

Kevin Horan

From: adam simon [asimon21@att.net]
Sent: Friday, April 17, 2015 5:32 PM
To: Kevin Horan
Subject: Re: Deposition of Ted Bernstein

I have sent word to Ted to keep the dates open.

Sent from my iPhone

On Apr 17, 2015, at 5:03 PM, Kevin Horan <KHoran@stamostrucco.com> wrote:

Adam:

I called earlier this afternoon regarding scheduling but missed you. Please keep open April 23 and 24 for Ted Bernstein's deposition (the 24th looking like the most likely day to take Mr. Bernstein's deposition in person). As I mentioned in my voicemail, we anticipate getting out of the case which is set for trial next week and Jim is optimistic that we will know by Tuesday at the absolute latest. I will be in touch with you as soon as I get confirmation. In the meantime, if you have any questions or wish to discuss anything further, please give me a call.

Thanks,

Kevin

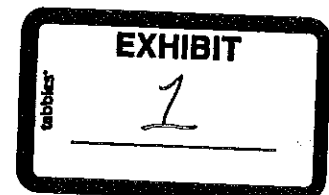
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From: asimon21@att.net [<mailto:asimon21@att.net>]
Sent: Monday, April 13, 2015 4:55 PM
To: James J. Stamos; Kevin Horan
Subject: Deposition of Ted Bernstein

Jim and Kevin:



Please be advised that Ted Bernstein would be amenable to an evening deposition by video conference, provided it starts at 5 p.m. (eastern time) and is limited by agreement to two hours.

If the deposition will be held by video conference, I may or may not travel to Florida for the deposition.

The following dates work for Ted and me:

April 15, 16
April 22, 23 or 24

Please get back to me as soon as possible so I can make final arrangements with my client for this deposition.

Thanks.

Adam Simon
cell: 312-320-4491

Sent from Windows Mail

Kevin Horan

From: adam simon [asimon21@att.net]
Sent: Tuesday, April 21, 2015 5:33 PM
To: Kevin Horan
Subject: Re: Ted deposition

Kevin: plaintiffs position remains unchanged. I promptly provided dates both last week and this week. Yet again the Estate chose not to take the dep.

It obviously goes without saying that Jim Stamos is not the only lawyer in your firm. Don't see how you couch this as an emergency but that's your call not mine.

Thanks.

Sent from my iPhone

> On Apr 21, 2015, at 5:21 PM, Kevin Horan <KHoran@stamostrucco.com> wrote:

>

> Dear Adam:

>

> Following up on the voicemail message I left you earlier today, I will be filing our Emergency Motion for extension of time in which to complete Ted Bernstein's deposition this evening. As you previously agreed to my request to apply Eliot's briefing schedule to our Response (granting an additional three weeks to respond), I asked that you also agree to a commensurate extension of time to complete the depositions. As you know, our office is currently engaged in a trial in Cook County which is anticipated to last into next week. I had hoped that your agreement to my request would obviate the need to bring an emergency motion; I will notice it for hearing Thursday morning before Judge Blakey.

>

> I will file the motion later this evening. Should you wish to discuss further, please feel free to contact me.

>

> Best wishes,

>

> Kevin

>

> Kevin P. Horan

> Stamos & Trucco LLP

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> -----Original Message-----

> From: adam simon [mailto:asimon21@att.net]

> Sent: Tuesday, April 21, 2015 12:54 PM

> To: Kevin Horan

> Cc: James J. Stamos

> Subject: Ted deposition

>

> Kevin: please proceed according to the conversation we had yesterday. Plaintiffs will agree to the same briefing schedule as Eliot for summary judgment but object to any further extensions for discovery or depositions.

>

> Thanks.

>

> Adam Simon

>

> Sent from my iPhone

>