

## **EXHIBIT 16**

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**Stacia Lay**

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**From:** Heather Morado [hmorado@invictalaw.com]

**Sent:** Tuesday, December 28, 2010 2:29 PM

**To:** Stacia Lay

**Subject:** Conference tomorrow re motions in limine

Stacia,

In preparation for our 7(d)(4) telephone conference tomorrow, I wanted to apprise you of two motions in limine that Soaring Helmet may file. The first motion would be to exclude any evidence from Mr. Bootesaz contradicting his statements in his deposition that he never sold "XElement Extreme Vega" motorcycle jackets on the grounds that his statements in his deposition constitute judicial admissions. The second motion would be to exclude any evidence of unrelated uses of the term "Vega," such as evidence that "Vega" is a constellation, on the grounds of relevance.

I look forward to speaking with you tomorrow morning. I will wait for your call.

Best,

**Heather M. Morado | Invicta Law Group, PLLC**

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1/5/2011