

From: "Lee, Gary" <Gary.Lee@lovells.com>
To: "Gordon, Jack B." <GordoJa@ffhsj.com>
Date: 5/26/05 10:24 AM
Subject: RE: Ace/Home
CC: Andre Bouffard <abouffard@drm.com>, <EAS@Rackemann.com>

We intend to proceed unless the judge orders the affidavit stricken. I suggest that the notes be transcribed or we will ask him to read them in and how that effects the timing of the deposition is up to you and him.

Gary S. Lee
Lovells
900 Third Avenue
New York, N.Y. 10022
Tel. (212) 909-0604
Fax. (212) 909-0666
E.mail: gary.lee@lovells.com

-----Original Message-----

From: Gordon, Jack B. [<mailto:GordoJa@ffhsj.com>]
Sent: Thursday, May 26, 2005 10:25 AM
To: Lee, Gary
Cc: Andre Bouffard; EAS@Rackemann.com
Subject: RE: Ace/Home

Gary: I am confident you will be able to conclude the deposition in one day, whether or not you have a typewritten version in advance. In any event, I will put this request on the back burner until I know whether you intend to proceed. Jack.

-----Original Message-----

From: Lee, Gary [<mailto:Gary.Lee@lovells.com>]
Sent: Friday, May 20, 2005 12:59 PM
To: Lee, Gary; 'Gordon, Jack B.'
Cc: 'Andre Bouffard'
Subject: RE: Ace/Home

Confidential

Jack, one other thing. The handwritten notes are mostly illegible. To save time can I ask that you produce a typewritten version in advance of the deposition. Otherwise, we would have to ask Mr. Williams to read everything into the record and that will impair any chance we have to finish him in one day.

Regards,

Gary S. Lee