

From: Gregory M. Erickson [mailto:erickson@mklaw.com]
Sent: Saturday, July 02, 2011 3:56 PM
To: Tara Norgard
Cc: Bill Mohrman; Peter Kohlhepp
Subject: RE: Our Letter Writing Campaign Regarding My Conversations with Clients

What I had expected to see from you when you decided to take this position was a citation to case where a lawyer was a party which precluded his deposition, such as a case where a receiver, or a bankruptcy trustee's deposition was not allowed to be taken. Since you haven't cited the case, we are forced to assume that it doesn't exist. Mr. Zayed is a party to this litigation and we are entitled to take his deposition. You don't represent clients who hired you to make this claim who we are able to depose. Mr. Zayed made the decision to hire your firm to pursue this claim, not any of the people who your firm represents. He decided to sue this case out and we are entitled to know all facts that were in his possession when he made that decision and all facts that he has learned subsequently which support his claims against our clients that he is pursuing in his representative capacity. When are you available to "meet and confer" on this issue. A conference call is fine, but it needs to occur sooner rather than later.