Sheldon, Matthew R.

From: Edmond Bannon [Bannon@fr.com]
Sent: Friday, October 01, 2010 4:27 PM
To: Sheldon, Matthew R.
Cc: Jorge Torres; Wasserman, Mark W.; Neil Ramsaroop
Subject: RE: Momentive Documents

Matt,
The only remaining documents that I am waiting for are financial documents but our financial witness for Topic 4 was not available anyway and would have to be scheduled in the future. I think he lives and works in Ohio. Your notice said to produce any additional documents at the deposition but I wanted to give you a chance to review them and make copies before you left Virginia. If you want to push the depositions, that is OK with me under the circumstances. However, I had five or six witnesses lined up so it will take me a little while to check on their schedules.

As I believe I mentioned to you before, the week of October 11 is not good for me or for some of our witnesses. We may have to move the depositions into early November. I'll get you some dates on Monday or Tuesday. Thanks.
Ed

From: Sheldon, Matthew R. [mailto:MSheldon@ReedSmith.com]
Sent: Friday, October 01, 2010 4:00 PM
To: Edmond Bannon
Cc: Jorge Torres; Wasserman, Mark W.; Neil Ramsaroop
Subject: RE: Momentive Documents

Ed, we did receive some additional documents from you today. We will need to review them plus the other documetns produced to us yesterday and on Wednesday. Based on these latest productions (in addition to perhaps other documents I believe you indicated may be forthcoming), I am not comfortable moving forward with the depositions next week. Will there be further documents or is Momentive's production complete? I don't want to be in a situation where we move forward with the depos and receive other documents after-the-fact that would require us to re-depose witnesses.

As for dates for the depos, right now I am basically open the week of October 11. Let me know as soon as you can if we can schedule them some time that week. Again, I think I will only need two days. At this point, I don't know if we'll need to move the discovery cut-off back but let's see how the scheduling of these depos goes and then take it from there.

Thanks,

Matt

From: Edmond Bannon [mailto:Bannon@fr.com]
Sent: Thursday, September 30, 2010 11:59 AM
To: Sheldon, Matthew R.
Cc: Jorge Torres; Wasserman, Mark W.; Neil Ramsaroop
Subject: RE: Momentive Documents

Matt,

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That's fine. I don't want to prejudice you in any way but let me know as soon as you can. I am going to have to use at least 4 and possibly 5 witnesses to cover your 30(b)(6) categories. One will be Razzano. The others will be Vicari, Powell, someone for the financials and possibly someone for the batch sheets. I'll send you a letter identifying the witnesses tomorrow along with our objections to the 30(b)(6) notice.

You should have received batch sheets yesterday which go back to 1995. I also had Momentive go back and look for any additional historical MSDSs for FSL 7210 and 7208 which I believe you received today. You will also be getting a copy of one more lab notebook from Ed Jeram which contains a few entries for FSL 7210 and 7209 and 4 MSDSs for some of the ingredients in these products. I don't know whether you wanted those or not but I'll send them anyway. We will try to e-mail these to you today and/or have them delivered to you by Fed Ex tomorrow morning.

Finally, although Bob Evans has been retired for many years, I found out that he had a couple of documents at home that may or may not be relevant. I think they are mostly patents that he is a named inventor on. I think you have some of these already from our earlier production. I asked him to Fed Ex them to me today or no later than tomorrow and will try to e-mail them to you as soon as we get them marked.

Thanks.
Ed

From: Sheldon, Matthew R. [mailto:MSheldon@ReedSmith.com]
Sent: Thursday, September 30, 2010 11:13 AM
To: Edmond Bannon
Cc: Jorge Torres; Wasserman, Mark W.; Neil Ramsaroop
Subject: Momentive Documents

Ed, I see we received more Momentive documents yesterday. I don't know what they are but we will review them and then determine whether this production necessitates a postponement of the depos next week. I will let you know by COB tomorrow.

Matt

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