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July 27, 2011

BY ELECTRONIC MAIL

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Jeff W. Adamson, Esq.
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American Saddlebred Horse Association, Inc. v. Edward R. Bennett, et al.

Dear Jeff:

Thank you for discussing with Lewis Paisley and me the logistics relating to ASHA's production of records as ordered by the Fayette Circuit Court. With ASHA's cooperation, this matter can move toward a conclusion and both parties can avoid incurring any additional unnecessary expenses.

You mentioned that ASHA had closed its offices so that its employees could assist in the reviewing and printing of thousands of records that are stored electronically. This will confirm that we do not want ASHA to spend its time and money making paper copies of records that exist electronically. Instead, ASHA should produce any responsive records that are stored electronically in their native format – electronically. For example, electronic mail and accounting records could be produced on a disk or a thumb drive. Such a production would be more efficient for both parties. ASHA would save the time and cost associated with printing each record, and our clients would maintain the ability to search those records electronically. To the extent that ASHA has any concerns that producing its electronic records in an electronic format might lead to the inadvertent production of social security numbers or other information that we have not requested, we will agree to delete or redact such information if we discover it. As you may recall, we previously advised ASHA that it had inadvertently produced all of its employees' social security numbers, and we redacted that information immediately.

By avoiding the unnecessary costs and delays associated with printing records that are stored electronically, we should be able to resolve this matter with minimum burden to either party. If ASHA agrees to produce the following categories of records by Federal Express on or before August 1, 2011, we propose that the parties agree to postpone the inspection of the remaining records until after the Shelbyville and Louisville horse shows.

Jeff W. Adamson, Esq.
July 27, 2011
Page 2

(1) ASHA's electronic mail and accounting records either on a disk or a thumb drive. As discussed above, we will agree to delete or redact as appropriate information which may be inadvertently produced.

(2) ASHA's correspondence, reports, board communications and records reflecting agreements or payments relating to the termination of Alan Balch's employment with the ASHA.

(3) All reports or "packets" provided to board members from January 1, 2006 through June 24, 2011.

(4) Records indicating the amount spent by ASHA relating to the litigation ASHA initiated in Fayette Circuit Court styled *American Saddlebred Horse Association, Inc. v. Edward R. Bennett, et al.*, 09-CI-05292 and ASHA's appeal of the decision rendered by the Fayette Circuit Court.

We understood from Joan Jones, Will Wood and Carl Holden that ASHA could compile and produce those categories of records in a couple of hours. This would avoid ASHA spending employee time printing all of those records, and ASHA should reopen its office for its members. We hope that ASHA agrees that this is a reasonable and efficient method to move forward.

Sincerely,



Stephen A. Houston

cc: Jefferson K. Streepey, Esq.
By Electronic Mail

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