

From: Liss, Michael (NYC)
Sent: Tue, 20 May 2008 20:24:06 GMT
To: Petters, Tom
CC: JWappler [REDACTED] Adelman Jason NYC
Subject: RE: Wire

Thanks for update. Not good. When will you call me tomorrow?

Michael S. Liss
Burnham Hill Partners

[REDACTED]
Main: [REDACTED]
Direct: [REDACTED]
Fax: [REDACTED]
[REDACTED]

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From: Petters, Tom [REDACTED]
Sent: Tuesday, May 20, 2008 4:06 PM
To: Liss, Michael (NYC)
Cc: JWappler [REDACTED] Adelman Jason NYC
Subject: Re: Wire

Michael,

I am sorry, we were made promises on a sizable wire that did not happen today. That requires me to pull the funds from other resources _
- which I will do.

I will call you on Wednesday. Please understand that I hate broken promises more than anything! So, as upset as we all are, I ask you respectfully to see if you can get paid within a week. Of course, I will add the interest.

Thank you.

Tom

Ps. I have already discussed directly with Thane.

LEGACY

What you leave behind
is not what is engraved
in stone monuments,
but what is woven
into the lives of others.

- Pericles

----- Original Message -----

GOVERNMENT
EXHIBIT
272
08cr364(RHK/AJB)

From: Liss, Michael (NYC) [REDACTED]
To: Petters, Tom [REDACTED]
Cc: Wappler, John [REDACTED]; Adelman Jason NYC [REDACTED]
Sent: Tue May 20 13:29:21 2008
Subject: Wire

Tom, what is status please?

Michael S. Liss
Burnham Hill Partners

Main: [REDACTED]
Direct: [REDACTED]
Fax: [REDACTED]

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From: Petters, Tom
Sent: Thu, 29 May 2008 18:59:49 GMT
To: [REDACTED]
CC: JWappler [REDACTED] jadelma [REDACTED]
Subject: Re: Full payment on June 9, 2008

Michael,

This will confirm my full understanding of your email and my agreement to the terms. I also understand the implications we discussed in my conversation with John Wappler on our phone call if this date is not met.

Thank you very much.

Best regards and we will be speaking soon.

Tom Petters

----- Original Message -----

From: Liss, Michael (NYC) [REDACTED]
To: Petters, Tom
Cc: Wappler, John [REDACTED] Adelman Jason NYC [REDACTED]
Sent: Thu May 29 13:16:23 2008
Subject: Full payment on June 9, 2008

This email will confirm our understanding that you will wire full payment of our note and accruing interest (approximately \$31.9 million) to Ritchie on Monday, June 9, 2008 at the latest. You will initiate this wire in the morning. You indicated this repayment is funded by mass merchandiser payments to you, but the funding source is irrelevant to us.

Please confirm your agreement with an email response.

Michael S. Liss
Burnham Hill Partners

[REDACTED]
Main: [REDACTED]
Direct: [REDACTED]
Fax: [REDACTED]
[REDACTED]

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59195 05/29/2008 12:59:49 PM (GMT -06:00)

**GOVERNMENT
EXHIBIT**
273
08cr364(RHK/AJB)

0273.0001

From: Liss, Michael (NYC)
Sent: Tue, 24 Jun 2008 23:43:07 GMT
To: Petters, Tom
Subject: Re:

In morning please get wire done

----- Original Message -----

From: Liss, Michael (NYC)
To: 'tom.petters'; [REDACTED]
Sent: Tue Jun 24 19:34:54 2008
Subject: Re:

Ok tomorrow we expect

----- Original Message -----

From: Petters, Tom [REDACTED]
To: Liss, Michael (NYC)
Cc: JWappler [REDACTED]; Baer, David [REDACTED]
TRitchie [REDACTED]

Sent: Tue Jun 24 16:42:29 2008
Subject: Re:

Michael,

I am awaiting a wire that covers all monies owed. We are not sort of sure its coming its been processed. Its a matter of Sams Club getting it completed today! We are all over it. I will keep you updated as to when it arrives.

Again Thank you,
We are almost over the goal line.

Tom

----- Original Message -----

From: Liss, Michael (NYC) [REDACTED]
To: Petters, Tom
Sent: Tue Jun 24 15:16:02 2008
Subject:

Update please

Michael S. Liss
Burnham Hill Partners

[REDACTED]
[REDACTED]

**GOVERNMENT
EXHIBIT**
274
08cr364(RHK/AJB)

Main:
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From: Liss, Michael (NYC)
Sent: Sat, 12 Jul 2008 14:53:41 GMT
To: Petters, Tom
Subject: Re: Payment

Great . Please call me at [REDACTED] today

----- Original Message -----

From: Petters, Tom [REDACTED]
To: Liss, Michael (NYC); Baer, David [REDACTED]
Cc: JWappler [REDACTED]; Adelman Jason NYC; JMenton [REDACTED]; Coleman, Deanna [REDACTED]; jkoneck [REDACTED]

Sent: Sat Jul 12 09:15:08 2008
Subject: Re: Payment

Michael,

I will not have Deanna
Call with updates that obviously bring no comfort or resolution. I believe David Baer was attempting to keep you up to date daily. If a lawsuit is back in the table then this has been unproductive, in our eyes we were trying to give optics to reality!

We have discussed in the past the fact that the situation with the retailers does not mean we get cash flow from our notes pay to pay you off. We can and will not take monies secured by other A/R PLEDGED TO ANOTHER LENDER AND USE PROCEEDS TO PAY OUR OTHER CASH FLOW NEEDS, QUITE SIMPLY THAT IS NOT AN OPTION.

If we are acting in futility then let's work out another arrangement as we discussed at the "lavish" four seasons. We have no reason or justification in not paying this note?? Simply put we are using all methods possible. AND CLOSE TO GETTING LIQUIDITY.... If you want no more emails, the calls from Deanna serve little purpose. We will go back to the mode of communication by wire only. If that is the case. The fact that I

Am having to have these conversations makes me far more disturbed than you know! I fully expected payments in excess by now!

If we are back to the threat of a lawsuit let me know where you want to go from here. I know the obvious...you want to get paid. We want to pay! Enough of this for both of us.

We are obviously not getting to where either side wants and payment resolves any further issue. The lawsuit threat will only antagonize the situation. Not help get you paid faster! I am available to speak with you prior

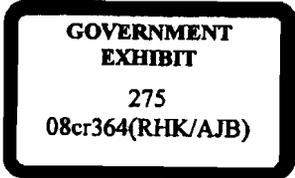
To me having to leave the country late today
If you want.

Thank you,

Tom

----- Original Message -----

From: Liss, Michael (NYC) [REDACTED]



541071, 07/12/2008 08:53:41 AM (GMT -06:00)

To: Petters, Tom; Baer, David

Cc: JWappler

JMenton

Adelman Jason NYC

Sent: Sat Jul 12 07:36:40 2008

Subject: Payment

Your payments toward extinguishing our note and accrued interest were approximately only \$1.2 million this past week when you had previously indicated the note and interest would be extinguished in full.

Beyond disappointing, following our cordial meeting at the lavish Four Seasons in NYC.

The mass merchandise and deep discount retailers who are your customers are reporting strong numbers.

Litigation is back on the table to be filed this week.

We look forward to Deanne's phonecall and wire on Monday.

This is an extremely serious matter. Please send the monies you owe rather than an email response.

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From: Liss, Michael (NYC)
Sent: Thu, 17 Jul 2008 14:34:26 GMT
To: Petters, Tom
Subject: Re: \$5 million

Thanks

----- Original Message -----

From: Petters, Tom [REDACTED]
To: Liss, Michael (NYC)
Cc: Coleman, Deanna [REDACTED], Baer, David [REDACTED]
Sent: Thu Jul 17 10:33:41 2008
Subject: Re: \$5 million

Michael,

The Sams money I told you was not coming as planned and delayed due to an audit. The other money will come out of cash flow before end of week to make 5mm promise. I will follow up to see that it does!

Thank you,

Tom

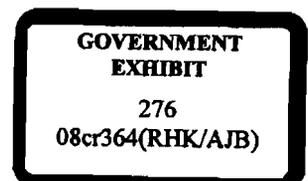
----- Original Message -----

From: Liss, Michael (NYC) [REDACTED]
To: Petters, Tom
Sent: Thu Jul 17 07:47:26 2008
Subject: \$5 million

What is status? Deanna is not knowledgeable as to answer. Please advise.

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584295, 07/17/2008 08:34:26 AM (GMT -06:00)



0276.0001

From: Petters, Tom
Sent: Fri, 18 Jul 2008 12:58:18 GMT
To: 'mliss [REDACTED]
CC: Coleman, Deanna; Baer, David; 'JWappler [REDACTED]; 'jadelman [REDACTED]
Subject: Re: Balance

Michael,

All due respect meant don't think all of the below is and has been on forefront of my mind. On number 3 I have a plan and I discussed some if that with you last week. On number 4 if that were able to be done we would do that. I have been in this business 20 plus years, I know. Where extreme pressure can be applied I will be doing that wherever I can! Its not for lack of trying. We will send whatever we can every day! I am not sitting on my hands hoping for rain. Please know I am and will do everything to pay you ASAP!!! I am very disappointed about yesterday..and todays situation. Again I remind you that as this interest rate burns a hole in my skin, I realize that I not only have to but will pay it!! I am trying every trick in every book where money is owed! The action I took yesterday was an example of what I will proceed with on the 130mm when I am in that position to collect or take assets. Trust me I want cash not assets. Michael I am working this its making me crazy and I am so tired if saying this but I will pay!! Thank you,

Tom

Ps I am not back till Tuesday night and have people working diligently on collections! I have a non changeable visit to Mayo Clinic on Wed/Thursday. Will be able to make plenty of calls and travel Friday to see people who owe me! Tom

Thank you

----- Original Message -----

From: Liss, Michael (NYC) [REDACTED]
To: Petters, Tom
Cc: Coleman, Deanna; Baer, David; JWappler [REDACTED]; Adelman Jason NYC
[REDACTED]

Sent: Fri Jul 18 07:17:11 2008
Subject: Re: Balance

1. Extremely disappointing.
2. Please have Deanne make a significant payment today from some source within your business organization.
3. Why do you not collect receivable from the person you told me of who owes you \$130 million?
4. Why do you not fly to Sams Club with your team on Monday, sit in a conference room and come back with the \$42 million?

----- Original Message -----

From: Petters, Tom [REDACTED]
To: Liss, Michael (NYC)
Cc: Coleman, Deanna [REDACTED]; Baer, David [REDACTED]
JWappler [REDACTED]

Sent: Fri Jul 18 07:14:42 2008

**GOVERNMENT
EXHIBIT**
277
08cr364(RHK/AJB)

113632, 07/18/2008 06:58:18 AM (GMT -06:00)

0277.0001

Subject: Balance

Michael,

You will now think I am an absolute ?? I am watching solid delays in sure deals come down!! Yesterday we fore closed and took over a 15 magazine publishing company that we were owed millions and when they did not pay, we did finally foreclose on our note even though I was assured a week ago this wouldn't happen!... We were using that as part of the 5mm (800k paid so far) that was to happen for sure to pay you money that would have come from them. A resolution was what I wanted "CASH" to give you and Ritchie. Bearing a miracle we can only pay the 800k we gave you this week and balance when I return mid next week!

I realize this is yet another delay!!! You can read about this as taking over the publication group at startribune.com today. We put a positive spin on it, as we want a resolution. I know this isn't your issue I just wanted you to know.... Was to happen, this week! I did it because we had discussed it and am serious about paying you and collecting money! Very hard to do from out of country. So, we had prepared papers and simply found out late yesterday we wouldn't get paid, this leaves me to believe that no big amounts other than that which was going to be normally used to pay endowments at colleges was going to you!!! Now it will go into when I can get back Tuesday evening as I will be out of country that long to get the balance which will take till a week from today at worst. Please know I can't believe this! Deanna knew nothing of this as it happened after 5 yesterday. When it was for certain we wouldn't get paid today. We foreclosed we notified the media as this is a long time Minnesota Publication group with 15 magazines like Minnesota Business Magazine.

Anyway difficult at best from out of pocket.... to resolve other than instruct counsel to do what we did. If other money comes today Deanna will inform you. I am going to take action next week on several fronts that will produce cash to pay you the balance of the 5mm if we get nothing today. I have to be at Mayo clinic as well next week. That won't inhibit my ability to produce balance if this! I will not be back in Msp until late Tuesday from this trip! In summary...balance of 5mm will get paid from other sources next week and any additional payments we can get to pay this out once and for all. I will call you Tuesday....please know I am sincere as one can be! I am astonished!!!Deanna won't have any more information than I gave, its gone very well in India and this trip will be a large cash producer.in fortunately not today!

Please keep foreclosure details with us as I believe the way we handled it could produce a payment or a sale next week. Proceeds of course will go to you! Let's see if today any other monies come but wanted to give an early heads up today on this!

Tom

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0277.0002

From: Liss, Michael (NYC)
Sent: Thu, 24 Jul 2008 18:50:58 GMT
To: Petters, Tom
CC: JWappler [REDACTED], Adelman Jason NYC
Subject: Re: What is status of

Thanks for update. Please continue repayment asap

----- Original Message -----

From: Petters, Tom [REDACTED]
To: Coleman, Deanna [REDACTED], Liss, Michael (NYC)
Sent: Thu Jul 24 14:42:46 2008
Subject: Re: What is status of

I took what they said as a week from Monday to be conservative as it relates to us getting paid? Thanks

----- Original Message -----

From: Coleman, Deanna [REDACTED]
To: 'Liss, Michael (NYC)' [REDACTED], Petters, Tom
Sent: Thu Jul 24 13:33:46 2008
Subject: RE: What is status of

They should finish up the beginning/middle of next week.

Thanks
Deanna

-----Original Message-----

From: Liss, Michael (NYC) [REDACTED]
Sent: Thursday, July 24, 2008 1:09 PM
To: Coleman, Deanna; Petters, Tom
Subject: What is status of

Sams Club audit?

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584312, 07/24/2008 12:50:58 PM (GMT -06:00)



0278.0001

From: Petters, Tom
Sent: Sun, 27 Jul 2008 15:37:44 GMT
To: 'mliss' [REDACTED]
Subject: Re:

Michael,

I have been to Arkansas, Vegas, and now boarding a Flight to California. I have been. Making progress and will call you shortly. Have me two hours and I will call. Thanks Tom

----- Original Message -----

From: Liss, Michael (NYC) [REDACTED]
To: Petters, Tom
Sent: Sun Jul 27 08:23:53 2008
Subject: Re:

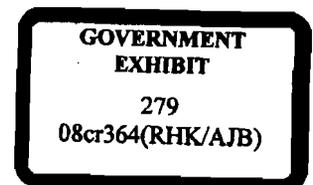
Lets go. [REDACTED]

----- Original Message -----

From: Liss, Michael (NYC) [REDACTED]
To: 'tom.petters' [REDACTED]
Sent: Sat Jul 26 23:39:09 2008

When can you update me tomorrow, Sunday?

630840, 07/27/2008 09:37:44 AM (GMT -06:00)



0279.0001

From: Liss, Michael (NYC)
Sent: Fri, 08 Aug 2008 15:30:47 GMT
To: Petters, Tom
CC: Adelman Jason NYC
Subject: RE: Please call me today. Why do you not have Deanne simply go down and get a check from Sams club personally?

Thanks for update. Please call me on Monday. Hopefully, there is a significant wire today

Michael S. Liss
Burnham Hill Partners

Main
Direc
Fax

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From: Petters, Tom
Sent: Friday, August 08, 2008 11:29 AM
To: Liss, Michael (NYC)
Subject: Re: Please call me today. Why do you not have Deanne simply go down and get a check from Sams club personally?

Michael,

I wish that's the way it worked? It simply does not. They are not going to succumb to me or you, they will pay us however. So I have to be patient yet on it. We are vigorously working other avenues. To complicate my weekend is the annual fundraiser for my sons John t Petters foundation. In between managing the people in town, its a sad and exciting weekend for me personally.

Its also a time where I see many friends and heavy hitters. John would want me to make deals and raise money for his foundation at same time. I am walking into a memorial service at a chapel downtown dedicate in his memory. I have 850 guests this weekend. I promise I will be multi tasking!!

Please allow me the weekend to get through this as I continue mining for dollars to pay you!

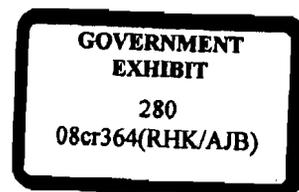
Thanks

Tom

----- Original Message -----

From: Liss, Michael (NYC)
To: Petters, Tom
Sent: Fri Aug 08 09:54:17 2008
Subject: Please call me today. Why do you not have Deanne simply go down and get a check from Sams club personally?

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have received this e-mail in error, please notify the sender by replying to this mes
delete this e-mail immediately.

From: Adelman Jason NYC
Sent: Wed, 20 Aug 2008 15:46:00 GMT
To: Petters, Tom; Liss, Michael (NYC)
CC: Anderson, DeAnne; Coleman, Deanna
Subject: Re:

Tom,

This payment method does not work. Please wire the money underlying the check today to get current. We are returning the check to you. We must be made current on the interest today. Interjecting this check satisfies nothing. Honor the agreement you made with us last week. It is Wed for goodness sake. This must be rectified now.

Jason

----- Original Message -----

From: Petters, Tom [REDACTED]
To: Adelman Jason NYC; Liss, Michael (NYC)
Cc: Anderson, DeAnne [REDACTED], Coleman, Deanna [REDACTED]
Sent: Tue Aug 19 21:46:25 2008
Subject: Re:

I hope you received an answer. It was for 1600.00 as I had no remote access to the dollar amount I knew it was 15 something??

Thanks

Tom

----- Original Message -----

From: Adelman Jason NYC [REDACTED]
To: Petters, Tom; Liss, Michael (NYC) [REDACTED]
Cc: Anderson, DeAnne; Coleman, Deanna
Sent: Tue Aug 19 18:32:08 2008
Subject: Re:

DeAnne and Deanna,
Please confirm the amount of the check that was sent and to whom it was made out to.

Thank you,

Jason

----- Original Message -----

From: Petters, Tom [REDACTED]
To: Liss, Michael (NYC); Adelman Jason NYC [REDACTED]
Cc: Anderson, DeAnne [REDACTED], Coleman, Deanna [REDACTED]
Sent: Tue Aug 19 19:24:59 2008
Subject: Re:

My assistant already did it for 8am delivery. I told then to do this to show at least I give damn!! As I do. If you understood we have various entities and the one sending you the money requires an officer online and password call or DeAnne had access to my stamp and did so.

Michael, please look at the weather map be glad we aren't running and you ar egoing to get paid. I will call when I can talk.

The wire if preferred you can send me the check back but I am at a bank meeting from before the bank opens till noon.



59328, 08/20/2008 09:46:00 AM (GMT -06:00)

0281.0001

Deanna will be back sometime tomorrow and David is out this week all week. The check makes e at least feel like you know I care! I think you cash it and I try to send more as soon as I can and get this over.

Meeting now that's why I am typing not calling.

Thank you

Tom

----- Original Message -----

From: Liss, Michael (NYC) [REDACTED]

To: Petters, Tom

Sent: Tue Aug 19 18:07:26 2008

Subject: RE:

Wire . I could not handle an overnight check from you right now.

Michael S. Liss
Burnham Hill Partners

[REDACTED]
Main:

Direct:

Fax:

[REDACTED]

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From: Petters, Tom [REDACTED]

Sent: Tuesday, August 19, 2008 6:12 PM

To: Adelman Jason NYC; Liss, Michael (NYC)

Subject: Re:

Michael and Jason,

I had a life harrowing day. No details necessary. I will overnight a check or so a wire in the morning, and or wire in the morning. When can I talk details of balance. I have not totally disregarded. Extenuating circumstances over I will and do intend to pay this in days!

I want to talk right now and can't! I am not avoiding I apologize..

Tom

Thanks

Tom

----- Original Message -----

From: Adelman Jason NYC [REDACTED]

To: Liss, Michael (NYC) [REDACTED] Petters, Tom

Sent: Tue Aug 19 16:24:16 2008

Subject: Re:

Tom,

Was our phone call last week just my imagination? We had a workable path that regarding the interest payment and this has just been completely ignored by you and your organization. We gave you cushion as gentlemen and still have you have not performed.

Tom, honor your word to us now. I told you I had the lender committee meeting on Wednesday.

This is a major screw up. Speak to Michael today I am getting on a flight now.

----- Original Message -----

From: Liss, Michael (NYC)

To: 'Petters, Tom'

Cc: Adelman Jason NYC

Sent: Tue Aug 19 17:12:23 2008

Subject:

Please call me. Just tell me- what is the value of your words?

Michael S. Liss

Burnham Hill Partners

Main:

Direct:

Fax:

mliss

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From: Petters, Tom
Sent: Mon, 25 Aug 2008 01:46:38 GMT
To: Coleman, Deanna; Baer, David
Subject: Fw: Wire in lieu of check

Dancing.... My shies have holes I'm them...

----- Original Message -----

From: Petters, Tom
To: [REDACTED]
Sent: Sun Aug 24 20:45:46 2008
Subject: Re: Wire in lieu of check

Jason,

I have had a family emergency occur. I have not been on email. I have been removed from this most of the weekend. I just got all three of your emails as I get caught up. Bottom line a check was being cashed we thought via Ritchie tomorrow. So I will make sure these funds weren't scheduled in late tomorrow for a check the check. Assuming we have these funds it will wire tomorrow since the check is now not able to be negotiated, otherwise it will be Tuesday. I hope that long answer is a clear.

Thank you,

Tom
PS. We will advise tomorrow if it will be going ot tomorrow.

----- Original Message -----

From: Adelman Jason NYC [REDACTED]
To: Petters, Tom
Cc: JWappler [REDACTED] Coleman, Deanna; Liss, Michael (NYC)
Sent: Sun Aug 24 17:47:53 2008
Subject: Re: Wire in lieu of check

Please advise on the wire status for Monday.

Jason

----- Original Message -----

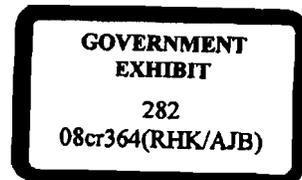
From: Adelman Jason NYC
To: 'Petters, Tom' [REDACTED] Liss, Michael (NYC)
Cc: JWappler [REDACTED] Coleman, Deanna [REDACTED]
Sent: Fri Aug 22 14:33:53 2008
Subject: Wire in lieu of check

Tom,

Please confirm the when the wire covering the \$1.6 million underlying the check will be sent. Also, when sent please provide Fed. Ref so it can be tracked.

Thank you,

59122, 08/24/2008 07:46:38 PM (GMT -06:00)



0282.0001

Jason

From: Petters, Tom [REDACTED]
Sent: Thursday, August 21, 2008 3:21 PM
To: Liss, Michael (NYC)
Cc: JWappler [REDACTED]; Adelman Jason NYC; Coleman, Deanna
Subject: Re: Return of Check

Michael,
Just landed in San Francisco. I will take care of. Thanks

----- Original Message -----
From: Liss, Michael (NYC) [REDACTED]
To: Petters, Tom [REDACTED]
Cc: JWappler [REDACTED]; Adelman Jason NYC [REDACTED]
Coleman, Deanna
Sent: Thu Aug 21 14:42:06 2008
Subject: Return of Check

I spoke with John Wappler of Ritchie and this endorsed check may not be accepted for deposit in its bank. Therefore, I am returning to you by Federal Express, Friday morning delivery, the undated check number 9696 drawn on the Petters Company, Inc., payable to Burnham Hill Partners in the amount of \$1.6 million drawn on M&I Marshall and Ilsley Bank.

We have discussed the situation thoroughly with John Wappler of Ritchie. Please wire Rhone Holdings II Ltd. the cash underlying the \$1.6 million check on Monday and Ritchie will send on by wire the appropriate funds to Vicis in the normal course.

Thank you,

Burnham Hill Partners
[REDACTED]

Main: [REDACTED]
Direct: [REDACTED]
Fax: [REDACTED]

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0282.0002

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From: Petters, Tom
Sent: Tue, 26 Aug 2008 15:51:39 GMT
To: [REDACTED]
CC: JWappler [REDACTED], Coleman, Deanna; [REDACTED], Baer, David
Subject: Re: Return of Check

Jason,

Let me restate clearly what has transpired and what would have or should have happened through a series of emails etc. Later. I am in a board meeting.

What I am going to tell you CLEARLY....had the check been forwarded to be cashed on Monday by Ritchie which was the last email I saw till Sunday evening...then the check would have been presented at our bank today and paid! That's not what happened so I clearly explained I thought.....that since that was not happening that an incoming wire would arrive late Monday and if it was too late that the wire wouldn't go out.

Like every other thing in the world, it did not arrive. I clearly have stated we are working on a complete take out. NO money has come from any retailer or other source to pay you off. So were are working very hard to end this all this week.

The wire for the addtl interest we didn't originally schedule ir commit to last week should be wired out today, I will confirm upon receipt. Please understand that I am not being anything less than direct. An inference that we would write you a NSF check just isn't helpful. Having a strong relationship with our bank and the fact that they would have paid the check on our word a wire was coming in might have happened. No check came and addtl 1.6 was asked for and the plans changed on the check. I cam t call till later. Sorry this is so damn much work and painful for us all.

We will get through it. I will advise when the wires has gone out. Until then I would really appreciate please, staying with me and I am not able to call till mid afternoon.

Thank you,

Tom

----- Original Message -----

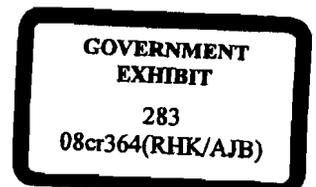
From: Adelman Jason NYC [REDACTED]
To: Petters, Tom
Cc: JWappler [REDACTED], Coleman, Deanna; Liss, Michael (NYC)
Sent: Tue Aug 26 10:33:41 2008
Subject: RE: Return of Check

Tom,

You were to inform us yesterday. You did not. Please confirm promptly that the wire has been initiated.(If the cash underlying the check you sent to us that we returned to you was not there, that of course presents some other potential serious issues)

You asserted with specificity that you would get back to us by today with specifics regarding payment of the remaining balance. We expect you to honor that commitment as well.

Jason



59127, 08/26/2008 09:51:39 AM (GMT -06:00)

0283.0001

From: Petters, Tom [REDACTED]
Sent: Thursday, August 21, 2008 3:21 PM
To: Liss, Michael (NYC)
Cc: JWappler [REDACTED]; Adelman Jason NYC; Coleman, Deanna
Subject: Re: Return of Check

Michael,
Just landed in San Francisco. I will take care of. Thanks

----- Original Message -----
From: Liss, Michael (NYC) [REDACTED]
To: Petters, Tom [REDACTED]
Cc: JWappler [REDACTED]; Adelman Jason NYC [REDACTED]
Coleman, Deanna
Sent: Thu Aug 21 14:42:06 2008
Subject: Return of Check

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Thank you,

Burnham Hill Partners
[REDACTED]

Main: [REDACTED]
Direct: [REDACTED]
Fax: [REDACTED]

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