

December 5, 2008

Mr. and Mrs. Mark DeCoursey
8209 172nd Avenue N.E.
Redmond, WA 98052-3902

Re: *V&E Medical Imaging Services v. DeCoursey, et al.*

Dear Mark and Carol:

Please find enclosed our latest billing per your request. As I have discussed with Mark, Lane Powell has not been paid for some time. Prior to trial and trial preparation, the balance owed amounts to approximately \$232,000. Currently, we have in trust for you the settlement proceeds in the amount of \$270,000.

We are mindful and empathize with your financial burdens. In consideration of your other debt and modest means, we propose to release \$50,000 to you and apply the balance in partial payment of the outstanding amounts. This must be, as you know, with your permission, however, we make this proposal with the following conditions.

First, we will forbear on demanding payment on the balance of the amount owed until payment on the judgment or settlement with Windermere. Second, that we agree on the balance owed to us and you agree that the amount is reasonable. Third, that Lane Powell receive payment of all of its remaining fees first from the proceeds of the judgment or settlement before the balance is released to you. Fourth, that we cooperate in attempting to achieve a reasonable settlement with Windermere, or, if appellate practice is required, that a reasonable payment plan be executed between you and Lane Powell.

We remain, of course, available to you and wish to see nothing other than more success for you in this matter. While I agree, commensurate with your earlier letters, that Windermere's tactics tend to drive litigation costs higher, your ultimate recovery is also more than three times higher than your prospective damages assessment when we first met. I understand that you have concerns that I have billed more time than necessary in my attempts to get you to settle. While I did not bill all my time in those endeavors, I did bill some as I believed that it was always in your best interest given the costs and continued perils of trial and post trial.

Finally, please let us know when you would like to meet with Mr. Degginger. We can coordinate a meeting as soon as possible.

Very truly yours,

LANE POWELL PC


Brent L. Nourse

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www.lanepowell.com

T. 206.223.7000
F. 206.223.7107

A PROFESSIONAL CORPORATION
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON
98101-2338

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ANCHORAGE, AK . OLYMPIA, WA
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