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Via Facsimile and Mail
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Mr. Eugene Forte
688 Birch Court
Los Banos, California 93635

Re: Eugene Forte v. Tommy Jones, et al.
Merced Superior Court Case No: 150880

Dear Mr. Forte:


I am in receipt of your fax dated August 25, 2008.

I would like to depose Eileen Forte regarding the issues raised in my motion for summary judgment. You should be receiving a copy any day now. Please provide me with dates that both of you are available so the deposition can be scheduled. As to Jordan Forte, please provide dates you are available for the taking of his deposition and confirm that I do not have to subpoena him.

As to the subpoena for medical records, I will stipulate that any medical records prior to your 21st birthday are irrelevant and will not be used or offered at any proceeding.

Yours very truly,

WEAKLEY, RATLIFF, ARENDT & MCGUIRE, LLP



Benjamin L. Ratliff

BLR:lp