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1234 xxxxxxxxxxxx Dr.  
XXXXXXXX, CA 12345

Robert Patrick Sticht  
P.O. Box 49457  
Los Angeles, CA 90049

July 9, 2008

Dear Robert,

### **Clarification of Roles**

One of your last emails had the subject line FINAL WORD – and that made us think and prompts us to clarify some issues.

You ensured me that our last few communications did not offend you and I hope that this clarification will not do this either, but this is something that needs to be addressed, so we will do this now.

First of all I have to stress that we, Xxxxx-Xxxxx and I, are the bosses, that you work for us and not we for you. We retained your professional services to advise us and to represent us in the case brought against us by the Federal Government. Therefore the last decision what is to be done lies with us, correct?

You also initially presented to us that you were willing to go against the Federal Government in court and were not afraid of them.

But when I demanded from you on 6-16-08, to file a motion for summary judgment, written by us, with some legal research help from a friend, you refused to do so but instead stalled and instead went into an intensely expensive work of drafting the answer to the government's discovery.

One clear sign of stalling was that you requested that I provide you with pdf versions of the cases referenced in our motion while at the same time you had indicated to me that with the resources at your disposal you could pull any legal information much faster than anybody else without those resources – like me.

Furthermore you send me on a goose chase to research various subjects, e.g. the validity of verbal contracts in relation to real estate transactions, while at your level of expertise you would know instantly that verbal contracts related to real estate are illegal in California – a fact that clearly jeopardizes the course of action you suggested for our defense and more so made the motion for summary judgment the only viable option.

This work performed to answer the discovery was totally unnecessary had the brief been filed. It has become clear that you apparently have been intimidated

by the government's statement that they would consider a motion based on the expiration of limitation as frivolous. Our brief clearly shows that there is no way that the arguments made could be frivolous in any shape or form and that the government is simply rattling their saber.

Therefore I demand again that you file our motion for summary judgment, as we have presented it to you, with the court and serve it on all parties involved, as required by law, by latest Tuesday July 15, 2008. You are free to reformat the brief to conform to the requirements of the court. This should not be more than one hour of billable professional time, but should be more likely billed as secretarial time as no legal work is required. I have repeatedly requested that you send me a template for your court filings so that I can do this work myself, but again you had ignored my demands. Please forward a copy of the final motion to us before filing.

### **Return of Presented Invoice**

The invoice you presented to us only after our demand, is hereby returned to you for correction.

1. We engaged your professional services at an hourly rate of \$350, but secretarial work can not be considered at this rate. Bigger part of the work performed was of a secretarial nature that has to be billed at a reasonable rate for such work. We are aware that you have chosen to handle all your business by yourself without the help of an assistant or secretary, but this does not allow you to charge secretarial work like downloading of documents, copying of documents, typing of documents, printing documents, etc. at the rate of professional services.
2. All work done after your refusal to file our motion of summary judgment can not be accepted as it was totally unnecessary. Your reasoning that we would have to continue the case even after the motion was filed and that therefore this work was necessary has been found to be false. A motion that challenges that the action in question can be done at all – a statute of repose – will hold the case until a decision on the issue is obtained.

### **Conclusion**

We hope that continued work on this case is still possible as we would hate to find yet another attorney, but even that would not be too detrimental as we fortunately have succeeded in raising funds as anticipated.

Sincerely

Xxxxxx Xxxxxx