

**Chance Peterson**

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**From:** Marty Harper  
**Sent:** Thursday, June 18, 2015 1:41 PM  
**To:** 'Gary Silverman'; Brian O'Dwyer; 'John Gresham'  
**Cc:** Kelly J. Flood; 'Pierce, C. Grainger Jr.'; 'Zac Ista'; Chance Peterson; Mr. Jeffrey Freund  
**Subject:** RE: Discovery

Whatever. Let's see how it plays out after you file.

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**From:** Gary Silverman [mailto:gsilverman@odblaw.com]  
**Sent:** Thursday, June 18, 2015 1:37 PM  
**To:** Marty Harper; Brian O'Dwyer; 'John Gresham'  
**Cc:** Kelly J. Flood; 'Pierce, C. Grainger Jr.'; 'Zac Ista'; Chance Peterson; Mr. Jeffrey Freund  
**Subject:** RE: Discovery

Marty,

We cannot agree to a date at this time. We believe we are entitled to interpose opposition, which we are planning to do.

Thank you.

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**From:** Marty Harper [<mailto:Marty.Harper@asualumniawgroup.org>]  
**Sent:** Wednesday, June 17, 2015 1:05 PM  
**To:** Gary Silverman; Brian O'Dwyer; 'John Gresham'  
**Cc:** Kelly J. Flood; 'Pierce, C. Grainger Jr.'; 'Zac Ista'; Chance Peterson; Mr. Jeffrey Freund  
**Subject:** RE: Discovery

Do not understand. What happened is that USAPA is under a Court order to produce and we expect USAPA to produce the material referenced in our motion. The hearing is on 6/30, so we will need the materials we referenced in our discovery papers NLT 5:00 pm EST on Wednesday, June 24. That way, we will have enough time to digest the data and put together a straight forward presentation for the Court so that it can be fully informed at the time of the hearing.

If you persist in filing something, perhaps you can do it today rather than tomorrow so that we can move this forward as quickly as possible. Also, in your papers, please let the court know that I reached out to confer with you immediately and that I provided a reasonable date for the production on the materials we requested

Thanks and have a good day.

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**From:** Gary Silverman [<mailto:gsilverman@odblaw.com>]  
**Sent:** Wednesday, June 17, 2015 9:49 AM  
**To:** Marty Harper; Brian O'Dwyer; 'John Gresham'  
**Cc:** Kelly J. Flood; 'Pierce, C. Grainger Jr.'; 'Zac Ista'  
**Subject:** RE: Discovery

Marty,

We are not in a position to do that yet as we are trying to figure out what happened here given that our response to the motion was not due until tomorrow as per the minute entry of June 1, 2015. As it stands, we are still planning on submitting opposition to the motion.

Thanks.

Gary Silverman, Esq.  
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**From:** Marty Harper [<mailto:Marty.Harper@asualumniawgroup.org>]

**Sent:** Wednesday, June 17, 2015 12:37 PM

**To:** Brian O'Dwyer; Gary Silverman; 'John Gresham'

**Cc:** Kelly J. Flood; 'Pierce, C. Grainger Jr.'; 'Zac Ista'

**Subject:** Discovery

Please let me know when today one of you is available to discuss the timing of the production of the discovery the Court ordered today. Given the hearing date time is of the essence. Thanks

**Marty Harper** | President & CEO

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