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11 Attorneys for Defendant and Counterclaimant  
Windermere Real Estate Services Company  
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13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 BENNION & DEVILLE FINE  
HOMES, INC., a California  
16 corporation, BENNION & DEVILLE  
FINE HOMES SOCAL, INC., a  
17 California corporation, WINDERMERE  
SERVICES SOUTHERN  
18 CALIFORNIA, INC., a California  
corporation,

19 Plaintiffs,

20 v.

21 WINDERMERE REAL ESTATE  
22 SERVICES COMPANY, a Washington  
corporation; and DOES 1-10  
23

24 Defendant.

25 AND RELATED COUNTERCLAIMS  
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Case No. 5:15-CV-01921 R (KKx)

Hon. Manuel L. Real

**DEFENDANT AND COUNTER-  
CLAIMANT WINDERMERE REAL  
ESTATE SERVICES COMPANY'S  
PROPOSED EXHIBIT LIST**

Courtroom 8

Trial Date: October 18, 2016

Complaint Filed: September 17, 2015

1 Defendant and counterclaimant Windermere Real Estate Services Company  
 2 (“WSC”) hereby submits its proposed exhibit list for trial in the above-captioned  
 3 matter:

<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
600.	First Amended Counterclaim by Defendant and Counterclaimant Windermere Real Estate Services Company for Damages and Injunctive Relief		
601.	Answer of Defendant Windermere Real Estate Services Company to Plaintiffs’ First Amended Complaint		
602.	Declaration of Robert Sherrell in Support of Counterclaimant Windermere Real Estate Services Company’s Ex Parte Application for Temporary Restraining Order and Order to Show Cause re: Preliminary Injunction		
603.	Supplemental Declaration of Robert Sherrell in Support of Counterclaimant Windermere Real Estate Services Company’s Ex Parte Application for Temporary Restraining Order and Order to Show Cause re: Preliminary Injunction		
604.	Screen shot of WHOIS website reflecting ownership of windermeresocal.com as of November 3, 2015 (Ex. B to Supplemental Declaration of Robert Sherrell in Support of Counterclaimant Windermere Real Estate Services Company’s Ex Parte Application for Temporary Restraining Order and Order to Show Cause re: Preliminary Injunction)		
605.	Expert Report of David Holmes		
606.	Materials Relied Upon by David Holmes		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
607.	Expert Report of Neil Beaton		
608.	Materials Relied Upon by Neil Beaton		
609.	Franchise Fee Proposal Windermere Real Estate Coachella Valley (Ex. 21 to Deville Deposition)		
610.	Excel Spreadsheet re Fees Reported by Windermere Services Southern California, Inc. 1/2012 – 9/2015 (WSC055606-056485)		
611.	FAQs (WSC 1650-1653)		
612.	Letter from Geoff Wood (WSC 1633)		
613.	Phone Script (WSC 1634)		
614.	Windermere Key Messages (WSC 1644-1645)		
615.	Outline for the Services Owners faxes from Kirk Gregor (Ex. 77 to Gregor Deposition, B&D0051128-0051134)		
616.	Hard Copy Materials from WSC's WORC Site (WSC02609-11690)		
617.	WSC's 2013 UFDD for Southern California (B&D0005462-0005567)		
618.	WSC's 2013 UFDD for Northern California (B&D0005250-0005344)		
619.	8/1/2001 Windermere Real Estate License Agreement (Ex. 5 to Deville Deposition)		
620.	9/3/2002 Affiliate Fee Schedule (Ex. 6 to Deville Deposition)		
621.	6/19/2003 Affiliate Fee Schedule (Ex. 7 to Deville Deposition)		
622.	10/23/2003 Email from Bob Deville to Bill Feldman re Southern CA Services (Ex. 34 to Deville		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
	Deposition)		
623.	11/4/2003 Email from Bob Deville re Services agreement (WSC 1961-1962)		
624.	11/10/2003 Memo from Geoff Wood to Bob Bennion and Bob deville re Southern California (SoCal) Services Agreement (WSC 1963-1964)		
625.	12/30/2003 Email from Maria Bunting to Bennion and Deville re Answer to you 10/23/03 memo (Ex. 35 to Deville Deposition)		
626.	1/12/2004 Affiliate Fee Schedule (Ex. 8 to Deville Deposition)		
627.	1/21/2004 Addendum to Windermere Real Estate License Agreement Permission for Addition of Branch Office (Ex. 9 to Deville Deposition)		
628.	1/21/2004 Addendum to Windermere Real Estate License Agreement Permission for Addition of Branch Office (Ex. 10 to Deville Deposition)		
629.	5/1/2004 Affiliate Fee Schedule (Ex. 11 to Deville Deposition)		
630.	5/1/2004 Windermere Real Estate Services Company Area Representation Agreement for the State of California (Ex. 36 to Deville Deposition)		
631.	8/9/2004 Addendum to Windermere Real Estate License Agreement Permission for Addition of Branch Office (Ex. 12 to Deville Deposition)		
632.	11/4/2004 Addendum to Windermere Real Estate License Agreement Permission for Addition of Branch Office (Ex. 13 to Deville Deposition)		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
633.	12/1/2004 Affiliate Fee Schedule (Ex. 14 to Deville Deposition)		
634.	1/1/2005 Affiliate Fee Schedule (Ex. 15 to Deville Deposition)		
635.	4/1/2005 Addendum to Windermere Real Estate License Agreement Permission for Addition of Branch Office (Ex. 16 to Deville Deposition)		
636.	5/1/2005 Affiliate Fee Schedule (Ex. 17 to Deville Deposition)		
637.	7/1/2005 Addendum to Windermere Real Estate License Agreement Permission for Addition of Branch Office (Ex. 18 to Deville Deposition)		
638.	11/2/2005 Addendum to Franchise License Agreement 2006 Fee Adjustments (Ex. 19 to Deville Deposition)		
639.	12/9/2005 Addendum to Windermere Real Estate License Agreement Permission for Additional Branch Office (Ex. 20 to Deville Deposition)		
640.	10/5/2006 Letter from Washington Loan Company to Bennion & Deville Fines Homes, Inc. (Ex. 38 to Deville Deposition)		
641.	12/14/2006 Email from David Odom re Agenda for our meeting next Monday (WSC 27)		
642.	1/25/2007 Email from Lansing Teal re Bennion mtg synopsis (WSC 25-26)		
643.	2/23/2007 Email from Lansing Teal re Coachella Valley (WSC 24)		
644.	3/7/2007 Email from Lansing Teal re Coachella Valley & Services SoCA followup (WSC 41-42)		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
645.	4/12/2007 Email from Bob Bennion (WSC 43)		
646.	8/10/2007 Agreement for Forgiveness of Franchise Fees – 2006 (Ex. 22 to Deville Deposition)		
647.	8/27/2007 Addendum to Windermere Real Estate License Agreement Fee Modifications (Ex. 23 to Deville Deposition)		
648.	8/30/2007 Agreement for Deferral of Franchise Fees – 2007 (Ex. 24 to Deville Deposition)		
649.	8/31/2007 Addendum to Franchise License Agreement (Ex. 25 to Deville Deposition)		
650.	9/14/2007 Agreement for Deferral of 2006 Technology Fees (Ex. 26 to Deville Deposition)		
651.	11/2/2007 Memorandum from Pat Grimm (WSC 1654-1655)		
652.	2/14/2008 Letter from Geoff Wood re Fee accommodation for 2008 (WSC13697)		
653.	5/1/2008 Memorandum re Gary Kruger (WSC 1637-1638)		
654.	11/17/2008 Letter from Paul Drayna to Joseph R. Deville (Ex. 27 to Deville Deposition)		
655.	12/31/2008 Promissory Note (Ex. 28 to Deville Deposition)		
656.	12/31/2008 Unconditional Guaranty of Payment (Ex. 29 to Deville Deposition)		
657.	1/13/2009 Loan Agreement (Ex. 39 to Deville Deposition)		
658.	1/13/2009 Promissory Note (Ex. 40 to Deville Deposition)		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
659.	1/13/2009 Assignment Agreement (Ex. 41 to Deville Deposition)		
660.	1/13/2009 Security Agreement All Personal Property Assets (Ex. 42 to Deville Deposition)		
661.	4/1/2009 Addendum to Windermere Real Estate License Agreement Permission for Relocation of Offices (Ex. 30 to Deville Deposition)		
662.	4/15/2009 Email from Bob Deville re SOCal UFDD (B&D0019553-0019557)		
663.	12/1/2009 Addendum to Windermere Real Estate License Agreement Permission for Addition of Branch Office (Ex. 32 to Deville Deposition)		
664.	12/21/2009 Email from Don Riley to Bob Deville re Windermere CV (Ex. 31 to Deville Deposition)		
665.	2/11/2010 Email from Steve Rogers to Bob Deville, <a href="mailto:ckraemer@windermere.com">ckraemer@windermere.com</a> , <a href="mailto:mloscher@windermere.com">mloscher@windermere.com</a> , <a href="mailto:jbrowne@windermere.com">jbrowne@windermere.com</a> , and <a href="mailto:barrington@windermere.com">barrington@windermere.com</a> re Re: Winderwatch recommendations/tools		
666.	4/28/2010 Addendum to Windermere Real Estate License Agreement Permission for Addition of Branch Office (Ex. 33 to Deville Deposition)		
667.	2/16/2011 Loan Agreement (Ex. 43 to Deville Deposition)		
668.	2/16/2011 Promissory Note – Line of Credit (Ex. 44 to Deville Deposition)		
669.	2/16/2011 Assignment Agreement (Ex. 45 to Deville Deposition)		
670.	2/16/2011 Security Agreement All Personal Property Assets (Ex. 46 to		

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	Deville Deposition)		
671.	3/29/2011 Franchise License Agreement for Bennion & Deville Fine Homes SoCal, Inc. (WSC705-723)		
672.	6/6/2011 Email from Bob Deville to Robert Sunderland re RE: Hello!		
673.	6/17/2011 Email from Bob Deville to Robert Sunderland and Tim Pestotnik re FW: Windermere data (w/ attachment)		
674.	7/1/2011 Bill Garcia Investigative Services Report (WSC 1646-1649)		
675.	12/22/2011 Memorandum from Geoff Wood (WSC13911)		
676.	3/29/2012 Email from Paige Tyley re Windermere Watch (WSC052720-052721)		
677.	4/11/2012 Email from Kendra Vita re WLC – So-Cal LOC Loan (Ex. 47 to Deville Deposition)		
678.	4/25/2012 Email from Tim Pestotnik re Payments (WSC046084-046086)		
679.	5/7/2012 Email from Kendra Vita re payment for Washington loan company (Ex. 48 to Deville Deposition)		
680.	5/9/2012 Email from Bob Bennion re Yesterday's meeting (WSC014907-014908)		
681.	5/25/2012 Email from Mary Lynn Thompson re: Weekly Update – Owners Retreat (WSC015061)		
682.	5/29/2012 Email from Geoff Wood re Yesterday's meeting (WSC015070-015071)		
683.	6/15/2012 Email from Geoff Wood re Yesterday's meeting		



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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
	(WSC015317-015319)		
684.	6/21/2012 Email from Kenra Vita re WLC – So-Cal Loan (Ex. 49 to Deville Deposition)		
685.	7/9/2012 Windermere Services Southern California, Inc. Financial Statements for the Years Ended December 31, 2011, 2010 and 2009 (Ex. 59 to Deville Deposition)		
686.	8/29/2012 Email from Kendra Vita re Note – WA Loan Co./B&D (WSC0057312-0057315)		
687.	8/30/2012 Email from Kendra Vita re Washington Loan Payment (WSC00573318)		
688.	9/25/2012 Email from Kendra Vita re ADDL MONIES DUE (WSC0057325-0057326)		
689.	10/11/2012 Email from Kendra Vita re WLC Payment (Ex. 50 to Deville Deposition)		
690.	10/25/2012 Email from Bob Deville re Windermere Watch (Ex. 67 To Bennion Deposition)		
691.	11/2/2012 Email from Geoff Wood re Dialogue (WSC015899)		
692.	11/6/2012 Email from Geoff Wood re Dialogue (WSC015915-015917)		
693.	11/6/2012 Email from Paul Quinn re Email Blocks (WSC015909)		
694.	11/7/2012 Email from Paul Drayna re Kruger (WSC052924-052925)		
695.	11/7/2012 Email from Paul Quinn re Email Blocks (WSC015970-015972)		
696.	11/8/2012 Email from Paul Quinn re SoCal Exchange/email block question (WSC015992-015993)		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
697.	11/15/2012 Email from Geoff Wood re Phone call (WSC016387)		
698.	11/27/2012 Email from Geoff Wood (WSC016577)		
699.	11/29/2012 Email from Robert Sunderland re License Agreement Addendum (WSC042799-042805)		
700.	12/5/2012 Email from Robert Sunderland re License Agreement Addendum (B&D0001885-0001886)		
701.	12/7/2012 Email from Geoff Wood re License Agreement Addendum (WSC016624)		
702.	12/12/2012 Email from Geoff Wood re Personal Guarantee (WSC060174-060175)		
703.	12/17/2012 Email from Pau Drayna re Finalizing the paperwork (B&D0001152-0001153)		
704.	12/18/2012 Agreement Modifying Windermere Real Estate Franchise License Agreements (Ex. 51 to Deville Deposition)		
705.	12/22/2012 Memorandum from Geoff Wood (WSC13552)		
706.	1/3/2013 Email from Patrick Robinson re Welcome Julia Jordan, and here come the UFDD's (B&D0016387-0016389)		
707.	1/8/2013 Email from Bob Deville re Bill Toth (B&D0001119-0001121)		
708.	1/14/2013 Email from Robert Bennion re Conference Call (WSC053020)		
709.	1/14/2013 Email from Paul Drayna re Conference Call (B&D0022635-0022636)		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
710.	1/21/2013 Email from Bob Deville re Brea (Ex. 80 to Robinson Deposition)		
711.	1/24/2013 Email from Bob Deville re Yesterday's meeting (B&D0003155-0003158)		
712.	2/13/2013 Email from Bob Deville re WRE Technology Fee Increase – Downtown SD (WSC044634-044635, B&D0044687)		
713.	2/13/2013 Email from Bob Deville re Northern California Colons (WSC017104-017105)		
714.	3/18/2013 Email from Bob Deville re Brea Termination (B&D0003092-0003096)		
715.	3/21/2013 Email from Geoff Wood (WSC017357)		
716.	3/27/2013 Email from Greg Barton re Welcome Julia Jordan, and here come the UFDD's (B&D0016367-0016370)		
717.	3/27/2013 Email from Bob Deville re Brea Termination (B&D0003058-0003062)		
718.	3/27/2013 Email from Paul Drayna re Brea Termination (B&D0002563-0002567)		
719.	4/11/2013 Email from Geoff Wood re Update (WSC017418)		
720.	4/20/2013 Windermere Services Southern California, Inc. Financial Statements for the Years Ended December 31, 2012, 2011 and 2010 (Ex. 60 to Deville Deposition)		
721.	4/22/2013 Email from Noelle Bortfeld re Winder Watch Mtg. (WSC017438)		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
722.	5/8/2013 Email from Nellie DeBruyn re Bennion & Deville CoCal LOC - UPDATE (WSC024633-024634)		
723.	6/28/2013 Memorandum from Geoff Wood and York Baur (WSC13550-13551)		
724.	7/3/2013 Email from Paul Drayna re Santaluz License Agreement (WSC043596-043612)		
725.	7/4/2013 Letter from Richard Johnson (WSC13740-13760)		
726.	7/16/2013 Receipt (WSC13738)		
727.	7/16/2013 Receipt (WSC13739)		
728.	7/17/2013 Email from Robyn Hallonquist re Patty MD signs (WSC044053-044056)		
729.	7/30/2013 Letter from Richard Johnson to Geoff Wood and Bob Deville (WSC13718-13734)		
730.	8/1/2013 Email from Bob Deville re Fees for 2013 UFDD (B&D0002900-0002903)		
731.	8/27/2013 Email from Geoff Wood re Meeting (WSC018972)		
732.	9/17/2013 Email from Fred Schuster re Notes from meeting with Windermere (WSC019276-019277)		
733.	10/1/2013 Email from York Baur re great meeting you (B&D0022896)		
734.	10/3/2013 Email from Fred Schuster to Shelley Rossi, Rich Johnson, Brian Gooding, Bob Deville and Bob Bennion re Re: Windermere Watch Letter		
735.	10/3/2013 Letter from Shelly Rossi to Rich Johnson, Brian Gooding, Bob Deville, Fred Schuster and Bob		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
	Bennion re Windermere Watch Letter		
736.	10/8/2013 Email from York Baur re Windermere Watch (WSC019492)		
737.	10/17/2013 Email from Greg Sundberg re Seattle Reputation Management (Ex. 78 to Forsberg Deposition, WSC01960-1966)		
738.	11/18/2013 Email from Bob Deville re Email Migration Update Message (WSC019822-019827)		
739.	11/18/2013 Email from OB Jacobi re Email Migration Update Message (B&D0000910-0000916)		
740.	11/27/2013 Email from Paul Quinn re Email Migration Update Message (WSC019871-019872)		
741.	12/17/2013 Email from Paul Quinn re Accounts Staying with windermere.com (WSC020122-020124)		
742.	12/23/2013 Email from Fred Schuster re Windermere Watch (WSC020289-020290)		
743.	1/10/2014 Letter from Bennion & Deville to Windermere Services (Ex. 52 to Deville Deposition)		
744.	1/16/2014 Email from Geoff Wood re Advertising in the Puget Sound Business Journal (Ex. 53 to Deville Deposition)		
745.	2/3/2014 Email from Bob Deville re Windermere Watch – postcards (B&D0033321)		
746.	2/20/2014 Letter from Bennion and Deville to Windermere Services (Ex. 54 to Deville Deposition)		
747.	2/28/2014 Email from Bob Deville re New Windermere “Behind the		

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	Scenes” (WSC025229)		
748.	3/3/2014 Letter from Geoff, Jill and OB to Bennion & Deville (Ex. 55 to Deville Deposition)		
749.	3/21/2014 Letter from Robert Sunderland to Paul Drayna (Ex. 56 to Deville Deposition)		
750.	4/10/2014 Email from Robert Sunderland re B&D (B&D0000751-0000753)		
751.	4/11/2014 Email from Bob Deville to Fred Schuster re Carlsbad Request by Windermere Homes & Estates		
752.	4/12/2014 Email from Fred Schuster re Carlsbad Request by Windermere Homes & Estates (WSC054970-054971)		
753.	4/18/2014 Email from Mike Teather re Bennion & Deville (WSC025983-025984)		
754.	6/3/2014 Email from Paul Drayna re Amendment to promissory note (Ex. 57 to Deville Deposition)		
755.	6/6/2014 Email from Michael Fanning to Fred Schuster re Re: Moxi Works		
756.	6/10/2014 Email from OB Jacobi to Fred Schuster re Re: Moxi works		
757.	6/10/2014 Email from Paul Drayna re Amendment to promissory note (WSC 1674-1678)		
758.	6/18/2014 Email from Fred Schuster re Checking in (WSC026467-026468)		
759.	6/24/2014 Email from Robert Sunderland re Bobs payments: status and due dates (Ex. 63 to Deville Deposition)		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
760.	7/14/2014 Windermere Services Southern California, Inc. Financial Statements for the Years Ended December 31, 2013, 2012 and 2011 (Ex. 61 to Deville Deposition)		
761.	7/23/2014 Email from Fred Schuster to Mike Teather re Updated Social numbers		
762.	7/23/2014 Email from Fred Schuster to Mike Teather re Follow-up info		
763.	7/24/2014 Email from Fred Schuster to Mike Teather re Follow up		
764.	7/31/2014 Email from Kirk Gregor re Hillcrest office Market Share (Ex. 75 to Gregor Deposition)		
765.	8/19/2014 Email from Patrick Robinson re RE: (B&D005242)		
766.	8/26/2014 Email from Robert Sunderland re Talk tomorrow? (WSC039895-039896)		
767.	8/27/2014 Email from Paul Drayna re Draft documents (WSC039899-039909)		
768.	9/9/2014 Email from OB Jacobi to Fred Schuster re Re: Social Update		
769.	9/10/2014 Email from Robert Sunderland re Draft documents (WSC039923-039924)		
770.	9/22/2014 Email from Paul Drayna re Draft documents (WSC039925-039927)		
771.	9/23/2014 Email from Paul Drayna re Updated Financials (WSC039928-039930)		
772.	9/24/2014 Email from Paul Drayna re JFF accounting (WSC039934-039938)		

<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
773.	9/25/2014 Email from Mike Teather to Fred Schuster re Re: Any update?		
774.	10/1/2014 Email from Robert Sunderland re JFF accounting (WSC039939-039948)		
775.	10/1/2014 Email from Robert Sunderland re JFF accounting (WSC039952-039957)		
776.	10/2/2014 Email from Paul Drayna re JFF accounting (WSC039958-039964)		
777.	10/3/2014 Email from Bob Bennion re Mtg. (WSC028081-028082)		
778.	10/3/2014 Email from Robert Sunderland re JFF accounting (WSC039970-039975)		
779.	10/3/2014 Amendment to Promissory Note (Ex. 58 to Deville Deposition)		
780.	10/3/2014 Email from Bob Deville re Mtg (Ex. 62 to Deville Deposition)		
781.	10/6/2014 Email from Mike Teather to Bob Deville, Bob Bennion, Rich Johnson, Brian Gooding and Fred Schuster re Meeting Notes		
782.	10/6/2014 Email from Mike Teather re Tommi Lennon Not showing on Windermere.com Fixed on SoCal (WSC028164-028168)		
783.	10/7/2014 Email from Fred Schuster to Mike Teather re FW: Follow-up info		
784.	10/9/2014 Email from Michael Fanning to Fred Schuster re RE: Ninja training – Orientation meeting		
785.	10/14/2014 Email from Joshua Bentley re CRMLS and CARETS		



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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
	(WSC028358-028364)		
786.	10/15/2014 Email from Cass Herrin re Revised Data License for CDAR (WSC028575-028576)		
787.	10/17/2014 Email from Cass Herrin re CRMLS and CARETS (WSC028605-028613)		
788.	10/22/2014 Email from Bob Deville re CDAR Sweep (WSC028712-028713)		
789.	10/31/2014 Email from Bob Deville re San Diego Owners & Seattle (WSC029042)		
790.	10/31/2014 Email from Bob Deville re Follow-up meeting (WSC029108)		
791.	10/31/2014 Email from Mike Tether re Windermere SoCal Owners Meeting Nov. 14 (WSC029066-029067)		
792.	10/31/2014 Email from Bob Deville re UFDD (B&D0003596-0003597)		
793.	10/31/2014 Email from Bob Deville re Follow-up meeting (B&D0003594-0003595)		
794.	11/3/2014 Email from Bob Deville re Mtg (B&D0003418-0003419)		
795.	11/4/2014 Email from Mike Teather to Bob Deville, Bob Bennion, Rich Johnson, Briand Gooding and Fred Schuster re RE: SoCal		
796.	11/7/2014 Union Tribune Article re Windermere Real Estate Southern California Poised for Continued Growth		
797.	11/9/2014 Email from Fred Schuster re Windermere Social advertisements (WSC029374)		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
798.	11/15/2014 Email from Mike Teather re SoCal Windermere Owners meetings (Ex. 76 to Gregor Deposition, WSC028519-28520)		
799.	11/28/2014 Email from Michael Fanning re windermeresocal update (WSC029694-029695)		
800.	12/3/2014 Email from Cass Herrin re Agents listings (WSC029872-029878)		
801.	12/22/2014 Email from Mike Teather re CDAR Sweep (B&D0003277-0003279)		
802.	12/25/2014 Email from Bob Deville re Re: (B&D0008559)		
803.	1/19/2015 Email from Robert Sunderland re Area Representation for SoCal (WSC033012)		
804.	1/19/2015 Email from Mike Teather re Area Representation for SoCal (WSC033011)		
805.	1/22/2015 Email from Mike Teather re Southern California Services (WSC033077-033078)		
806.	1/24/2015 Email from Jill Wood re Thank you Lakeview (WSC060298-60299)		
807.	1/26/2015 Email from Bob Deville re Response.2 (Draft) to Seattle (WSC060305-060308)		
808.	1/26/2015 Email from Mike Teather re Bob's (WSC033194)		
809.	1/27/2015 Email from Mike Teather re Response (WSC033228)		
810.	1/28/2015 Email from OB Jacobi re Services SOCAL (WSC033260-033261)		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
811.	1/28/2015 Email from Rich Johnson to Mike Teather re Re: Newspaper article – Socal		
812.	1/28/2015 Email from Brian Gooding to Fred Schuster re Re: Newspaper article - Socal		
813.	1/28/2015 Email from Fred Schuster to Mike Teather re Newspaper article – SoCal		
814.	2/2/2015 Letter from Gerard Davey to Paul Drayna (WSC 1931-1932)		
815.	2/3/2015 Email from OB Jacobi re Waverly Way Listing (WSC033378-033379)		
816.	2/3/2015 Union Tribune Article re With Six Offices Open in San Diego County and Two in Orange County, Windermere SoCal Has a Blueprint for Success		
817.	2/6/2015 Email from Mike Teather (WSC033479)		
818.	2/6/2015 Email from Mike Teather (WSC033485)		
819.	3/3/2015 Email from Mike Teather re Southern California (WSC033365)		
820.	3/12/2015 Email from Fred Schuster to Mike Teather re FW: Industry Announcement Scan		
821.	3/25/2015 Email from Brian Gooding to Bob Deville and Kirk Gregor re Socal agent reached out to me		
822.	3/26/2015 Email from Brian Gooding to Mike Teather and Others re Fwd: Re: Socal agent reached out to me		
823.	3/27/2015 Letter from Gerard Davey		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
	to Paul Drayna (WSC 1728-1730)		
824.	5/26/2015 Letter from Paul Drayna to Gerard Davey (WSC1986)		
825.	6/19/2015 Email from OB Jacobi re Recruiting Emails (WSC035130-035131)		
826.	7/8/2015 Email from Jill Wood re Trip to Orange County (WSC060366-060367)		
827.	7/8/2015 Email from Jill Wood re Trip to Orange County (WSC060368)		
828.	7/28/2015 Email from Jill Wood re Letter of Intent (WSC040983-041001)		
829.	7/28/2015 Email from Paul Drayna re Letter of Intent (WSC041040-041045)		
830.	7/30/2015 Email from Gerard Davey re Further Revised Letter of Intent (WSC041071-041091)		
831.	7/31/2015 Email from Paul Drayna re Further Revised Letter of Intent (WSC041192-041215)		
832.	8/2/2015 Letter from Jill Wood to Bob Bennion and Bob Deville re Letter of Intent (B&D0004647-0004556)		
833.	8/2/2015 Email from Gerard Davey re Final Letter of Intent with Selective Binding Terms (WSC041240-041262)		
834.	8/3/2015 Email from Paul Drayna re Final Letter of Intent with Selective Binding Terms (WSC041309-041311)		
835.	8/12/2015 Email from Richard King re Franchise expiration confirmation		

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<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
	(WSC041342-041345)		
836.	8/25/2015 Email from Bob Deville re Wednesday Noon Meeting in OC (WSC037629)		
837.	8/25/2015 Email from Bob Deville re Wednesday Noon Meeting in OC (WSC037651-037652)		
838.	8/25/2015 Email from OB Jacobi re Wednesday Noon Meeting in OC (WSC037646)		
839.	8/26/2015 Email from OB Jacobi re Wednesday Noon Meeting in OC (WSC037667-037669)		
840.	WSC Statements for Southern California 1/2012 – 9/2015 (WSC56459-57058)		
841.	9/11/2015 Email from Geoff, Jill and OB re Important Announcement Regarding WindermereSoCal (WSC060439-060441)		
842.	9/12/2015 Email from Michael Nelson re I haven't even read this yet because I wanted to get it to you asap (WSC060448-060450)		
843.	Domain Status Notifications from GoDaddy from October 22, 2015 to October 22, 2015 (Ex. C to Declaration of Robert Sherrell in Support of Counterclaimant Windermere Real Estate Services Company's Ex Parte Application for Temporary Restraining Order and Order to Show Cause re: Preliminary Injunction)		
844.	GoDaddy screen shot taken on October 27, 2015 (Ex. B to Declaration of Robert Sherrell in Support of Counterclaimant Windermere Real Estate Services Company's Ex Parte Application for Temporary Restraining Order and Order to Show Cause re: Preliminary		

<u>No. of Exhibit</u>	<u>Description</u>	<u>Date Identified</u>	<u>Date Admitted</u>
	Injunction)		
845.	GoDaddy screen shot taken on October 28, 2015 (Ex. A to Declaration of Robert Sherrell in Support of Counterclaimant Windermere Real Estate Services Company's Ex Parte Application for Temporary Restraining Order and Order to Show Cause re: Preliminary Injunction)		
600.	9/21/2009 Email from Robinson to Cynthia Kraemer re Payment of fees (B&D 0052041)		
601.	5/8/2012 Email from Paul Drayna to Bob Bennion and Bob Deville re reinstating \$25 admin fee (B&D 6311)		
602.	1/10/2013 Email from Bob Deville to Geoff Wood re collecting fees from So Cal owners (B&D 1109 – 1110)		
603.	1/8/2013 Email from Bob Deville to Paul Drayna and Geoff Wood re collection of fees from former franchisee (B&D 0001119 – 0001121)		
604.	10/14/2009 Email from Bob Deville to Don Riley re leaving Windermere (B&D 52028-52029)		
605.	3/27/2013 Email from Bob Deville to Paul Drayna re payment of fees by other Southern California owners (B&D 2563 – 2567)		
606.	1/24/2013 Email from Bob Deville to Paul Drayna re increasing Southern California technology fees for other owners (B&D 3155-3158)		
607.	1/3/2013 Email from Bob Deville to Paul Drayna and Geoff Wood re following up on unpaid fees from former owner (B&D 6227)		

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608.	8/20/2014 Email from Patrick Robinson to Paige Tyley re collection of fees from other Southern California owner (B&D 51252-51254)		
609.	6/15/2012 Email from Bob Bennion to Geoff Wood re Yesterday's Meeting (B&D 6550-6552)		
610.	12/25/2014 Email from Bob Deville to Mike Teather re payment of fees (B&D 8559)		
611.	4/15/2009 Email from Bob Deville to Don Riley re SoCal UFDD (B&D 19553-19557)		
612.	10/14/2009 Email from Bob Deville to Don Riley re notice of termination (B&D 52033-52034)		
613.	10/31/2014 Email from Mike Teather to Bob Deville re UFDD (B&D 3596)		
614.	10/31/2014 Email from Bob Deville to Mike Teather re Satellite Offices (B&D 3594-3595)		
615.	11/18/2013 Email from OB Jacobi to Bob Deville re tech fee increase (B&D 20914-20920)		
616.	12/3/2014 Email from Cass Herrin re Example Agent Missing Listing (B&D 3473-3474)		
617.	10/27/2014 Email from Mike Teather to Bob Deville re CDAR sweep (B&D 3275-3276)		
618.	Transcript from November 3, 2015 online chat session with GoDaddy customer support (Ex. A to Supplemental Declaration of Robert Sherrell in Support of Counterclaimant Windermere Real Estate Services Company's Ex Parte Application for Temporary Restraining Order and Order to Show Cause re: Preliminary Injunction)		

1	619.	1/21/2016 Letter from Charles Siriani to Gerard Davey Re: JFF, LLC/Bennion and Deville Fine Homes SoCal, Inc.		
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3	620.	Video and Audio Materials from WSC's WORC Site Produced 4/1/2016		
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5	621.	7/8/2016 Windermere Real Estate Services Company's First Amended Notice [of] Deposition of Windermere Services Southern California, Inc. (Exhibit 2 to Deville Deposition)		
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7	622.	7/8/2016 Windermere Real Estate Services Company's First Amended Notice [of] Deposition of Bennion & Deville Fines Homes SoCal, Inc. (Exhibit 3 to Deville Deposition)		
8				
9	623.	7/8/2016 Windermere Real Estate Services Company's First Amended Notice [of] Deposition of Bennion & Deville Fine Homes, Inc. (Exhibit 4 to Deville Deposition)		
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16 WSC reserves the right to supplement this exhibit list following the exchange  
17 of expert discovery in this case. WSC further reserves the right to rely on any  
18 exhibits set for in plaintiffs and counter-defendants' exhibit lists.

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20 DATED: August 29, 2016 PEREZ WILSON VAUGHN & FEASBY

21  
22 By: /s/ Jeffrey A. Feasby  
23 John D. Vaughn  
24 Jeffrey A. Feasby  
25 Attorneys for  
26 Windermere Real Estate Services Company  
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