

**Deborah Race**

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**From:** Doug McSwane [a10@potterminton.com]  
**Sent:** Friday, June 22, 2007 2:44 PM  
**To:** Deborah Race  
**Cc:** Matt Rowan; Valorie Mosley; Zayjean Clark; jgray@velaw.com  
**Subject:** AdvanceMe

Deborah, as to the first part of your email. We agree in principle. I will prepare a motion to extend the discovery deadline as to deposition for you to review. The current depo's will be put off 'til Sept. I am providing that the discovery deadline is extended 'til Sept 10th. I will send the motion to you today for review. Joey will send a separate letter with proposed depo's from our position. I would add that while I think we agree to cross this bridge later, there will likely be additions to that list after trial. I think it better to argue that issue later rather than take up the Court's time now.

We understand there is an agreement between the parties to extend the time for answer to the RFA for two weeks. I expect that the agreement will be confirmed by letter.

As to Live witnesses we are happy to give you our list of live witnesses and would request AdvanceMe do the same today, including the list AdvanceMe will call live and the list of AdvanceMe employees or people under their control that it will make available at trial. We understand there may be last minute unforeseen changes but intend to try to exchange the lists because this will shorten and focus the work we have to do to determine objections and excerpts that will be the subject of meets and confers.

Our list is the following:

Lee Sukow; Laurent Bouchard; Thomas Litle; Edward Landon; Donald Headlund; Cortes Derussey (corporate rep) for First Funds; Bill Benedict CR for Reach Financial; Jeff Jackson CR for MMT ; Peter Bieler (who is the subject of a motion to be argued Wednesday at the hearing); Mel Chasen (though Defendants have accepted his attorney's proposal to provide a deposition in lieu of trial testimony). We look forward receiving AdvanceMe's list today.

One other item needs to be addressed. As I understand it the parties have designated over 25 hours of video designations for trial. I think it would be helpful to determine which witnesses each side really intends to call by deposition to narrow issues for these meets and confers. What do you think? I will have Matt prepare a motion for extension and send it to you for review and correction. Doug

7/13/2007