

EXHIBIT C

TO

**DECLARATION OF SHERRI SOKELAND KAISER IN SUPPORT OF MOTION TO
ENLARGE TIME TO RESPOND TO FIRST AMENDED COMPLAINT AND EXCEED
OTHERWISE APPLICABLE PAGE LIMITS**



Re: Motions 

Sherri Kaiser to: C.D. Michel <CMichel@michellawyers.com>

09/13/2010 05:13 PM

Cc: "Clint B. Monfort", "Hillary J. Green", Sean Brady

Hi Chuck,

Thanks for your email. I agree that it makes sense to try to come to a common understanding of how best to proceed.

I do plan to file 12(b)(1)/12(b)(6) motions and would like to agree to a schedule for them. I am happy to preview the assorted grounds for my motion if you think it will make much difference.

As for your MSJ, you do realize that I do not have to respond until 21 days after I file my answer, right? FRCP 56(c)(1)(B). And that won't be until sometime after preliminary motions are resolved? I'm happy to talk about what makes sense with summary judgment, but given that there are other things up first, I'm more willing to consider than commit. Depending on your grounds, we should also see what we can resolve without the expense of unnecessary litigation.

Would you be available to talk by phone tomorrow at 11:30 or 1:30?

Best,
Sherri

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