

Date : 11/8/2021 11:00:54 AM
From : "Paul Dulberg"
To : "Alphonse Talarico"
Subject : Outstanding f1 discovery

Dear Mr Talarico,

Thank you for appearing in court this morning.

Per our post court phone conversation I wanted to remind myself and share with you what I believe was asked for and I did not receive from both the defendant's document disclosure and defendant's answers to the written interrogatories during my former counsel's time working on the case.

- 1.) Any answers to former counsel Mr. Gooch's filed interrogatories to defendants.
- 2.) Due to the vague answers the defendant's gave when referencing defendants documents that the defendants produced and we received when former counsel Clinton was working the case, we need the defense to state specific documents and bates numbers to those documents.
- 3.) Mast and Popovich's actual/full insurance policy for the period Mast and Popovich actually represented Dulberg (December 2011 - March 2015).
 - a. The actual/full policy for each defendant seems to be withheld as only a declarations pages for defendant THE LAW OFFICES OF THOMAS J. POPOVICH were disclosed.
 - b. The declaration pages disclosed by THE LAW OFFICES OF THOMAS J. POPOVICH shows a policy period From 09/02/2017 to 09/02/2018 which is not the period in which the THE LAW OFFICES OF THOMAS J. POPOVICH represented Dulberg.
 - c. The declarations pages only name THE LAW OFFICES OF THOMAS J. POPOVICH and do not name defendant Mr Mast. A separate policy for Mr Mast is missing.
 - d. The declarations pages only name THE LAW OFFICES OF THOMAS J. POPOVICH and do not name defendant Mr Popovich, as Mr Popovich is the principle and owner of the firm. A separate Policy for Mr Popovich is missing.
- 4.) The front of the McGuire settlement check was turned over. However, The back of the McGuire settlement check seems to be missing and was not turned over in the document disclosure as well as any bank statements of the trust account the settlement check was deposited to.
- 5.) The actual Phone/Voice recording between Mast and Gagnon. The defense turned over a partial transcript and not the actual recording that Mast references and exhibits the partial transcript of during the deposition of David Gagnon.
- 6.) Any and all answers that Gagnon submitted in response to Dulberg's written interrogatories.

Also, I thought we were putting together our own Requests as Fact for the defense to admit or deny.
I would assume this would need to be done before F1 discovery closes, feel free to correct me if I am wrong.

Again, Thank you,
Paul