

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

TRADEMARK PROPERTIES, INC., a)
South Carolina corporation; RICHARD C.)
DAVIS, an individual,)
)
Plaintiffs,)

Civil Action No. 2:06-cv-2195-CWH

vs.)

A&E TELEVISION NETWORKS, and)
MAX WEISSMAN PRODUCTIONS,)
INC. d/b/a DEPARTURE FILMS,)
)
Defendants.)

SECOND SET OF INTERROGATORIES
OF DEFENDANTS/COUNTERCLAIM
PLAINTIFF TO PLAINTIFFS/COUNTERCLAIM
DEFENDANTS

A&E TELEVISION NETWORKS,)
)
Counterclaim Plaintiff,)

vs.)

TRADEMARK PROPERTIES, INC. and)
RICHARD C. DAVIS,)
)
Counterclaim Defendants.)

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiffs/Counterclaim Defendants ("Plaintiffs") hereby are required to answer, under oath, the Interrogatories set forth below within 30 days of service thereof, exclusive of the date of service, or by the close of discovery, whichever comes sooner, and to serve a copy of said responses upon counsel for Defendants/Counterclaim Plaintiff ("Defendants").

The below Interrogatories shall be deemed to continue from the time of service until the time of the trial of this case so that, if the Plaintiffs' answers should change, such amended responses shall be promptly transmitted by service of a copy thereof, upon the undersigned, all in accordance with Rule 26 of the Federal Rules of Civil Procedure.

DEFINITIONS AND INSTRUCTIONS

1. The Definitions and Instructions set forth in Defendants' First Requests for Production of Documents and Things, Defendants' Second Request for Production of Documents and Things, and Defendants' First Set of Interrogatories shall apply in responding to these Interrogatories.
2. The term "Identify" when used herein in connection with phone calls means to state the phone service provider, item number, date, time, and number called or from which the call was received.
3. The term "Phone Records" when used herein refers to the records produced in this case to Defendants by third parties Sprint Nextel and NuVox pursuant to subpoena, true and correct copies of which are attached to these Interrogatories as Exhibit A (Sprint Nextel) and Exhibit B (NuVox).
4. Plaintiffs must answer each of the Interrogatories separately and fully.
5. If any of these Interrogatories cannot be answered in full, Plaintiffs are asked to answer to the fullest extent possible and specify the reason for Plaintiffs' inability to answer the remainder and state whatever information or knowledge Plaintiffs have concerning the unanswered portion.
6. If Plaintiffs withhold any information called for by an Interrogatory by reason of a claim of privilege or work product, Plaintiffs shall furnish a list setting forth as to each

objection the nature of the privilege being asserted. In addition, the following information shall be provided in the objection:

a. For documents, (a) the nature of the document, e.g., letter, memorandum, telegram, etc.; (b) the name, address, occupation, title and business affiliation of each person who prepared, received, viewed and has or had possession, custody or control of the document; (c) the date of the document; (d) the title of the document; (e) the number of pages in the document; (f) a description of the subject matter of the document; (g) a statement of the basis upon which the privilege or work product claim is made; and (h) the paragraphs of this request that call for the production of the document.

b. For oral communications, (a) the name of the person making the communication and the names of persons present while the communication was made and, where not apparent, the relationship of the persons present; (b) the date and place of the communication; and (c) the subject matter of the communication.

INTERROGATORIES

1. Identify all phone calls between Plaintiffs and A&E Television Networks listed in the Phone Records.

2. Identify in the Phone Records all phone calls between Plaintiffs and Defendants during which any alleged agreements or contracts were reached or discussed relating to the series known as Flip This House.

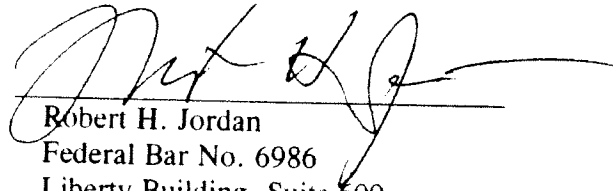
3. Identify in the Phone Records:

a. The phone conversation between Richard Davis and Charles Nordlander during which they purportedly reached the oral agreement that is at issue in this case.

b. The conference call that took place between Richard Davis, Charles Nordlander, Thomas Moody, and an unidentified woman believed by Mr. Davis to be Nancy Dubuc, as referenced on page five of Plaintiffs' opposition to Defendants' motion for summary judgment.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By:



Robert H. Jordan
Federal Bar No. 6986
Liberty Building, Suite 600
151 Meeting Street
Post Office Box 1806 (29402)
Charleston, SC 29401
(843) 853-5200

*Attorneys for Defendant/Counterclaimant AETN
and Defendant Departure Films*

Charleston, South Carolina
March 13, 2008

Of Counsel:

Bruce P. Keller
Jeremy Feigelson
S. Zev Parnass
DEBEVOISE & PLIMPTON LLP
919 Third Avenue
New York, New York 10022
(212) 909-6000

Admitted Pro Hac Vice

CERTIFICATE OF SERVICE

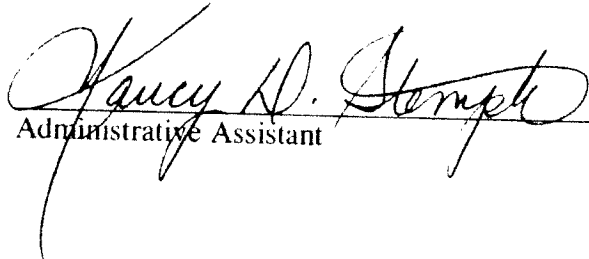
I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Defendants A&E Television Networks ("AETN") and Max Weissman Productions, Inc. d/b/a Departure Films ("Departure Films"), do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by having a copy hand delivered to the following address(es):

Pleadings:

SECOND SET OF INTERROGATORIES OF
DEFENDANTS/COUNTERCLAIM PLAINTIFF TO
PLAINTIFFS/COUNTERCLAIM DEFENDANTS

Counsel Served:

Frank Cisa, Esquire
Cisa & Dodds, LLP
858 Lowcountry Blvd., Suite 101
Mt. Pleasant, SC 29464


Administrative Assistant

March 13, 2008