

09/12/08 2:44pm
1D7_0912_144440

Tom
Petters: Hi.

Deanna
Coleman: Hi.

DeAnne
Anderson: Hi.

Coleman: Hi. Do you have anything, are you taking off, I'm thinking of taking off here shortly cuz I know...

Petters: You are?

Coleman: ...you're taking off here shortly yourself.

Petters: Would you just clean up that mess over on my desk. No, I'm just

Coleman: Where is the garbage can at?

Anderson: I'll get it. I'll do it next week when he's gone.

Petters: What?

Anderson: What?

Coleman: Do you want me to go to Palm Beach or not now? Uh, and Bob White or Jim or what's going on?

Petters: I, uh,

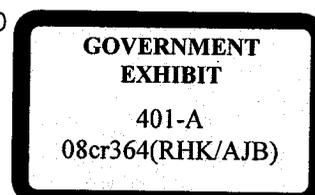
Coleman: Still don't know?

Petters: No, I just don't, I think that, uh, since we have this plan worked out. I think what I should do is focus on Fortress. Talk to Tom Ting and see how the, the agreements are coming.

Coleman: Yeah.

Petters: The thing with, I think we're better off. Uh, got a fucking conference call. Um,

Coleman: With Fortress?



Petters: Is it 3:45 or
Coleman: You got...
Petters: Um,
Coleman: ...you were leaving to get your hair cut, aren't you?
Petters: Yeah. Got a conference call.
Coleman: Who's that with?
Petters: Huh?
Coleman: Who's that with?
Petters: Um, John McGun, Rich Carlson, someone from Palm Beach.
Hello.
Lois: Sorry, I do need the other signatures too.
Petters: I figured that but they didn't...
Lois: Yeah.
Petters: ...(UI) damned if I do...
Lois: They (UI)
Petters: Dammed if I do and damned if I don't.
Lois: Oh no.
Petters: If I don't sign...
Lois: Damned everyone...
Petters: ...I said then I gotta sign 'em.
Lois: ...I tell ya.
Petters: And then she said, uh.
Lois: Well if I didn't come and pester you this week, you'd
kinda feel left out.
Petters: What?

Lois: If I didn't pester you. Okay.

Petters: I got one in blue and one in black.

Lois: Sounds good to me. Thank you.

Petters: Have a nice weekend.

Lois: You too guys.

Coleman: Bye Lois.

Lois: Bye.

Petters: No, I don't. I think that the thing is, uh, what we have to do somehow is to ask Frank how it's coming with Palm Beach Partners, then we can...

Coleman: Oh, speaking of which. Um, Nick just called me and wanted to know if I had his hotel room booked for Monday night.

Petters: If you had what?

Coleman: His hotel room booked for Monday night. And then...

Petters: Oh the auditor did?

Coleman: Yeah. And I said Jim must be talking about DeAnne Anderson. He goes no, Deanna Coleman, right, you're working with Jim Wehmhoff. And I'm going yeah, but I never booked your hotel room before. He said well Jim sent me confirmation. I said well then...

Petters: Then they are coming.

Coleman: ...probably Jim's assistant probably did it.

Petters: Then they're coming I guess.

Coleman: That'll be interesting. Okay.

Petters: Well, we're just gonna have to make a list of things that we can't, we don't have.

Coleman: Well oh, sit in there, see what they want. Um

Petters: You know what I mean, we'll just have to make a list of

things, and there's certain things we don't have. And if it's too many things, I mean I'm gonna try to get the letter to them Monday so it gets called off.

Coleman: Hm.

Petters: Okay, I don't know, uh, so you just got a, a call from him?

Coleman: Hm-hm. About ten minutes ago.

Petters: I don't know, I'll have to call him I guess, I don't know.

Coleman: Well, let's kinda wait and see what happens, maybe, I don't know, I can get together, if you wanna get...

Petters: Did you meet, you met Henry, right?

Coleman: I have never met Henry, no.

Petters: You didn't? From Fortress? I thought you met him.

Coleman: Huh-uh. I never met him.

Petters: When he was here, you never met him?

Coleman: When was he here?

Petters: He was here all day Wednesday, Wednesday night.

Coleman: Oh, really? No.

Petters: Um,

Coleman: Would it work for us to get together Sunday night? Uh, if we still have to do that audit and figure out what we're gonna do? Or have a conference call.

Petters: Bob Sabes. Fuck you. I'd like to see the term sheet at the end of the year make 'em deal with. I need some kind of verification if you have a deal for something with someone. I would like hard information on something with someone. In other words, how much and with who? What'd you say you may have? Wanna go to Palm Beach? We're taking off, Fortress. Tom, I followed Henry and Jason (UI) whether they have any comments for the drafts I sent out earlier. They promised feedback

by Monday. They also mentioned that they wanted exclusivity for all other loan buyouts with any other funds we may have remaining. I told Henry that I would get it on your radar. Thanks, Tom. Related to PCI (UI).

Coleman: Hm?

Petters: (UI) I said if they want, did you hear what I said? Tom Ting said I followed up with Henry Winterstern and Jason Colin at Fortress on whether they had any comments to the drafts I sent out, um, earlier. They promised, you have ADD like my...

Coleman: I am listening, I just (UI)

Petters: They promised feedback by Monday. They also mentioned they wanted exclusivity for all other loan buyouts with any other funds we may have remaining. I told Henry that I would get it on your radar. In other words, they want exclusivity to buy the rest out. I said yeah, if you buy 'em out, it's fine.

Coleman: Good.

Petters: But I think what you should do is stay on that with Tom Ting so that letter gets done. That would be more helpful than coming to, I mean you can come to Palm Beach but

Coleman: No, I'm not, no, I

Petters: Yeah, I'm saying I think that, that you should get off to, take this stuff, copies of what he's doing, sort of (UI) buyout.

Coleman: Yeah.

Petters: from the letter, and also get Henry's number and get, I, I introduced you to Henry over the phone or something.

Coleman: Over the phone, but I've never talked to him.

Petters: Let's call him real quick. Get a lay of the land on what he's talking about so you know.

Coleman: Is this guy (UI)

Petters: What?

Coleman: Is this guy legit or is he kind of a...

Petters: No, there...

Coleman: I mean I know he's legit, but is he kind of a scam?

Petters: Is he a what?

Coleman: A scam maker.

Petters: No, he's, he's, like they're trying to make money on the difference that we can buy it out for.

Coleman: Okay.

Petters: See we have to come up with the funds at the end.

Coleman: Right.

Petters: To buy it out.

Coleman: Right.

Petters: It's buying us time. Some of 'em close, Marlon's closes in three weeks, two weeks, two and a half weeks, but for, he said they don't have the money, we'll just get us that date. We'll just give Marlon 20 million. That'll make his loan current. Marlon will be just as happy as a pig in shit. He goes, whatever we have to do.

Coleman: Okay.

Petters: Here. All right, who's calling now? Greg Bell or Dawn Demsy.

Coleman: God, she's been calling me, she wants a job. I'll call her back. I'll call her tomorrow.

Petters: Dawn Demsy. Both of 'em are worthless. Tony called in too.

Coleman: I'll just tell Henry, um, if he needs anything to give me a call.

Petters: Well don't you wanna know what's going on? An update?

Coleman: Yeah. What's his number?

Petters: Here, I'm trying to send Tom Ting (UI)

Coleman: Okay.

Petters: Uh (UI) Ah, hate this fucking...

Petters: You know what I'm saying. (UI) That's why the auditor are coming. (UI) they'll come and do it anyway. They're not going to have the letter.

Henry

Winterstern: Hello.

Petters: Henry?

Winterstern: Yes.

Petters: This is Tom Petters. Do you remember me?

Winterstern: Tom Petters. My life is attached to you now.

Petters: That's right.

Winterstern: (UI) I gotta make some big money off you now, buddy.

Petters: Let me tell you...

Winterstern: I hope to replay everything.

Petters: I'm with Deanna so be careful what you say. She's very, very, very frugal.

Coleman: Hi Henry.

Winterstern: Hey, how are ya?

Coleman: Good, how are you?

Petters: Deanna is...

Winterstern: Good. What's going on?

Petters: She, Deanna's gonna be working with you on, if there's any questions with Tom Ting on Monday cuz I'll be down in Palm Beach. But, uh, not working

with Palm Beach Partners so what I wanted to ask you, she wanted to find out, um, did you talk to the guys at Palm Beach Partners about the situation at all?

Winterstern: Yeah, I, I haven't gone to them, I talked to them today. I haven't talked to them again. I mean I basically told them, you know, I think they sent back the NDA so we've gotta get it signed. You know, we've moved forward. They only sent us the, uh, the NDA back today.

Petters: I know, but they're saying they didn't get, you didn't email it to them when they were here Tuesday, blah-blah-blah. So anyway, they're getting incredibly impatient, and they're trying to find another source and if they, if we don't get it, if we don't move 'em up a little bit, they're gonna try to find a different source of money. Like these Chinese guys, whoever the hell they are. But anyway, I just wanted to say if you, uh, are able to make a call to them to say here's the, here's the thing. The key thing is for them.

Winterstern: Well what do they wanna do? They're gon-, they wanna sell their stuff to the, the Chinese guys?

Petters: No, they wanna get money from the Chinese actually so they don't have to sell their stuff. But they have to sell their stuff. They, they don't think they do but they're gonna have to. And I, and I, I want them to.

Winterstern: Where they, where, wh-where, why aren't, I don't understand. The Chinese guys are going to do what, lend 'em money?

Petters: Right. And by the way, listen.

Winterstern: Well then we, we should get these Chinese guys over to talk to us.

Petters: Don't, don't worry, we will. If you get, if you get something locked down, here's what I'm trying to get to you. If you call them, you need to tell them the two things that we're going to have a term sheet on Monday. You want it signed. And secondly, that, just say look, I got people going

down at Petters today, tomorrow, or whatever you can say, you can say who they are, you know, they'll never go back but, uh, and you got people going down to Arkansas, uh, now and next, early next week cuz you couldn't today. But here, right, here, but here, Henry, here's, I'm telling you two text points. They're worried about their audit. They're worried about their auditors. If their auditors get comfortable with this letter, their auditors are gonna let them continue to run their fund. You see what I mean? And they, and they, they can continue to run their fund but what I'm trying to tell ya is they're looking for from you some sort of a, you know, hey, we're gonna have a letter Monday morning, and by the way guys, but, but, just, I know you gotta get off the phone, just let me say this, it's really important. Tell Bruce or Dave, we'll get 'em both on the phone and say listen, we're jumping through hoops cuz Tom's pushing me. Hoops, guys. I have to get this to you Monday morning. Now I understand you got auditors coming in to Minnesota. That's, if you got any problems like this and those auditors are coming to Minnesota on Tuesday. The reason they got to use this against the auditors who are their friends and they're gonna call 'em and say listen, we're gonna have this thing from Fortress, you guys calm down. And they don't want their fund to get in suspension. That's their deal, not my deal. Course. It doesn't matter what's binding. What matters is you tell 'em that you're going through all these hoops and they're charging a lot of money to me and you're charging, so on and so on and so on. I mean, I'd tell 'em, I'd tell 'em right now, I'd say listen, if this is gonna be the deal and if it's not, if we're going to be involved in litigation or something, like you guys are gonna have a problem, but Tom tells me you have a great relationship with your auditors but it's very strained right now cuz of this whole thing. But you know what, if you guys don't have, uh, if you guys don't have this under control, we don't want, we don't want people there in Minnesota when our people are there, if they're still there next week. You know, and that's like, or whatever it might be. Just tell 'em because they're gonna put pressure on their auditors, and we're gonna get our deal done. That's what I want

'em to do. I don't want their auditors to come blow up the deal for them before we can get it done. I, I, but they got a really good relationship with their auditors. What do you want? What do you want, their number? No, I mean, just say that I heard they're coming in. Say if they're coming in on Monday and Tuesday and Wednesday, I, you know, I, I'm not getting, well Fortress is going to be very adverse to wanting to do. We wanna do this deal and we're gonna get a deal written up for you. And we'll discuss the terms and meet me, you know, but call, call Bruce and Dave. Call me right back. Bye.

Coleman: Is he gonna call Bruce and Dave?

Petters: That's what he's got to tell them. If the auditors are coming.

Coleman: Right.