

Jennifer Cowan

From: Kevin Hennessy
Sent: Thursday, July 30, 2009 1:34 PM
To: 'Thomas Shults'
Cc: Jennifer Cowan; Jennifer M. Davy; Melanie Marken
Subject: Deposition of District Representative

Importance: High

Tom,

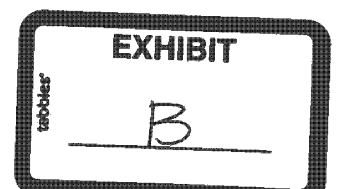
As we discussed yesterday, we had previously discussed finishing the deposition of the District Rep as soon as possible. We were told Martha was out of state not to return until shortly before the Trial. This turned out not to be true as she attended yesterday's shade meeting in person. We therefore renew our request to take her deposition, preferably for a time next week. You indicated you would follow up on this. Please let me know ASAP whether you will be able to accommodate this request.

Kevin

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Kevin Hennessy

From: Thomas Shults [tshults@kirkpinkerton.com]
Sent: Sunday, August 02, 2009 4:38 PM
To: Kevin Hennessy
Cc: danscott.atty@gte.net; turffs@aol.com; hcarroll@matthewseastmoore.com;
jdye@dyefirm.com
Subject: Smith et al v. Trailer Estates

Kevin,

My calendar is open and Martha can appear for the conclusion of her depo Tuesday afternoon. I have a depo that morning in Sarasota so I suggest we begin at 2pm at KP Bradenton office. Let me know if this is clear on your schedule. I have not checked with the other lawyers but hopefully anyone who can't make it will agree the depo can proceed if they can't attend.

Tom

	
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Melanie Marken

From: Melanie Marken
Sent: Monday, August 03, 2009 2:25 PM
To: Justy Hibbard
Cc: Jennifer Cowan
Subject: Martha's depo

Justy:

As we just discussed, we've made the request for Martha Brauer to change her return flight so that we can hold her deposition this week rather than 5 business days prior to trial. As you may recall we contacted you about holding Martha's deposition last week, but your office informed us incorrectly that she was not going to be in town.

Since this is clearly not up to us ☺, as you suggested, please have Tom phone Jennifer Cowan this afternoon this afternoon to discuss. She is in the office all afternoon.

Thanks for your help.

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Melanie Marken

From: Melanie Marken
Sent: Monday, August 03, 2009 5:24 PM
To: Justy Hibbard
Cc: Jennifer Cowan
Subject: FW: Martha's depo
Attachments: Martha's depo

Justy:

In light of Tom's unwillingness to provide reasonable notice of his client's availability and unwillingness to extend Martha's stay in town by one day, we will not be available to take her deposition tomorrow, Aug. 4. Unfortunately, one of our attorneys handling the case is out of town, the other is unavailable at the time you offered.

However, we will depose the corporate rep of TE as currently scheduled on Aug. 28. If Martha happens to come back into town prior to Aug 28, please let me know.

Thanks for your cooperation and assistance in helping with all of this discovery matters today! Have a great evening!

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