

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DELIVERANCE POKER, LLC,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 1:10-CV-00664-JRN
	§	
	§	
MICHAEL MIZRACHI and	§	
TILTWARE, LLC,	§	
Defendant	§	

DEFENDANT MICHAEL MIZRACHI'S RULE 26(a) INITIAL DISCLOSURES

Defendant Michael Mizrachi hereby makes the following initial disclosures pursuant to Federal Rule of Civil Procedure 26(a):

1. Pursuant to Rule 26(a)(1)(A)(i), attached hereto as Schedule A is a list of individuals likely to have discoverable information that he may use to support his claims or defenses.
2. Pursuant to Rule 26(a)(1)(A)(ii), attached hereto as Schedule B is a description of documents in Defendant's possession that he may use to support his claims or defenses. Such documents are located at the residence of Defendant or held by Defendant's counsel.
3. Pursuant to Rule 26(a)(1)(A)(iii), Defendant states that he may amend his petition to assert a counterclaim for damages resulting from Plaintiff's breach of contract. At this time, however, Defendant has not retained an expert to determine the amount of damages.
4. Pursuant to Rule 26(a)(1)(A)(iv), Defendant states that there are no insurance agreements relevant to this matter.



Defendant is continuing to investigate and will supplement these disclosures as necessary pursuant to Rule 26(e)(1).

Respectfully submitted,

/s/ John P. Henry
John P. Henry
The Law Offices of John Henry, P.C.
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Attorneys for Defendant
Michael Mizrachi

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of December, 2010, I cause the foregoing Defendant Michael Mizrachi's Rule 26(a) Initial Disclosures to be delivered via facsimile to the following parties, through their attorney of record:

/s/ John P. Henry
John P. Henry

Douglas M. Becker
Gray & Becker, P.C.
900 West Avenue
Austin, Texas 78701
(512) 482-0924
Attorneys for Plaintiff

SCHEDULE A

Michael Mizrachi

c/o The Law Offices of John Henry, P.C.

PO Box 1838

Round Rock, Texas 78680

(512) 428-5448

Defendant with knowledge of the relationship between Plaintiff, Defendant, and Defendant
Tiltware, LLC

Carlos Benavides, III

Plaintiff with knowledge of the relationship between Plaintiff, Defendant, and Defendant

Tiltware, LLC

Lociano Pellegrino

1555 E. Flamingo Road, Suite 108

Las Vegas, Nevada 89109

Witness on written contract between Plaintiff and Defendant Mizrachi

Chris Torina

(888) 423-0135

Knowledge of communications between Plaintiff and Defendants

Donny Mizrachi

c/o The Law Offices of John Henry, P.C.

PO Box 1838

Round Rock, Texas 78680

(512) 428-5448

Knowledge of the relationship between Plaintiff, Defendant, and Defendant Tiltware, LLC

Robert Mizrachi

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PO Box 1838

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(512) 428-5448

Knowledge of the relationship between Plaintiff, Defendant, and Defendant Tiltware, LLC

Eric Mizrachi

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Knowledge of the relationship between Plaintiff, Defendant, and Defendant Tiltware, LLC

SCHEDULE B

1. Communications between Plaintiff and Defendant Mizrachi.
2. Communications between Defendant Mizrachi and Defendant Tiltware, LLC.
3. Notes of Defendant Mizrachi.
4. Written agreements between Plaintiff and Defendant Mizrachi.
5. Documents related to Defendant Mizrachi's poker results and earnings from the applicable period.