

1 JEFFREY S. BENICE, ESQ., State Bar No. 81583
A Professional Law Corporation
2 650 Town Center Drive, Suite 1300
Costa Mesa, CA 92626
3 Telephone: (714) 641-3600
Facsimile: (714) 641-3604
4 Website: www.JeffreyBenice.com
E-Mail: JSB@JeffreyBenice.com

5 Attorney for Defendants,
6 Point Center Financial, Inc., Escrow
Professionals, Inc., Point Center Mortgage
7 Fund, I, LLC, National Financial Lending, Inc.,
National Financial Lending, LLC, Daniel J.
8 Harkey aka Danny Joe Harkey, Vernon
Alan Bergfeld, Stephan George Livingston,
9 Rene E. Esparza, M. Gwen Melanson, Lois
R. Bejerano, and Joshua Reta

10 UNITED STATES BANKRUPTCY COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 In re)
13 THE PRESERVE, LLC,)
14)
15 Debtor,)

CASE NO. 6:08-bk-23006 BB
Chapter 11
Adv. No. 6:08-ap-01497 BB

16 In re:)
17 THE PRESERVE, LLC,)
18)
19 Plaintiff,)

DECLARATION OF SUSAN COBB IN
OPPOSITION TO PLAINTIFF'S
MOTION TO COMPEL
PRODUCTION

20 v.)
21 POINT CENTER FINANCIAL, INC.;)
ESCROW PROFESSIONALS, INC.;)
22 POINT CENTER MORTGAGE FUND, I,)
LLC; NATIONAL FINANCIAL)
LENDING, INC.; NATIONAL)
23 FINANCIAL LENDING, LLC; DANIEL J.)
HARKEY aka DANNY JOE HARKEY;)
VERNON ALAN BERGFELD;;)
24 STEPHAN GEORGE LIVINGSTON; TD)
SERVICE COMPANY; RENE E.)
25 ESPARZA; M. GWEN MELANSON;;)
LOIS R. BEJERANO; JOSHUA RETA;)
26 and DOES 1 through 1000, inclusive,)
Defendants.)

Date: July 29, 2009
Time: 2:00 p.m.
Courtroom: 303

1 I, Susan Cobb, declare and state as follows:

2 1. I am an employee of Point Center Financial, Inc., a defendant in this action. I
3 have personal knowledge of the facts set forth herein. If called as a witness I would and
4 could testify under oath to said facts.


5 2. I am the Point Center employee primarily responsible for coordinating the
6 collection of documents responsive to Plaintiff's document requests. I interface with other
7 Point Center employees to collect the documents; confer with in-house and outside counsel
8 concerning the production; and communicated with Plaintiff's copy service concerning the
9 production.

10 3. On June 24, 2009, Plaintiff's copy service came to Point Center's offices to
11 copy responsive documents. Since then, I have had several telephone conversations with the
12 copy service to coordinate a further production; a production was scheduled for July 1, 2009
13 which was postponed. Thereafter, various phone conversations have occurred on July 7,
14 2009; July 8, 2009 and July 9 & 10, 2009. Plaintiff's copy service is scheduled to continue
15 with copying on July 16, 2009.

16 I declare under penalty of perjury under the laws of the United States that the
17 foregoing is true and correct.

18 Executed this 15TH day of July, 2009 at Costa Mesa, California.

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Susan Cobb

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the City of Costa Mesa, County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is 650 Town Center Drive, Suite 1300, Costa Mesa, California 92626. On July 15, 2009, I served the documents named below on the parties in this action as follows:

DOCUMENT(S) SERVED: **DECLARATION OF JEFFREY S. BENICE IN OPPOSITION TO MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

SERVED UPON: **SEE ATTACHED SERVICE LIST**

- (BY MAIL) I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Costa Mesa, California. I am readily familiar with the practice of collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.
- (BY PERSONAL SERVICE) I delivered to an authorized courier or driver authorized by Courier to receive documents to be delivered on the same date. A proof of service signed by the authorized courier will be filed forthwith.
- (BY OVERNITE EXPRESS) I am readily familiar with the practice of collection and processing of correspondence for overnight delivery and know that the document(s) described herein will be deposited in a box or other facility regularly maintained for overnight delivery.
- (BY FACSIMILE) I caused to be transmitted the document(s) described herein at approximately N/A via the fax number(s) listed on the attached service list.
- (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- (FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on July 15, 2009 at Costa Mesa, California.



Cindy Martin

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SERVICE LIST

ATTORNEY FOR PLAINTIFF:
Richard A. Harvey, Esq.
LAW OFFICE OF RICHARD A. HARVEY
21076 Bake Parkway, Suite 106
Lake Forest, CA 92630

1 JEFFREY S. BENICE, ESQ., State Bar No. 81583
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9 Attorney for Defendants,
10 Point Center Financial, Inc., Escrow
11 Professionals, Inc., Point Center Mortgage
12 Fund, I, LLC, National Financial Lending, Inc.,
13 National Financial Lending, LLC, Daniel J.
14 Harkey aka Danny Joe Harkey, Vernon
15 Alan Bergfeld, Stephan George Livingston,
16 Rene E. Esparza, M. Gwen Melanson, Lois
17 R. Bejerano, and Joshua Reta

18 UNITED STATES BANKRUPTCY COURT
19 CENTRAL DISTRICT OF CALIFORNIA, RIVERSIDE DIVISION

20 In re)
21 THE PRESERVE, LLC,)
22)
23 Debtor,)
24)
25)

CASE NO. 6:08-bk-23006 BB
Chapter 11
Adv. No. 6:08-ap-01497 BB

26 In re:)
27 THE PRESERVE, LLC,)
28)
29 Plaintiff,)
30)

**DEFENDANTS' MEMORANDUM OF
POINTS AND AUTHORITIES IN
OPPOSITION TO PLAINTIFF'S
MOTION TO COMPEL
PRODUCTION OF DOCUMENTS;
DECLARATIONS OF JEFFREY S.
BENICE AND SUSAN COBB IN
SUPPORT THEREOF**

31 v.)
32 POINT CENTER FINANCIAL, INC.;)
33 ESCROW PROFESSIONALS, INC.;)
34 POINT CENTER MORTGAGE FUND, I,)
35 LLC; NATIONAL FINANCIAL)
36 LENDING, INC.; NATIONAL)
37 FINANCIAL LENDING, LLC; DANIEL J.)
38 HARKEY aka DANNY JOE HARKEY;)
39 VERNON ALAN BERGFELD;;)
40 STEPHAN GEORGE LIVINGSTON; TD)
41 SERVICE COMPANY; RENE E.)
42 ESPARZA; M. GWEN MELANSON;;)
43 LOIS R. BEJERANO; JOSHUA RETA;)
44 and DOES 1 through 1000, inclusive,)
45 Defendants.)
46)
47)
48)

Date: July 29, 2009
Time: 2:00 p.m.
Courtroom: 303

1 **MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION**
2 **TO MOTION TO COMPEL**

3 **1.**

4 **DEFENDANTS HAVE FULLY COMPLIED WITH THEIR DISCOVERY**
5 **OBLIGATIONS; ALL RESPONSIVE DOCUMENTS HAVE BEEN MADE**
6 **AVAILABLE FOR PRODUCTION**

7 Like the classic television show “Seinfeld”, Plaintiff’s motion to compel is about
8 “nothing”. Defendants have made thousands of pages of documents available for production
9 to Plaintiff at Defendants’ Aliso Viejo, California corporate offices. Defendants have fully
10 advised Plaintiff’s counsel of the status of the document production; and the availability of
11 documents for copying. [Decl. of Benice, ¶¶ 2-4.] [Decl. of Cobb, ¶ 2.]

12 **A. Defendants Fully Complied With Their Rule 26 Obligations.**

13 Attached to the Declaration of Jeffrey S. Benice is a March 3, 2009 letter to Plaintiff’s
14 counsel Richard Harvey. The letter specifically advises that Defendants’ documents produced
15 pursuant to Rule 26 are available for copying at Point Center’s Aliso Viejo, California
16 offices. Defendant Point Center advised Mr. Benice that Mr. Harvey came to the Point
17 Center offices on approximately two occasions; briefly examined the documents; *but never*
18 *copied any documents*. A substantial majority of those documents are identical to the
19 documents now being produced by Defendants in response to Plaintiff’s first document
20 request.

21 **B. Defendants Have Fully Responded to Plaintiff’s Document Request; Engaged in**
22 **a Voluntary Meet and Confer on June 11, 2009; and Have Made Responsive**
23 **Documents Available for Copying.**

24 Plaintiff’s motion to compel is baseless. At no time did Defendants suggest to
25 Plaintiff that they would not voluntarily produce records following the June 11, 2009 meet
26 and confer that Mr. Benice participated in at Mr. Harvey’s office in Lake Forest, California.
27 The primary issue discussed at the meet and confer was the timing of a *complete* production.
28 As Mr. Benice advised Mr. Harvey, Point Center is presently producing approximately 5,000

1 pages of documents a day to the SEC in response to SEC subpoenas. Point Center's
2 completion of the document production in this case would necessarily be impacted by the
3 ongoing SEC production; Point Center's resources are limited in coordinating two
4 voluminous productions. Attached to the Declaration of Benice as Exhibits "B" and "C" are
5 true copies of his July 2, 2009 and July 7, 2009 letters to Mr. Harvey concerning the status of
6 production; inquiring as to when Plaintiff's copy service will be present at Point Center; and
7 responding to Plaintiff's motion to compel. As of July 15, 2009, responsive documents to
8 each document request category are present at Point Center's office in a conference room for
9 copying. Susan Cobb of Point Center is the person responsible for coordinating the
10 production and communicating with Plaintiff's copy service. [Decl. of Benice, ¶¶ 2-3] [Decl.
11 of Cobb, ¶ 2.]

12 **C. Defendants Should Be Awarded Sanctions For Opposing Plaintiff's Meritless**
13 **Motion.**

14 Mr. Benice has spent three hours preparing this opposition and will spend another 3-4
15 hours traveling to and attending the July 29, 2009 hearing. Plaintiff's motion was
16 unnecessary as can be seen from Mr. Benice's July 2, 2009 letter *identifying that responsive*
17 *documents are available for production.* Mr. Benice's hourly rate charged to Point Center is
18 \$495. Point Center requests \$2,970 in sanctions for being required to oppose the meritless
19 motion.

20 **2.**

21 **CONCLUSION**

22 For the reasons set forth herein, Plaintiff's motion to compel must be denied, as well
23 as Plaintiff's sanction request. Plaintiff's motion was without factual or legal merit and
24 Defendants should be awarded sanctions of \$ 2,970.

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26 ///

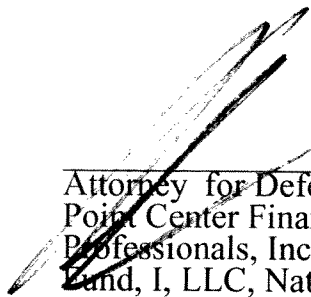
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Dated: July 15, 2009

Respectfully submitted,



Attorney for Defendants,
Point Center Financial, Inc., Escrow
Professionals, Inc., Point Center Mortgage
Fund, I, LLC, National Financial Lending,
Inc., National Financial Lending, LLC,
Daniel J. Harkey aka Danny Joe Harkey,
Vernon, Alan Bergfeld, Stephan George
Livingston, Rene E. Esparza, M. Gwen
Melanson, Lois R. Bejerano, and Joshua
Reta

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the City of Costa Mesa, County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is 650 Town Center Drive, Suite 1300, Costa Mesa, California 92626. On July 15, 2009, I served the documents named below on the parties in this action as follows:

DOCUMENT(S) SERVED:

DEFENDANTS' MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS; DECLARATIONS OF JEFFREY S. BENICE AND SUSAN COBB IN SUPPORT THEREOF

SERVED UPON:

SEE ATTACHED SERVICE LIST

- (BY MAIL) I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Costa Mesa, California. I am readily familiar with the practice of collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.
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- (BY OVERNITE EXPRESS) I am readily familiar with the practice of collection and processing of correspondence for overnight delivery and know that the document(s) described herein will be deposited in a box or other facility regularly maintained for overnight delivery.
- (BY FACSIMILE) I caused to be transmitted the document(s) described herein at approximately N/A via the fax number(s) listed on the attached service list.
- (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- (FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on July 15, 2009 at Costa Mesa, California.


Cindy Martin

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SERVICE LIST

ATTORNEY FOR PLAINTIFF:
Richard A. Harvey, Esq.
LAW OFFICE OF RICHARD A. HARVEY
21076 Bake Parkway, Suite 106
Lake Forest, CA 92630

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18 UNITED STATES BANKRUPTCY COURT
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20 In re)
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CASE NO. 6:08-bk-23006 BB
Chapter 11
Adv. No. 6:08-ap-01497 BB

26 In re:)
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28)
29 Plaintiff,)
30)

DECLARATION OF JEFFREY S. BENICE IN OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS

31 v.)
32 POINT CENTER FINANCIAL, INC.;)
33 ESCROW PROFESSIONALS, INC.;)
34 POINT CENTER MORTGAGE FUND, I,)
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36 LENDING, INC.; NATIONAL)
37 FINANCIAL LENDING, LLC; DANIEL J.)
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42 ESPARZA; M. GWEN MELANSON;;)
43 LOIS R. BEJERANO; JOSHUA RETA;)
44 and DOES 1 through 1000, inclusive,)
45 Defendants.)
46)
47)
48)

Date: July 29, 2009
Time: 2:00 p.m.
Courtroom: 303

1 I, Jeffrey S. Benice, declare and state as follows:

2 1. I am counsel to Defendants herein. I have personal knowledge of the facts set
3 forth herein. If called as a witness I would and could testify under oath to said facts.

4 **A. Defendants Fully Complied With Their Rule 26 Obligations.**

5 2. Attached hereto as Exhibit "A" is a true copy of my March 3, 2009 letter to
6 Plaintiff's counsel Richard Harvey. The letter specifically advises that Defendants'
7 documents produced pursuant to Rule 26 are available for copying at Point Center's Aliso
8 Viejo, California offices. Defendant Point Center advised me that Mr. Harvey came to the
9 Point Center offices on approximately two occasions; briefly examined the documents; *but*
10 *never copied any documents*. A substantial majority of those documents are identical to the
11 documents now being produced by Defendants in response to Plaintiff's first document
12 request.

13 **B. Defendants Have Fully Responded to Plaintiff's Document Request; Engaged in**
14 **a Voluntary Meet and Confer on June 11, 2009; and Have Made Responsive**
15 **Documents Available for Copying.**

16 3. Plaintiff's motion to compel is baseless. At no time did I or Defendants
17 suggest to Plaintiff that we would not voluntarily produce records following the June 11,
18 2009 meet and confer that I participated in at Mr. Harvey's office in Lake Forest, California.
19 The primary issue discussed was the timing of a *complete* production. As I advised Mr.
20 Harvey, Point Center is presently producing approximately 5,000 pages of documents a day
21 to the SEC in response to SEC subpoenas. Point Center's completion of the document
22 production in this case would necessarily be impacted by the ongoing SEC production; Point
23 Center's resources are limited in coordinating two voluminous productions. Attached hereto
24 as Exhibits "B" and "C" are true copies of my July 2, 2009 and July 7, 2009 letters
25 concerning the status of production; inquiring as to when Plaintiff's copy service will be
26 present at Point Center; and responding to Plaintiff's motion to compel. As of July 15, 2009,
27 responsive documents to each document request category are present at Point Center's office
28 in a conference room for copying. Susan Cobb of Point Center is the person responsible for


1 coordinating the production and communicating with Plaintiff's copy service.

2 4. I have spent three hours preparing this opposition and will spend another 3-4
3 hours traveling to and attending the July 29, 2009 hearing. Plaintiff's motion was
4 unnecessary as can be seen from my July 2, 2009 letter *identifying that responsive documents*
5 *are available for production*. My hourly rate charged to Point Center is \$495. I request
6 \$2,970 in sanctions for being required to oppose the meritless motion. Also, I refused to
7 participate with Mr. Harvey in preparing a joint statement of disputed issues because there
8 were no disputed issues.

9 I declare under penalty of perjury under the laws of the United States that the
10 foregoing is true and correct.

11 Executed this 15TH day of July, 2009 at Costa Mesa, California.

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Jeffrey S. Benice

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

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DOCUMENT(S) SERVED: **DECLARATION OF JEFFREY S. BENICE
IN OPPOSITION TO MOTION TO
COMPEL PRODUCTION OF DOCUMENTS**

SERVED UPON: **SEE ATTACHED SERVICE LIST**

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- (FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on July 15, 2009 at Costa Mesa, California.



Cindy Martin

SERVICE LIST

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ATTORNEY FOR PLAINTIFF:
Richard A. Harvey, Esq.
LAW OFFICE OF RICHARD A. HARVEY
21076 Bake Parkway, Suite 106
Lake Forest, CA 92630

EXHIBIT A

JEFFREY S. BENICE

ATTORNEY AT LAW

A PROFESSIONAL LAW CORPORATION

CENTER TOWER

650 TOWN CENTER DRIVE

THIRTEENTH FLOOR - SUITE 1300

COSTA MESA, CALIFORNIA 92626

TELEPHONE: (714) 641-3600

FACSIMILE: (714) 641-3604

E-MAIL: JSB@JeffreyBenice.com

WEB SITE: www.JeffreyBenice.com

MAILING ADDRESS:

P.O. BOX 16579

IRVINE, CALIFORNIA

92623-6579

CIVIL AND CRIMINAL
TRIAL AND APPELLATE PRACTICE IN
STATE AND FEDERAL COURTS
MILLION DOLLAR ADVOCATES FORUM
ADMITTED TO PRACTICE IN 1978

March 3, 2009

VIA FACSIMILE AND U.S. MAIL

Richard A. Harvey, Esq.
Law Offices of Richard A. Harvey
21076 Bake Parkway, Suite 106
Lake Forest, CA 92630

Re: The Preserve v. Point Center, et al

Dear Mr. Harvey:

I was surprised to receive your e-mail regarding the Rule 26 disclosure. I have attempted to make the voluminous disclosure as convenient as possible. You are authorized to speak directly with Alan Bergfeld, Point Center's general counsel, concerning the copying of documents at Point Center.

Please call me with any questions.

Very truly yours,

Jeffrey S. Benice

JSB/cam

cc: Mr. Dan Harkey

EXHIBIT B

JEFFREY S. BENICE

ATTORNEY AT LAW

A PROFESSIONAL LAW CORPORATION

CENTER TOWER

650 TOWN CENTER DRIVE

THIRTEENTH FLOOR - SUITE 1300

COSTA MESA, CALIFORNIA 92626

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IRVINE, CALIFORNIA

92623-6579

CIVIL AND CRIMINAL
TRIAL AND APPELLATE PRACTICE IN
STATE AND FEDERAL COURTS
MILLION DOLLAR ADVOCATES FORUM
ADMITTED TO PRACTICE IN 1978

July 2, 2009

VIA FACSIMILE AND U.S. MAIL

Richard A. Harvey, Esq.
Law Office of Richard A. Harvey
21076 Bake Parkway, Suite 106
Lake Forest, CA 92630

Re: *In Re The Preserve, LLC; The Preserve v. Point Center, et al.*

Dear Mr. Harvey:

Your copy person may return to Point Center on Tuesday July 7, 2009 to complete copying of documents responsive to requests 1,2,6,7,8,9,10-15,16-17, and 18-21.

Documents responsive to request Nos. 22-33 will be available by Friday July 10, 2009.

Very truly yours,

Dictated but not read

Jeffrey S. Benice

JSB/cap

cc: Mr. Dan J. Harkey

EXHIBIT C

JEFFREY S. BENICE

ATTORNEY AT LAW

A PROFESSIONAL LAW CORPORATION

CENTER TOWER

650 TOWN CENTER DRIVE

THIRTEENTH FLOOR - SUITE 1300

COSTA MESA, CALIFORNIA 92626

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CIVIL AND CRIMINAL
TRIAL AND APPELLATE PRACTICE IN
STATE AND FEDERAL COURTS
MILLION DOLLAR ADVOCATES FORUM
ADMITTED TO PRACTICE IN 1978

July 7, 2009

VIA FACSIMILE AND U.S. MAIL

Richard A. Harvey, Esq.
Law Office of Richard A. Harvey
21076 Bake Parkway, Suite 106
Lake Forest, CA 92630

Re: *In Re the Preserve, LLC*

Dear Mr. Harvey:

I am in receipt of Plaintiff's *Motion to Compel* today. You continue to react in a very bizarre fashion; and you file self-serving declarations with the Court, which contain numerous misstatements. So it is clear:

- Pursuant to Rule 26, Defendants have made thousands of documents available for copying purposes. You did not conduct a review of the documents; nor did you request any documents be copied;
- In fact, Defendants have agreed to produce the documents responsive to the categories set forth within paragraph ten (10) of your draft Joint-Stipulation. As we discussed, the production will have to be a rolling production because of the thousands of documents that are involved in the production;
- Your *Motion to Compel* is meritless and Defendants will seek sanctions;
- Your June 19, 2009 correspondence is self-serving and patently false in characterizing my comments as "...crude gutter and level remarks." Apparently you are accustomed to your bully-type dramatics; you apparently believe that when you scream at me through the telephone, you will not provoke my response. I will continue to respond to your theatrics in the same fashion;

Richard A. Harvey, Esq.
Law Office of Richard A. Harvey
July 7, 2009
Page two of two

- Susan Cobb of Point Center will communicate to your copy service tomorrow to continue the production process; and
- Mr. Harkey is available for his deposition. Please provide me with alternate dates so that we may coordinate his deposition;

Very truly yours,

Jeffrey S. Benice

cc: Mr. Dan J. Harkey

JSB/sjr

JEFFREY S. BENICE

ATTORNEY AT LAW

A PROFESSIONAL LAW CORPORATION

CENTER TOWER

650 TOWN CENTER DRIVE

THIRTEENTH FLOOR - SUITE 1300

COSTA MESA, CALIFORNIA 92626

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CIVIL AND CRIMINAL
TRIAL AND APPELLATE PRACTICE IN
STATE AND FEDERAL COURTS
MILLION DOLLAR ADVOCATES FORUM
ADMITTED TO PRACTICE IN 1978

July 7, 2009

VIA FACSIMILE AND U.S. MAIL

Richard A. Harvey, Esq.
Law Office of Richard A. Harvey
21076 Bake Parkway, Suite 106
Lake Forest, CA 92630

Re: *In Re the Preserve, LLC*

Dear Mr. Harvey:

I am in receipt of Plaintiff's *Motion to Compel* today. You continue to react in a very bizarre fashion; and you file self-serving declarations with the Court, which contain numerous misstatements. So it is clear:

- Pursuant to Rule 26, Defendants have made thousands of documents available for copying purposes. You did not conduct a review of the documents; nor did you request any documents be copied;
- In fact, Defendants have agreed to produce the documents responsive to the categories set forth within paragraph ten (10) of your draft Joint-Stipulation. As we discussed, the production will have to be a rolling production because of the thousands of documents that are involved in the production;
- Your *Motion to Compel* is meritless and Defendants will seek sanctions;
- Your June 19, 2009 correspondence is self-serving and patently false in characterizing my comments as "...crude gutter and level remarks." Apparently you are accustomed to your bully-type dramatics; you apparently believe that when you scream at me through the telephone, you will not provoke my response. I will continue to respond to your theatrics in the same fashion;

Richard A. Harvey, Esq.
Law Office of Richard A. Harvey
July 7, 2009
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- Susan Cobb of Point Center will communicate to your copy service tomorrow to continue the production process; and
- Mr. Harkey is available for his deposition. Please provide me with alternate dates so that we may coordinate his deposition;

Very truly yours,

Jeffrey S. Benice

cc: Mr. Dan J. Harkey

JSB/sjr