



Carol DeCoursey &lt;cdecoursey@gmail.com&gt;

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**Re: Please do not begin any work on the remand**

1 message

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**Carol DeCoursey** <cdecoursey@gmail.com>  
To: "McBride, Ryan" <mcbriider@lanepowell.com>  
Cc: Mark DeCoursey <mhdecoursey@gmail.com>

Tue, Aug 2, 2011 at 4:18 PM

Ryan

Under no circumstances accept a partial payment from Windermere. We are studying the matter.

Carol

On Tue, Aug 2, 2011 at 3:13 PM, Mark DeCoursey <mhdecoursey@gmail.com> wrote:

----- Forwarded message -----

From: **McBride, Ryan P.** <McBrideR@lanepowell.com>  
Date: Tue, Aug 2, 2011 at 3:01 PM  
Subject: RE: Please do not begin any work on the remand  
To: Mark DeCoursey <mhdecoursey@gmail.com>  
Cc: "Degginger, Grant" <DeggingerG@lanepowell.com>, "Gabel, Andrew J." <GabelA@lanepowell.com>

Okay Mark, although from our perspective there won't be much to do. We should be able to agree with Windermere on the proper amount of amended cost bill and get a stipulated amended judgment reflecting that amount as well as the additional amounts awarded on appeal.

Also, Hickman called me Friday afternoon and indicated that Windermere was contemplating making a partial payment on the judgment, to which I said "great," although I don't know if or when that would actually happen. Their reason for doing so would be to cut off post-judgment interest on the amount paid while we wait for the Supreme Court to rule on the fees award, the mandate to issue, and the parties to resolve the remaining issues on remand. Since it could take a couple of months for that to happen, and Windermere knows that it is going to have to pay at least the judgment amount, it makes sense to stop the clock on some of it. Frankly, they should have done it right after the Supreme Court denied review. Anyway, if Windermere actually makes a payment, we'll let you know immediately.

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**From:** Mark DeCoursey [mailto:mhdecoursey@gmail.com]  
**Sent:** Tuesday, August 02, 2011 9:51 AM  
**To:** McBride, Ryan P.; Gabel, Andrew J.  
**Cc:** Degginger, Grant  
**Subject:** Please do not begin any work on the remand

We are still considering the issues.

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