

EXHIBIT

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SMITH, CAROL

From: Miller, Robert [rjmiller@BryanCave.com]
Sent: Monday, July 05, 2010 9:25 AM
To: REECE, CATHY; HENDRICKS, KEITH
Cc: Suzuki, Bryce A.
Subject: ML Grace Evidentiary Hearing

As you know, the Rev Op document request required the following documents to be produced by your client: "All minutes, agenda, notes, and/or other Documents evidencing or relating to any ML Manager board meetings, conferences, discussions, votes, or other Communications whether telephonic or otherwise relating in any way to the Grace Settlements." No documents were produced because, according to your response, all such documents are "confidential and/or attorney client privileged materials." No privilege log was produced. This email constitutes a demand that your client immediately produce all of these documents -- we aren't asking for the notes from the lawyer attending any of these sessions. Everything else must be produced. We are entitled to these documents. We are also entitled to a privilege log of any withheld documents. Please provide the documents and privilege log by 10:00 a.m. tomorrow. If you'd like to discuss, please call my cell number below. I am preparing a motion to compel that will be filed after 10:00.

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7/6/2010