

Daniel G. Abel
Attorney at Law

25 March 2012

William M. Magee
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In re: *Salvador J. Liberto, Jr., William M. Magee, and
James G. Coate, Jr. v. Daniel G. Abel, et al.*
22nd Judicial District Court for St. Tammany
Case No. 2012-10436 / Division "F"

Dear Mr. Magee:

Mr. Kulik will not appear for a deposition at this time nor shall he appear in the immediate future, for the following reasons:

1. We have completed and will file Exceptions and Affirmative Defenses in this matter and until such time as those are heard and the matter dismissed or all parties joined, and until the answer and reconventional demands filed, discovery should not go forward. We shall ask the Court to hear the exceptions, &c. on 16 May 2012 at the same time as the Motion to Dismiss and your motions.
2. The Motion to Dismiss has been filed and you have been served according to the record. That hearing on dismissal is also set for 16 May 2012.
2. More significantly, Mr. Kulik is part of our litigation team and as such his work and opinions and joint efforts are not discoverable under Rule 1.6 &c. and 5.3 &c. nor may his deposition be taken until written discovery is approved by the Court and only then if that written discovery itself does not infringe upon our own or our client's opinion work product, our own work product, and the usual work-product protected under the attorney-client privilege.
3. And at no time will anyone within our litigation unit answer any discovery as to production of the RICO information, documents and/or materials provided to federal and state law enforcement at their instruction. You will recall, I put each agency on notice of your request and our refusal to identify or produce the RICO information, which you asked for in the *Mistry v. Desai Holdings* matter.

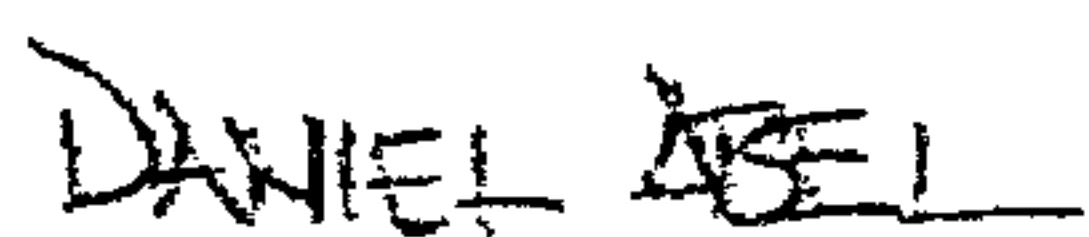
Let me again remind you that I represent all the defendants in this matter as I made clear with the State Court in my first pleading. All of these clients including the lawyers have retained me and our team as counsel for this and for all related matters including the *Magee RICO* matters which have been docketed in the United State Fifth Circuit Court of Appeal: Case No. 12-30263.

I have asked the United States District Court to consider your unauthorized contact with our clients and reconsider the fraudulent representation that earlier correspondence to them came from the district court [with Avery labels]. That matter is set for 26 April 2012.

Please cease and desist all contact with our clients. All pleadings and other communications for them must come through me or our office.

Mr. Kulik is not available to be deposed for the reasons set forth above. Nor shall he be unless and until all the issues set forth herein are resolved by the trial court and its supervisory courts as well.

Sincerely,



s/ Daniel G. Abel

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