

Page 14

10Mr. Ledoux, I didn't hear you on the request for
11admission. I told defendants I didn't need to hear them on that
12because I'm inclined to grant the motion unless you convince me
13otherwise with respect to the request for admission.

14MR. LEDOUX: I'm not sure that I have the confidence in
15my oral advocacy skills to change your mind on that position,
16Your Honor. We would state --

17THE COURT: I'm ready to be convinced.

18MR. LEDOUX: Thank you, Your Honor. We do believe that
19these requests for admissions are attempting to characterize the
20document and imply that something should be there that isn't.
21Instead of simply presenting these to the fact finder and showing
22them the document, the defendants simply want to short circuit
23that process. If they wanted to ask us to admit that these were
24authentic documents, that these were admissible documents, we
25certainly would be able to admit to that.

Page 15

1But the way these documents are -- these requests for
2admissions are phrased is there are characterizations that are,
3you know, in the requests themselves which make them improper.

4THE COURT: **I find that the three requests for
5admission are fairly and appropriately worded. Plaintiffs have
6had more than an adequate opportunity to deny them if they are
7deniable, and they stand admitted as of now.**

8MR. LEDOUX: Thank you, Your Honor.

9THE COURT: You're welcome.