5/04		
291.	Pages from iDine web site	ADV0005597-608	2/5/04		
292.	Pages from Rewards Network web site	ADV0005609-19	2/28/05		
293.	Countrywide Business Alliance Sales Meeting Agenda	ADVAM0005701	12/1/98		
294.	Document titled Dining Programs: iDine	ADVAM0005724	Undated		
295.	Report on UCC's Present on Experion Business Reports as of April 7th, 2003	ADV0005778-5951	Undated		
296.	Page from Clever Ideas web site	ADV0005952	3/1/0?		

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
297.	E-mail exchange between Glenn Goldman to John Konop	ADV0005963	8/26/05		
298.	First Funds promotional materials	FF_00018-19			106, 1001-1004, Order from June 27, 2007 hearing
299.	Bankcard Central Terminal Input Data Form	FF_00093			Order from June 27, 2007 hearing
300.	Unexecuted Merchant Agreement between TX Direct and NCMIC Finance Corporation	FF_01438-43	Undated		106, Order from June 27, 2007 hearing
301.	E-mail from Krissy Burkey to David Talbert (First Funds production of .pst 12/19/06)		1/30/06		106, 403, Order from June 27, 2007 hearing
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)		10/9/06		106, 403, Order from June 27, 2007 hearing
303.	E-mail from Krissy Burkey to Paul Hayden (First Funds production of .pst 12/19/06)		7/21/06		106, 403, Order from June 27, 2007 hearing
304.	E-mail from Ellen Lanney to Angela Chu (First Funds production of .pst 12/19/06)		9/15/06		106, 403, Order from June 27, 2007 hearing

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
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)		9/26/06		106, 403, Order from June 27, 2007 hearing
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)		9/19/06		106, 403, 802, 1001-1004, Order from June 27, 2007 hearing
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)		8/24/06		106, 403, 802, 1001-1004, Order from June 27, 2007 hearing
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)		3/31/06		106, 403, 802, 1001-1004, Order from June 27, 2007 hearing
309.	E-mail from AmeriMercahnt Payment Systems to whj@thelegacynetwork.com	MMT_01695	10/31/06		106, 1001-1004
310.	E-mail from AmeriMerchant Payment Systems to Bill Jackson approving payments	MMT_01697-98	10/31/06		106, 1001-1004
311.	E-mail from John Meinel regarding account closure	MMT_01705	8/14/06		106, 402, 1001-1004
312.	E-mail from John Meinel regarding account closure	MMT_01706	4/24/06		106, 402, 1001-1004
313.	E-mail from John Meinel regarding account closure	MMT_01707	9/18/06		106, 402, 1001-1004

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
314.	Irrevocable Payment Instructions, between Comdata and Reach Financial	RF_00051-52	9/19/05		106
315.	E-mail from Bryan Clanton to Marci Leary regarding ACH rejects from the bank	RF_01004-05	10/18/06		106, 402, 1001-1004
316.	E-mail from Marci Leary to Jennif Fink regarding change to withholdings, with attachment	RF_01010-11	1/29/07		106
317.	E-mail from Marci Leary to Bryan Clanton regarding change to withholdings, with attachment	RF_01012-14	1/9/07		106
318.	Statement of Account for Reach Financial	RF_01015-22	1/31/07		106, 402, 403, 1001-1004
319.	Checking Account Inquiry on Reach Financial	RF_01023			106, 402, 403, 1001-1004
320.	Voided check	RF_01024			106, 402, 403, 1001-1004
321.	Checking Account Inquiry on Reach Financial	RF_01025			106, 402, 403, 1001-1004
322.	Voided check	RF_01026			106, 402, 403, 1001-1004
323.	Checking Account Inquiry on Reach Financial	RF_01027			106, 402, 403, 1001-1004
324.	Voided check	RF_01028			106, 402, 403, 1001-1004

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
325.	Monthly Billing Statement to Marina Car Wash	RF_01041	12/06		106, 402, 403, 1001-1004
326.	Bank of America Business Checking Statement for Marina Car Wash	RF_01042-52	12/06		106, 402, 403, 1001-1004
327.	Statement for Merchant KPRNY, Inc.	RF_01053	Undated		106, 402, 403, 1001-1004
328.	Wells Fargo Business Checking Statement for KPRNY, Inc. (pages 1-7)	RF_01054-60	8/06		106, 402, 403, 1001-1004
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 http://www.cisco.com/univercd/cc/td/doc/cisintwk/ito_doc/introwan.htm				402, 403, 802, 901, 1001-1004
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 http://www.cisco.com/univercd/cc/td/doc/product/software/ios120/12cgcr/dial_c/index.htm				402, 403, 802, 901, 1001-1004
331.	Slides of LeCard Invalidity argument presented by Defendants at May 22, 2007 Hearing		5/22/07		701, 1001-1004
332.	Slides of Litle Invalidity argument presented by Defendants at May 22, 2007 Hearing				701, 1001-1004

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
333.	Transcript of Hearing regarding Konop Deposition		2/8/07		106, 402, 403
334.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0033-34	1/4/07		106
335.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0040-41	1/3/07		106
336.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0045-46	1/2/07		106
337.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0049-50	12/29/06		106
338.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0055-56	12/27/06		106
339.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0060-61	12/26/06		106
340.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0064-65	12/22/06		106
341.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0088-89	12/14/06		106
342.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0097-98	12/12/06		106
343.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0107-108	12/8/06		106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
344.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0118-119	12/6/06		106
345.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0125-126	12/5/06		106
346.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0130-131	12/4/06		106
347.	E-mail from bclanton@comdata.com to Admin Sales attaching outgoing ACH report file	COMDATA0139-141	12/1/06		106
348.	E-mail from bclanton@comdata.com to Admin Sales attaching ACH report file	COMDATA0142-143	12/1/06		106
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	8/31/06		106
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	8/30/06		106
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	8/29/06		106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
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	8/28/06		106
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	8/25/06		106
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	8/24/06		106
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	8/23/06		106
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	8/22/06		106
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	8/21/06		106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
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	8/18/06		106
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	8/17/06		106
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	8/16/06		106
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	8/15/06		106
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	8/14/06		106
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	8/11/06		106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
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	8/10/06		106
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	8/9/06		106
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	8/8/06		106
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	8/7/06		106
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	8/4/06		106
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	8/3/06		106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
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	8/2/06		106
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	8/1/06		106
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	7/31/06		106
373.	Specification (Application No. 09/356,711)	281FH0010-19	7/20/99		106
374.	Claims (Application No. 09/356,711)	281FH0020-23	7/20/99		106
375.	Drawings (Application No. 09/356,711)	281FH0024-28	7/20/99		106
376.	Preliminary Amendment (Application No. 09/356,711) (Exhibit AA to April 13, 2007 Reply in Support of Motion for Summary Judgment)	281FH0005-9	7/20/99		106
377.	Non-Final Rejection (Application No. 09/356,711) (Exhibit X to March 12, 2007 Motion for Summary Judgment)	281FH0268-276	1/24/02		106
378.	Final Rejection (Application No. 09/356,711)	281FH0286-294	8/22/02		106
379.	Final Rejection (Application No. 09/356,711)	281FH0328-336	1/12/04		106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
380.	Request for Continued Examination (Application No. 09/356,711)	281FH0341			106
381.	Request for Extension of Time and Amendment (Application No. 09/356,711) (Barbara Johnson Deposition Ex. 4)	281FH0344, 338-340, 342-343	7/14/04	Barbara Johnson	106
382.	Claims (Application No. 09/356,711)	281FH0338-340			106
383.	Applicant Arguments/Remarks Made in an Amendment (Application No. 09/356,711)	281FH0342-343			106
384.	Notice of Allowance and Fees Due (PTOL-85) (Application No. 09/356,711)	281FH0351-353	4/1/05		106
385.	Notice of Allowability (Application No. 09/356,711)	281FH0354-358	4/1/05		106
386.	Examiner Interview Summary Record (Application No. 09/356,711)	281FH0359-361	4/1/05		106
387.	Office Action – Non-Final Rejection (Application No. 08/890,398)	FHC0185-192	11/10/98		106
388.	Response after Non-Final Action – Amendment and Response (Application No. 08/890,398) (Falke Deposition Ex. 10)	FHC0626, FHC0628-632	1/20/99	Les Falke	106
389.	Office Action – Final Rejection (Application No. 08/890,398)	FHC0633-640	2/16/99		106
390.	Response After Final (Application No. 08/890,398)	FHC0645-650	6/3/99		106
391.	Advisory Action (Application No. 08/890,398)	FHC0651-652	7/8/99		106
392.	Continued Prosecution Application (Application No. 08/890,398)	FHC0657-658	7/16/99		106

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
393.	Preliminary Amendment (Application No. 08/890,398)	FHC0661-665	7/16/99		106
394.	Final Rejection (Application No. 08/890,398)	FHC0666-667, FHC0398-403	8/6/99		106
395.	Examiner Interview Summary Record (Application No. 08/890,398)	FHC0405	8/31/99		106
396.	Appeal Brief (Application No. 08/890,398) (Exhibit W to March 12, 2007 Motion for Summary Judgment)	FHC0678-700	6/7/00		106
397.	Examiner's Answer to Appeal Brief (Application No. 08/890,398)	FHC0732-741	8/10/00		106
398.	Notice of Allowability (Application No. 08/890,398)	FHC0769-773	7/13/04		106
399.	Notice of Allowance and Fees Due (PTOL-85) (Application No. 08/890,398)	FHC0774-776	7/21/04		106
400.	Media Funding Corporation background document	BM0001-03			402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
401.	Fax to Peter Beiler with draft letter regarding business plan by Media Funding Corporation	BM0004-7	11/8/95		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
402.	Form of Media Funding and Royalty Agreement	BM0008-19			402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
403.	Form of Media Agency and Royalty Agreement	BM0020-27			402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
404.	Form of Media Funding and Royalty Agreement	BM0028-41			402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
405.	Form of Media Funding and Royalty Agreement	BM0042-53			402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
406.	Handwritten Notes	BM0054-55	3/17/95		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
407.	Form of Media Funding and Royalty Agreement marked up	BM0056-70			402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
408.	Draft letter to first USA Paymentech regarding Media Agency and Royalty Agreement	BM0071-73	1996		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
409.	Draft letter to first USA Paymentech regarding Media Agency and Royalty Agreement	BM0074-76	1996		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
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	6/12/97		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
411.	Fax coversheet forwarding attached Media Funding and Servicing Fee Agreement to Peter Bieler	BM0096-115	6/12/97		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
412.	Fax coversheet from Peter Bieler to Michael Wolfe regarding comments on revision, with attached marked Disbursement and Waiver Agreement	BM0116-24	4/8/97		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
413.	Fax coversheet from Jonathan Rich forwarding attached marked Disbursement and Waiver Agreement	BM0125-33	4/9/97		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
414.	Fax coversheet from G. Helen Athan forwarding attached revised Disbursement and Waiver Agreement	BM0134-40	4/7/97		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
415.	Marked copy of Disbursement and Waiver Agreement	BM0141-46	3/7/97		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
416.	Fax coversheet from Susan Willson to Rob Corey enclosing attached merchant deposit information	BM0147-49	6/20/97		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
417.	Invoice from Media Funding Corporation to Golf Solutions, Inc. with fax coversheet	BM0150-52	5/27/97		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
418.	Draft marked letter regarding Media Agency and Royalty Agreement	BM0153-55	1995		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
419.	Letter to Peter Bieler from Litle & Co. regarding agreement on business relationship	BM0156-57	3/2/95		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
420.	Letter from Larry Bouchard to Peter Bieler regarding business relationship and what Litle & Co. has to offer	BM0158	3/7/95		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing

DEF EX. NO.	DESCRIPTION	BATES NO.	DATE	WITNESS	OBJECTIONS
421.	Draft Agreement between "member" and Litle & Co.	BM0159	Undated		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
422.	Letter from Larry Bouchard to Peter Bieler regarding establishment of working relationship	BM0160	3/27/95		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
423.	Letter from Larry Bouchard to Peter Bieler regarding transaction pricing and additional fees	BM0161	4/18/95		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
424.	Draft marked letter regarding Media Agency and Royalty Agreement	BM0162-64	1995		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing
425.	Form of Media Funding and Royalty Agreement	BM0165-66	Undated		402, 403, 602, 802, 901, 1001-1004, F, Order from June 27, 2007 hearing

Dated: June 28, 2007 Respectfully submitted,

By: _____ /s/ *Robert C. Matz*

PAUL, HASTINGS, JANOFSKY & WALKER LLP
Ronald S. Lemieux (ronlemieux@paulhastings.com)
(CA Bar No. 120822) (Admitted Pro Hac Vice)
Michael N. Edelman (michaeledelman@paulhastings.com)
(CA Bar No. 180948) (Admitted Pro Hac Vice)
Vidya R. Bhakar (vidbhakar@paulhastings.com)
(CA Bar No. 220210) (Admitted Pro Hac Vice)
Robert C. Matz (robertmatz@paulhastings.com)
(CA Bar No. 217822) (Admitted Pro Hac Vice)
Shanéé Y. Williams (shaneewilliams@paulhastings.com)
(CA Bar No. 221310) (Admitted Pro Hac Vice)
Five Palo Alto Square, Sixth Floor
Palo Alto, CA 94306-2155
Telephone: (650) 320-1800
Telecopier: (650) 320-1900

IRELAND, CARROLL & KELLEY, P.C.
Otis W. Carroll, Attorney-in-Charge
State Bar No. 03895700
Deborah Race
State Bar No. 16448700
6101 South Broadway, Suite 500
Tyler, TX 75703
Telephone: 903-561-1600
Facsimile: 903-581-1071
Email: fedserv@icklaw.com

ATTORNEYS FOR PLAINTIFF ADVANCEME, INC.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served a copy of this document via the court's CM/ECF system pursuant to Local Rule CV-5(a)(3) on this the 28th day of June, 2007.

By. /s/ Robert C. Matz
Robert C. Matz

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