

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

**BEN EZRA, WEINSTEIN, AND
COMPANY, INC.**

Plaintiff,

vs.

NO. CIV 97-0485 LH/LFG

AMERICA ONLINE, INC.

Defendant.

NOTICE TO TAKE VIDEOTAPED DEPOSITIONS

To: **Defendant America Online, Inc.**

C/O

Mr. John Baugh, Esq.
Eaves, Bardacke & Baugh, P.A.
P. O. Box 35670
Albuquerque, NM 87176-5670

Mr. Patrick J. Carome, Esq.
Wilmer, Cutler & Pickering
2445 M Street, NW
Washington, D.C. 20037

YOU ARE HEREBY NOTIFIED that the Plaintiff, by through its counsel, will take the deposition of the following individuals at the following dates and times upon oral interrogatories by videotaped and stenographic recording before a notary public and court reporter at the office of Hogan and Hartsen, 555 13th Street, NW, Washinton, D.C. 20004 in Conference Room 13W006:

January 19, 1999. The deposition of **Mr. Stephen H. Kovacs.** Mr. Kovac's deposition will be taken commencing at 9:00 a.m. (E.S.T.), and will continue from time to time, and from recess to recess, until completed.

January 19, 1999. The deposition of **Mr. Joseph E. Berg.** Mr. Berg's deposition will be taken commencing at the conclusion of Mr. Kovac's deposition on January 19, 1999, and will continue from time to time, and from recess to recess, until completed.

January 20, 1999. The deposition of **Mr. Michael Hsu.** Mr. Hsu's deposition will be taken commencing at 9:00 a.m. (E.S.T.), and will continue from time to time, and from recess to recess, until completed.

January 20, 1999. The deposition of **Mr. James Hosheit.** Mr. Hosheit's deposition will be taken commencing at the conclusion of Mr. Hsu's deposition on January 20, 1999, and will continue from time to time, and from recess to recess, until completed.

These depositions may be used at trial in this matter in lieu of live testimony.

Respectfully Submitted,

COUNSEL FOR PLAINTIFF:

AGUILAR LAW OFFICES, P.C.
1011 Lomas Blvd. NW
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(505) 242-6677

By: 
Esteban A. Aguilar

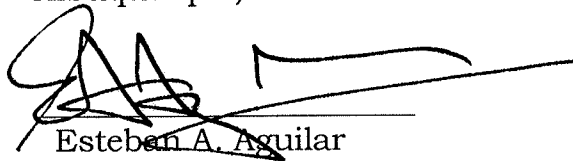
Mark Glenn, Esq.
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(215) 981-4000

I hereby certify that a true and correct copy of the foregoing pleading was hand-delivered to John Baugh and mailed, via overnight delivery, to Patrick J. Carome on this the 11th day of January, 1999 to the following addresses:

COUNSEL FOR DEFENDANTS:

Mr. John Baugh, Esq.
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