

~~DEC 20 Dear barleyneckusa, Elizabeth MAGNER to Barleyneckusa~~ (1)

Could you please provide contact information so that I can speak to you about this item? Thank you,

- emag3033



ANTIQUÉ WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING

Item Id: 281041383702

End time: Dec-30-12 18:37:34 PST

Buyer: emag3033 (33 ☆)

100.0% Positive Feedback

Member since Feb-28-09 in United States

Location: LA, United States

Listing Status: This message was sent while the listing was active.

<http://mesgmy.ebay.com/ws/eBayISAPI.dll?ViewMyMessageDetails&SubmitAction.GetP...> 1/12/2013

~~DEC 22 Elizabeth MAGNER to Barleyneckusa~~ 8:50 AM

From: barleyneckusa  
To: emag3033  
Subject: Re: Details about item: emag3033 sent a message about ANTIQUÉ WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING #281041383702  
Sent Date: Dec-22-12 08:50:15 PST

Dear emag3033,

The majority of the time( about 95%) people ask for our contact info it is too try and buy it directly over the phone which is just a hassle to us.....which we will not do....it will be on for the duration of the auction.....  
did you have some question ? if so let us know.

My eBay: Messages: Inbox: Message

Page 1 of 2

~~DEC 22 Barleyneck USA to Elizabeth Magner~~

Message

Re: Details about item: emag3033 sent a message about ANTIQUÉ WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING #281041383702

From: emag3033

Sent: Dec-22-12 01:04 PM

Dear barleyneckusa,

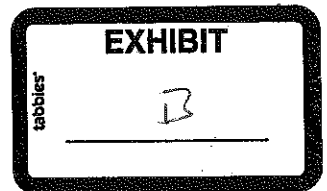
Yes, I have several questions and would like to speak with you directly. Since your seller information indicates that you are willing to talk to buyers directly and to request a phone number by email, I did not think to do so would be a "bother". If this is true, I would appreciate your number. If it too much yrouble, then just say so...

Very truly yours,

- emag3033

Click "respond" to reply through Messages, or go to your email to reply

Respond



My eBay: Messages: Inbox: Message

DEC 28 Elizabeth MAONER to BarleyneckUSA 9:25 AM

Message

Other: emag3033 sent a message about ANTIQUE WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING #281041383702

From: emag3033  
Sent: Dec-28-12 09:25 AM

You replied to this message on Dec-28-12.

Dear barleyneckusa,

Dear Sir,

I am trying to verify some information about this item and hope you can help.

1. Was the dededent the first owner of the work or was it purchased from another?
2. Do you know how the item came into the possession of the seller/ relative of the seller?
3. Has the painting been removed from the frame? You mention that the backing was taken off, it appears the painting was tacked into the frame?
4. Were there any gallery or framing labels on the back of the painting paper?

Thank you,

- emag3033

Click "respond" to reply through Messages, or go to your email to reply

Respond

DEC 28

BarleyneckUSA to Elizabeth MAONER 2:17 PM

Dear emag3033,

we purchased it at an estate sale which was professionally run by a company the owner had hired to sell the contents of the house for them because they were in the late 70s and could not handle such a task. we were told about the family from the company but we never got the name...we probably could get it but not before the auction closes. the painting is unsigned on front so we just bought it as an antique southern painting at the time, we did not realize it had a label on back until we took off teh back cardboard to reveal the back side of the painting. the painting is on some type of antique cardboard stock from that time period. there is 1940s cardboard put on back probably so the nails would not damage the cardboard painting itself. i dont know how the family got it or when they got it, at the time we purchased everything including all the kittinger furniture and sterling, lamps etc that it didnt seem important and is not usually something we ask anyway, plus the owners werent even there to ask. there is no gallery label, there is a partial label on the frame but it is not a gallery label, looks like it is an old label for the frame.

DEC 29 Elizabeth MAGNER to Barleyneckusa 6:07 AM

From: emag3033  
To: barleyneckusa  
Subject: Other: emag3033 sent a message about BAYOU PAINTING #291041383702  
Sent Date: Dec-29-12 6:07 AM

Dear barleyneckusa,

Thank you for your response. I thought of one more question, have you looked at the painting under a black light for restoration? If so, is there any in fill, if not, is it possible to check it for repair? Thank you for this, I realize time is short.

- emag3033

DEC 29 Barleyneckusa to Elizabeth MAGNER 7:16 AM

From: barleyneckusa  
To: emag3033  
Subject: Other: emag3033 sent a message about ANTIQUE WILLIAM HENRY BUCK NEW ORLEANS LA LOUIS BAYOU PAINTING #291041383702  
Sent Date: Dec-29-12 7:16 AM

Dear emag3033,

we did look and there is no sign of restoration or infill.

- barleyneckusa

Re: Other: emag3033 sent a message about ANTIQUE WILLIAM HENRY BUCK NEW ORLEANS LA LOUIS BAYOU PAINTING #291041383702  
From: emag3033  
Sent: Dec-29-12 07:23 AM

DEC 29  
From members (237)  
From eBay (172)  
High priority (1)

Sent

Trash

Archive

Folders

My Folder 1

Add a folder +

More options:

- Save your messages
- Find and contact member
- Messages Help

Buyer has responded to your question about this item

Do not respond to the sender if this message requests that you complete the transaction outside of eBay. This type of offer is against eBay policy and may be fraudulent, and is not covered by buyer protection programs. Learn More

Dear barleyneckusa,

Thank you!

- emag3033

Click "respond" through Message to your email to

Respond

3

Jan 1, 2013

From: barleyneckusa ~~Barleyneckusa~~ to Elizabeth Magner 4:51 AM  
To: emag3033  
Subject: barleyneckusa sent a message about ANTIQUE WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING #281041383702  
Sent Date: Jan-01-13 04:51:06 PST

Dear emag3033,

I apologize but I am cancelling the sale on these 2 items. Please also look at my payment terms saying I have a right to cancel the sale. I no longer have the 2 items available. Thank you for the interest in the items and I apologize if this has created an inconvenience to you.

- barleyneckusa



ANTIQUÉ WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING  
Item Id: 281041383702  
End time: Dec-30-12 18:37:34 PST  
Buyer: emag3033 (33 ☆)  
100.0% Positive Feedback

Jan 1, 2013

From: barleyneckusa ~~Barleyneckusa~~ to Elizabeth Magner 4:57 AM  
To: emag3033  
Subject: barleyneckusa sent a message about ANTIQUE NEW ORLEANS, LA LOUISIANA OAK EASEL from WILLIAM HENRY BUCK w/ALLIGATOR #360544371356  
Sent Date: Jan-01-13 04:51:27 PST

Dear emag3033,

I apologize but I am cancelling the sale on these 2 items. Please also look at my payment terms saying I have a right to cancel the sale. I no longer have the 2 items available. Thank you for the interest in the items and I apologize if this has created an inconvenience to you.

- barleyneckusa



ANTIQUÉ NEW ORLEANS, LA LOUISIANA OAK EASEL from WILLIAM HENRY BUCK w/ALLIGATOR  
Item Id: 360544371356  
End time: Dec-30-12 18:41:43 PST  
Buyer: emag3033 (33 ☆)  
100.0% Positive Feedback  
Member since Feb-28-09 in United States  
Location: LA, United States  
Listing Status: This message was sent while the listing was closed.

24

Print

Jan. 1 Elizabeth MAGNER to barleyneck ~~USA~~ 11:26 AM

**Subject:** Re: barleyneckusa sent a message about ANTIQUE WILLIAM HENRY BUCK NEW ORLEANS,LA LOUISIANA BAYOU PAINTING #281041383702

**From:** eBay Member: emag3033 (emag30\_kr5825tbt@members.ebay.com)

**To:** barleyneck@yahoo.com;

**Date:** Tuesday, January 1, 2013 11:26 AM

Your registered name is included to show this message originated from eBay. [Learn more.](#)

### Buyer has responded to your question about this item



Do not respond to the sender if this message requests that you complete the transaction outside of eBay. This type of offer is against eBay policy, may be fraudulent, and is not covered by buyer protection programs. [Learn More](#)

Dear barleyneckusa,

this is not an "inconvenience"! I object to your cancellation. Please contact me immediately at 504-737-5173 to discuss this dispute.

Elizabeth Magner

- emag3033

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

5

~~Print~~

Page 1 of 2

~~Jan 1 Elizabeth Wagner to Barleyneck 11:37 AM~~

**Subject:** Re: barleyneckusa sent a message about ANTIQUE WILLIAM HENRY BUCK NEW ORLEANS,LA LOUISIANA BAYOU PAINTING #281041383702  
**From:** eBay Member: emag3033 (emag30\_kr5825tbt@members.ebay.com)  
**To:** barleyneck@yahoo.com;  
**Date:** Tuesday, January 1, 2013 11:37 AM

Dear barleyneckusa,

You did not advise that Payment would be required within 24 hours! Given the holiday, I had to move money to my account and planning on posting cash on Wednesday. this item was purchased at 8:30 PM on a Sunday. That left me only Monday to move funds. I will pursue legal remedies if you cancel and report this to Ebay. Expect suit to be filed in New Orleans on Wednesday unless you confirm you are holding the two items for purchase by me.

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

Unless you confirm this today, you will hear from my attorney tomorrow.

Judge Elizabeth W. Wagner

- emag3033

~~Print~~

~~Jan 1 Elizabeth Wagner to Barleyneck 11:38 AM~~

Page 1 of 2

**Subject:** Re: barleyneckusa sent a message about ANTIQUE NEW ORLEANS,LA LOUISIANA OAK EASEL from WILLIAM HENRY BUCK w/ALLIGATOR #360544371356  
**From:** eBay Member: emag3033 (emag30\_kr5825tbt@members.ebay.com)  
**To:** barleyneck@yahoo.com;  
**Date:** Tuesday, January 1, 2013 11:38 AM

~~Jan 1~~

Dear barleyneckusa,

You can expect to be sused

- emag3033

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

~~Print~~

Jan 1 Michael MAGNER to Barleyneck USA 11:55 AM

Page 1 of 2

Subject: mmagner2758 has sent a message  
From: eBay Member: mmagner2758 (mmagne\_iusy6326rdt@members.ebay.com)  
To: barleyneck@yahoo.com;  
Date: Tuesday, January 1, 2013 11:55 AM

Dear barleyneckusa,

Dear barleyneckusa,

Dear Sir:

I understand that you are renegeing on your agreement to sell the William H. Buck painting to my wife, Judge Elizabeth W. Magner as agreed. The purchase was made late on Sunday, December 30, 2012 and she has attempted to pay you in full despite the banks being closed for the New Years holiday. Should you persist on this course, we will file suit and take all available legal action. We strongly advise that you confer with counsel immediately and take no steps to interfere with my wife's right to confect this sale immediately. You are subject to the Louisiana Long Arm statute and we will pursue a lawsuit in New Orleans immediately should you persist in this course. I assure you that you will regret this action unless you immediately honor your obligations. Michael W. Magner, Attorney at Law 504-582-8316 (Ofc) 504-229-1327 (Mobile)

PLEASE CONTACT ME IMMEDIATELY

- mmagner2758

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

~~Print~~

Jan 1 Michael MAGNER to Barleyneck USA 12:08 PM

Page 1 of 2

Subject: mmagner2758 has sent a message  
From: eBay Member: mmagner2758 (mmagne\_iusy6326rdt@members.ebay.com)  
To: barleyneck@yahoo.com;  
Date: Tuesday, January 1, 2013 12:08 PM

Dear barleyneckusa,

Mr. Gaskill - Please contact me immediately. I have left word at the following numbers advising you that we will file suit immediately unless you honoe your obligation to complete this sale. The full amount has been credited toward your account. WE WILL SUE YOU UNLESS YOU HONOR THIS OBLIGATION  
Numbers called: 508-240-0169 and 504-255--0857

- mmagner2758

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

~~Print~~

Jan. 1 Michael MAGNER to BarleyneckUSA 12:23 PM

Subject: mmagner2758 has sent a message  
From: eBay Member: mmagner2758 (mmagne\_iusy6326rdt@members.ebay.com)  
To: barleyneck@yahoo.com;  
Date: Tuesday, January 1, 2013 12:23 PM

Dear barleyneckusa,

Robert Gaskill/Stephanie Crawford Gaskill: We have tendered full apyment for the William H. Buck painting my wife purchased. We have already contacted E-bay to complain. We will contact law enforcement authorities next should you persist in this fraudulent conduct. We will also contact the press and the Better business Bureau as well. We will file suit immediately in Louisiana where you are subject to the Louisiana Laong Arm Statute. Please contact me immediately to resolve this matter. We will not put up with this, I assure you. Michael W. Magner, Attorney at Law 504-582-8316 (Ofc) and 504-229- 1327 (Mobile)

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

- mmagner2758

Jan. 1 Michael MAGNER to BarleyneckUSA 12:51 PM

From: mmagner2758  
To: barleyneckusa  
Subject: mmagner2758 has sent a message  
Sent Date: Jan-01-13 12:51:23 PST

Dear barleyneckusa,

Robert Gaskill/Stephanie Crwford Gaskill: Please contact me immediately. Is what you are attempting to do here, no matter what you hope to gain, will be far less than the the lgal costs, damages, and damage to your reputations. We will not stand still for this type of fraudulent conduct. We will pursue it aggressively and you will be subject to the jurisdiction of the Lousiana courts. Michael W. Magner 504-582-8316

- mmagner2758

~~Print~~

Jan. 1 BarleyneckUSA to Michael MAGNER 2:59 PM

Subject: Re: mmagner2758 has sent a message  
Sent Date: Jan-01-13 14:59:29 PST

Dear mmagner2758,

we just tried calling you but there was no answer.

- barleyneckusa

8



~~Print~~ Jan 1 Michael MAGNER to Barleyneck USA 5:11 PM

Subject: Re: mmagner2758 has sent a message  
From: eBay Member: mmagner2758 (mmagne\_iusy6326rdt@members.ebay.com)  
To: barleyneck@yahoo.com;  
Date: Tuesday, January 1, 2013 5:11 PM

Dear barleyneckusa,

Mr. Gaskill: As we discussed, please send me your contact info, address, and e-mail address. We also request that you provide us with the name(s) of the alleged sellers and the executor as well as their contact info. We would recommend that you not turn over the painting to the alleged sellers until this is resolved. That's your best protection and frankly ours as well. We'll send you a draft of our lawsuit tomorrow prior to filing suit if you provide your and the alleged sellers' contact info. Otherwise, we'll have little choice but to file suit and to serve it formally. I think the best way to avoid such a course of events is to get us in touch with the executor and his counsel immediately.

Please stay in touch. We do not want to file suit but we will if we don't make substantial progress quickly.

Mike Magner  
Jones Walker  
504-582-8316  
504-229-1329  
mmagner@joneswalker.com

- mmagner2758

Jan 2 Michael MAGNER to Barleyneck USA 3:04 PM

From: eBay Member: mmagner2758 <mmagne\_iusy6326rdt@members.ebay.com>  
To: barleyneck@yahoo.com  
Sent: Wednesday, January 2, 2013 3:04 PM  
Subject: Re: mmagner2758 has sent a message

Dear barleyneckusa,

Please call me and provide contact information so that we can correspond in an intelligent manner. i have called 6 times and have yet to receive a response.  
Mike Magner 504-582-8316

- mmagner2758

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

9

Jan 2, Barleyneckusa to Elisabeth  
to M. MA. G. V. R. 3:47 PM

From: barleyneckusa  
To: emag3033  
Subject: barleyneckusa sent a message about ANTIQUE WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING #281041383702  
Sent Date: Jan-02-13 15:47:55 PST

Dear emag3033,

We talked with the consignor today and i explained to him the situation about the pending lawsuit if the sale is not completed...he understood and he said he would talk with the rest of his family members and get back to me on thursday. i also keep getting messages from a different EBAY ID which has nothing to do with this transaction so please if you are going to email us please do it thru the correct EBAY ID.

- barleyneckusa



ANTIQUÉ WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING  
Item Id: 281041383702  
End time: Dec-30-12 18:37:34 PST  
Buyer: emag3033 (33 ☆)  
100.0% Positive Feedback

<http://mesgmy.ebay.com/ws/eBayISAPI.dll?ViewMyMessageDetails&SubmitAction.GetP...> 1/10/2013

10

My eBay: Messages: Inbox: Message

Page 1 of 2

~~Jan 2 Elizabeth MAGNER to barleyneckusa 5:26 PM~~

Message

Re: barleyneckusa sent a message about ANTIQUE WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING #281041383702

From: emag3033  
Sent: Jan-02-13 05:26 PM

Dear barleyneckusa,

Thank you for responding. We are gratified that you are attempting to resolve this dispute. The second address you are receiving messages from is my husband's and it is correct. You can expect to hear from both or either of us until this matter is resolved.

Click "respond" to reply through Messages, or go to your email to reply.

**Respond**

We again request the name and contact information from your alleged "consignor.". I also reiterate our request for direct outside email access in order that more detailed communications can be exchanged between us. Your obvious efforts to hide all contact information from us (i.e. You provide no phone, address, email, or fax information with your eBay storefront nor is this information available on sale), only leads us to conclude that your practices are designed to thwart legitimate claims. Hopefully you realize by now that despite these efforts we have located phone and residential addresses for you, your father and business partner children. While we can continue to utilize these methods of communication, they are not ideal, particularly when you, your wife and Tim do not answer our calls and letters to your home take days to deliver.

Our suit is prepared and ready to file. We will however hold process for a day pending further communication from you on the status of your efforts provided we hear from you no later than 5:00 PM CST tomorrow (Thursday 1/3/2013). Please also forward the above requested information by that time as well. We plan on sending you a copy of the petition so that you can pass it on to the third party.

- emag3033

Page 1 of 2

~~Print~~

~~Jan 2 BARLEYNECK@yahoo to MMAGNE 5:41 PM~~

Subject: Re: mmagner2758 has sent a message

From: Gaskill (barleyneck@yahoo.com)

To: mmagne\_iusy6326rdt@members.ebay.com;

Date: Wednesday, January 2, 2013 5:41 PM

i spoke with the consignor today before i recieved your fax.....the consignor said they would talk with the rest of their family members and get back to us on thursday....i will show him a copy of the fax as well tommorow. and update you tommorow.

11

JAN 3

Print

~~mmagne2758@members.ebay.com~~ ~~barleyneck@yahoo.com~~ 8:03 PM

Subject: mmagner2758 has sent a message

From: eBay Member: mmagner2758 (mmagne\_usy6326rdt@members.ebay.com)

To: barleyneck@yahoo.com;

Date: Thursday, January 3, 2013 8:03 PM

Dear barleyneckusa,

We have not herd from you. Please call us in the morning. 504-582-8316

- mmagner2758

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

12

~~Jan 4, Barleyneck@yahoo to mmagne 6:51 AM~~

Subject: Re: mmagner2758 has sent a message

From: Gaskill (barleyneck@yahoo.com)

To: mmagne\_iusy6326rdt@members.ebay.com;

Date: Friday, January 4, 2013 6:51 AM

i still have not heard back from the person, they said they would get to me on thursday and they did not. im hoping they get to me today to clear this up. There is not much else i can do at this time.

~~Print~~

Jan 4 Michael MAGNER to Barleyneck@yahoo 7:30 AM

Page 1 of 2

Subject: mmagner2758 has sent a message

From: eBay Member: mmagner2758 (mmagne\_iusy6326rdt@members.ebay.com)

To: barleyneck@yahoo.com;

Date: Friday, January 4, 2013 7:30 AM

Dear barleyneckusa,

Mr. Gaskill:

You claim that there is nothing else you can do at this time. The one really significant thing you can do is to start acting like a reputable businessman and provide us with reliable contact information for yourself and the alleged sellers so that we don't have to rely on this method of communication. I just dropped off the petition which we intend to file with my wife's edits with our lawyer, Lisa Montgomery. Right now, you, your wife, son, and businesses are the only defendants.

Is this really the way you want to see this matter handled? Right now you are not leaving us any choice but to proceed formally, which is the most costly method for you and for us. I know you are aware of the costs of litigation from your prior Chapter 7 proceeding, which, of course, will not be available to you in this instance. Do you really want to skulk around dodging service, not answering your phone, etc. or do you want to handle this professionally?

The choice is yours.

Mike Magner

- mmagner2758

Click "respond" to reply through Messages, or go to your email to reply

**Respond**

Message ~~Jan 4 Elizabeth Wagner to Barleyneckusa 11:01 AM~~

Other: emag3033 sent a message about ANTIQUE WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING #281041383702

From: emag3033  
Sent: Jan-04-13 11:01 AM

Dear barleyneckusa,

Mr. Gaskill,

Thank you for your response this morning. However, yet another problem has surfaed.

Your payment of \$33,250 cleared my bank account on 1/2. Based on your refund notice on 1/1/2013 this was not expected. No corresponding refund was in my account. As best I can discern, you are now in possession of both the painting, easel, and purchase price.

Did you cancel the refund after I lodged my objection? Or does this mean that the "third party" has consented to the sale and you intend to honor the agreement between us?

Obviously, if you persist in both holding the funds and the items, your liability and problems will only increase exponentially.

We are adding these new facts to the petition as we speak. I strongly suggest that you send the third party name and contact information today because I can no longer refrain from suit if you are holding my funds the items.

You will hear from our counsel shortly.

- emag3033



ANTIQUÉ WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING

Item Id: 281041383702  
End time: Dec-30-12 18:37:34 PST  
Buyer: emag3033 (33 ☆)

100.0% Positive Feedback  
Member since Feb-28-09 in United States  
Location: LA, United States

Buyer email address: elizabeth\_magner@laeb.uscourts.gov

Listing Status: This message was sent while the listing was closed.

~~Jan 4 Barleyneckusa to Elizabeth Wagner 1:05 PM~~

Subject: Re: Other: emag3033 sent a message about ANTIQUÉ WILLIAM HENRY BUCK NEW ORLEANS, LA LOUISIANA BAYOU PAINTING #281041383702

From: Gaskill (barleyneck@yahoo.com)

To: emag30\_kr5825tbt@members.ebay.com;

Date: Friday, January 4, 2013 1:05 PM

check your paypal account...we did not accept that payment...we canceled that immediately...we told you the sale was canceled before you made that payment...the payment never went into our account...we are not holding any funds of yours. We have proof from our paypal account that we did not accept that payment.

14