

From: Todd Zucker
Sent: Wednesday, November 11, 2015 9:19 AM
To: Michelle Bohreer
Subject: FW: Settlement Response

See below

Todd Zucker
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-----Original Message-----

From: Michelle Bohreer
Sent: Wednesday, November 11, 2015 8:41 AM
To: Todd Zucker
Subject: Settlement Response

Wendy,

Sorry for the length of time before a response, but I wanted to talk to Todd and make sure that I understood what happened at mediation before weighing in. As for my statement that the lawyers would be a source for recovery of attorneys fees after the deposition ended, you will remember that was in the context of a possible malpractice claim that Asyntria or Johnston would have against the lawyers that drafted the documents improperly. My comments were to the effect that, at any mediation if you still wanted more money than being offered, a subtle statement could be made to the lawyers about their role in the case and the attorneys' fees you had to expend in a hope that the lawyer or their malpractice coverage would step up. None of that happened at mediation. My understanding is that you and Mike, with the help of the mediator negotiated the monetary components of the settlement and then Todd stepped in to shore up as much protection as he could based on the deal you made. There was no provision in the settlement for attorneys' fees, and you and Todd discussed the question of attorney's fees after you and Mike met with the mediator. Todd advised that that would be a significant issue to have raised after you struck the deal for the specified royalty. Having agreed to resolve the issues through the mediated settlement agreement, which is binding, it is now too late to raise that claim. Likewise, the unpaid expenses of both you and Jody were at issue and, insofar as the company is concerned, the releases would prevent any attempt to relitigate those issues. At this point, those claims are rolled into (merged) into the settlement you reached and you are not able to go back and renegotiate those monies.

These responses are likely not what you had hoped to hear, but at the end of the day you agreed to a settlement and that is now the binding agreement resolving all of your claims against Asyntria.

On the other hand, you did not release Jody, whom you alleged was a joint tortfeasor and co-conspirator in connection with Asyntria and the corporate issues. We believe you could continue to pursue your claims against Jody for indemnification against any expenses, and perhaps the attorneys fees as well, and those might also be issues that the divorce court would address in terms of the division of the community estate.

✶ strange that Zucker would email Bohreer to see an email Bohreer wrote to me unless Bohreer did not write it and Evans used her signature to pretend to be Bohreer.

Sent from my iPad

E. Michelle Bohrer
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Evan obtains Bohreer digital signature

From: Sharon Taylor
Sent: Wednesday, July 15, 2015 3:52 PM
To: Sherri Evans
Cc: Michelle Bohreer
Subject: RE: Wendy Meigs

Why? Does she answer email and write docs for Bohreer? And who else does Evans write for?

Yes ma'am.

Sharon D. Taylor
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From: Sherri Evans [<mailto:sevens@koonfuller.com>]
Sent: Wednesday, July 15, 2015 3:51 PM
To: Sharon Taylor
Cc: Michelle Bohreer
Subject: RE: Wendy Meigs

Do you have an digital signature for EMB?

From: Sharon Taylor [<mailto:SharonT@bohreerzucker.com>]
Sent: Wednesday, July 15, 2015 3:48 PM
To: Sherri Evans
Cc: Michelle Bohreer; Sharon Taylor
Subject: Wendy Meigs

Dear Ms. Evans,

We were wondering if your office had had an opportunity to file Ms. Meigs First Amended Verified Original Petition as Michelle asked that I get her set for the hearing in the morning??

Please provide us with copies of the filed amended petition at your earliest convenience.

Also, Michelle asked that I check with you to see if you were bringing hard copies of the (1) First Amended Verified Original Petition, (2) Affidavit of Wendy Meigs, and (3) TRO as same will not have had time to be uploaded for the Court's review.

Please let us know if we can be of any assistance to you in this regard.

Thank you!

Sharon D. Taylor
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