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January 21, 2011

Via Fax to (512) 428-6418

John P. Henry
The Law Offices of John Henry, P.C.
P.O. Box 1838
Round Rock, Texas 78680

Re: Civil Action No. 10-CV-664-JRN; *DELIVERANCE POKER, LLC* v. *MICHAEL MIZRACHI*; In the United States District Court for the Western District of Texas, Austin Division

Dear Mr. Henry:

We still need to visit about the discovery issues I outlined in my letters to you this week and other matters. I understand that you are busy, but I have been trying for some time to coordinate a time when we can discuss these matters. Ordinarily, I could afford to be more patient, but given the limited amount of time in which we have to prepare for trial, we must be able to visit with you no later than noon on Monday, January 24, 2011. If we cannot talk by then—or you cannot at least give me a time certain when we can talk—I will need to file a motion to compel in order to protect our client and begin sending out deposition notices. As to the motion to compel, the specific issues that I would include are the failure of Tiltware to make its initial disclosures; the failure of Michael Mizrachi to identify persons with knowledge of relevant facts, such as the people with whom he dealt to negotiate his wearing of the Full Tilt Poker logos, etc.; the failure to provide complete responses to Interrogatory No. 3; the responses to Interrogatory Nos. 4 and 6 that are incongruous with the answer filed by Mr. Mizrachi; and the failure to provide a time when we can gather the documents Mr. Mizrachi has agreed to produce.

We clearly do not want to be unreasonable or quick to resort to the Court to intervene, but the time pressures engendered by the Court's scheduling order necessitates that we move quickly to resolve any discovery issues and get depositions scheduled. Thank you for your attention to these matters.

Sincerely,

Gray & Becker, P.C.

John D. Jacks



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January 21, 2011

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