

Joseph and Victoria Morrissey  
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February 16, 2010

Mr. Bruce Slivnick via email  
Mr. Paul Oleksak via email

Re: IPCB 2009-010 Scheduling of Expert Witness Deposition

Mr. Slivnick and Mr. Oleksak,

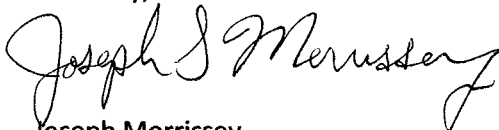
Per our conversations today, please send your availability, by 12pm CST on Thursday, February 18<sup>th</sup>, 2010, to take Mr. Zak's deposition in Springfield at the office of a court reporter of your choosing. It is expected that this deposition will take place within the 21-day timeframe Mr. Halloran indicated during today's status call he would order by the end of this week. For the record, the 21-day period ends on March 9<sup>th</sup>, 2010. As stated on the status call, all parties are still available on February 23<sup>rd</sup>, if you would like to use that time to take the deposition.

In an effort to eliminate any future misunderstanding or miscommunication, following is a summary of the conversations that took place today, February 16<sup>th</sup> 2010, regarding the scheduling of Mr. Zak's deposition. For the record:

- I called Mr. Slivnick regarding his availability for deposition. He deferred scheduling to Mr. Oleksak.
- I then called Mr. Oleksak who said he had to get availability of Mr. Slivnick, but would send available dates for both Attorneys to take a deposition of Mr. Zak by March 9<sup>th</sup>, 2010. Mr. Oleksak stated he would have dates by noon on February 18<sup>th</sup>, 2010.
- I asked if February 23<sup>rd</sup> 2010 was available since I had taken three days off of work next week. Mr. Oleksak stated that Mr. Slivnick was not available on that day and was not planning on being at least part of the hearing originally scheduled for February 23rd, 2010. We discussed the fact that Mr. Slivnick was not present for Mr. Pahios's deposition, so it would seem his presence at Mr. Zak's deposition was not crucial.

We will await your response by Thursday, February 18<sup>th</sup>, to confirm a date for Mr. Zak's deposition to take place prior to March 9<sup>th</sup>, 2010.

Sincerely,



Joseph Morrissey  
Filled with IPCB via COOL  
Cc: Greg Zak via email attachment  
CC: Brad Halloran via email attachment