

**JOHN THEODORE DEAN**  
ATTORNEY AT LAW

June 28, 2010

Ralph Rogari, Esq.  
Rehm & Rogari  
12121 Wilshire Blvd., Suite 600  
Los Angeles CA, 90025

Re: Max v. Park et al., Orange County Superior Court, case no. 30-2010-00357210

Dear Mr. Rogari:

Enclosed please find our objection to the entirety of discovery served by your client in this action. As you are aware, and as was suggested in our last conservation, given the aggressive extent of your requests, absent some extraordinary effort and expense it would not be reasonable to expect the defendants to respond within the normal 30 day time requirements for discovery. Unfortunately although they made a gallant effort so far, the materials necessary to responses has accumulated over a 15 year period, much is in electronic form, some not even accessed for years, and it will still take time to get a handle on the exact parameters. I am also informed that much of the archived records are actually still in the possession of your client.

In addition as you are aware, plaintiff did not technically comply with the requirements for serving requests beyond the normal limits. However, it is not our intention to rely solely on technical objections, and we are therefore moving in an effort to resolve these objections, both technical and of substance. Please accept this letter as our initial effort to meet and confer on these issues.

This is the minimum we need to do:

1. We will provide access to copies of all records that we have so far reviewed and to which no objections will be made. If objections will be made, we will prepare a privilege log documenting the existence and class of records, along with the nature of the objections. For example, the corporate records in the corporate attorney's possession would be made available for copying. We will continue to provide documents in a same manner as the review is completed.
2. The agreement would be that all copying of paper records will occur at plaintiff's expense. We may be able to accommodate some of the expense of copying electronic records.
3. All of the financial and other corporate records were and still are in your client's possession. (At one time plaintiff had these records in a storage facility.) All of these records should be returned to us. Plaintiff can keep a copy at his expense.

June 28, 2010

4. It is anticipated that it will take an additional 30-60 days just to complete the review necessary to locating all available business records, and provide further responses based on the information contained in those records. Defendants will exercise due diligence to complete this review in a reasonable time. For example we anticipate that responses to requests for admission will likely be completed within another 30 days, but it may take yet another 30 days thereafter or longer, to complete the related interrogatory responses.
  
5. My clients are insistent that they will not disclose certain business records and information unless agreement is reached concerning a protective order. They indicated that a sample form already used in their trademark litigation might be amenable. If we can resolve this by stipulation, it would alleviate the necessity of a formal motion.

Again, this is just our opening effort at a meet and confer on these issues. I am open to alternative suggestions.

Thank you for your courtesy and anticipated cooperation.

Sincerely Yours,

JOHN THEODORE DEAN  
Attorney at Law