

Deborah Race

From: Gray, Joseph [jgray@velaw.com]
Sent: Friday, June 22, 2007 7:00 PM
To: Williams, Shane; Edelman, Michael N.; Matz, Robert; Lemieux, Ronald (Ron) S.; Bhakar, Vid; Deborah Race
Cc: Schuurman, Bill; Buss, Brian; Doug McSwane; Matt Rowan; Walker, Floyd
Subject: Live witnesses

All,

As we understand from Deborah that Plaintiff will call Glenn Goldman, Les Falke, and Barbara Johnson live at trial, the parties' designations, counter-designations, and objections to their deposition transcripts are moot. Similarly, as Tim Little, Laurent Bouchard, Lee Suckow, Edward Landon, Bill Benedict, and Cortes DeRussy will be live at trial, the parties' designations, counter-designations, and objections to their deposition transcripts are moot.

Please confirm that this is your understanding so that we can all narrow the designations and outstanding objections and determine the issues on which the parties should meet and confer prior to the pretrial conference on July 9th.

Shanee and I also continued our discussion today regarding the live trial testimony of Bill Benedict (corporate representative for Reach Financial) and Jeff Jackson (corporate representative for Merchant Money Tree), and we will further discuss the scope of their trial testimony in an attempt to resolve any motions in limine concerning the same. If there are other potential motion in limine or other issues that Plaintiff has identified to date, please feel free to contact me to discuss.

Regards,

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Thank You.

7/13/2007