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lmb@nwjklaw.com

January 8, 2008

Scott Ostermann
415 Brice Court
Abilene, KS 67410

RE: Peterson Farms, Inc. and Lisa Weaver

Dear Scott:

Enclosed you will find file stamped copies of the Petitions against Peterson Farms, Inc. and Lisa Weaver. As you can see, these Petitions were filed with the Court on December 27, 2007. We have requested service by the Dickinson County Sheriff's Office on both parties and each party will have 20 days after service of Summons in order to respond to the claims.

I will advise when I receive any additional information. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Lauren M. Bristow

Lauren M. Bristow

LMB/kmw
Enclosures

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January 14, 2008

Doug Thompson
Thompson Law Office
P.O. Box 549
Chapman, KS 67431-0549

RE: Butcher Property

Dear Doug:

This letter is to serve as a formal offer on behalf of my client, Scott Ostermann for the Butcher Property located on First Street in Abilene.

Mr. Ostermann would like to offer $5,000.00 for the North Half (N/2) of the West Half (W/2) of Lot 25 contingent upon the described area being cleared of all debris, fencing, trees, and the small building currently located on the property, including the floor and footings of said building. This offer is also contingent upon the property testing clean through a Phase II environmental test.

Additionally, Mr. Ostermann would like to offer $8,000.00 total for Lot 23 and the East Half (E/2) of Lot 25 contingent upon the lot being cleared of the wooden structure currently on the property as well as the removal of said building's foundation and the area being filled in with dirt; the removal of the burned out building; as well as any foundation or footings; and the removal of any other junk or debris. Although my client is not interested in the 60 feet by 60 feet concrete slab located on the South 60 feet of Lots 23 and 25, we are under the assumption that the slab is going to remain; and the offer has taken this fact into consideration. This offer is also contingent upon the property testing clean through a Phase II environmental test.

This offer is good for five (5) business days. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Lauren M. Bristow

LMB/kmw
cc: Scott Ostermann

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February 29, 2008

Scott Ostermann
415 Brice Court
Abilene, KS 67410

RE: Ostermann v. Peterson and Ostermann v. Weaver

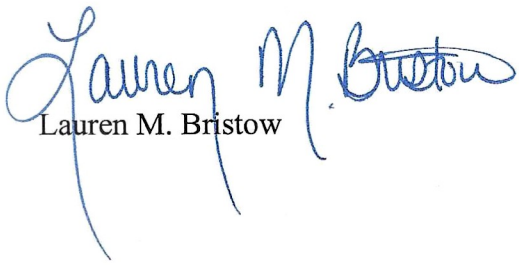
Dear Scott:

After speaking with Larry in regard to Ostermann v. Peterson, the pretrial conference has been set for May 16, 2008, at 10:00 a.m. Initially, the judge set over the Motion for Hearing on Leave to Amend to March 14, 2008, because of Mark Guillfoyle's illness. However, since Mr. Guillfoyle is not going to object to that Motion, then that Hearing is not necessary. Instead, the pretrial conference will be the next step in which all of the scheduling dates are set. However, Larry has spoken with Mr. Guillfoyle in regard to Ostermann v. Peterson, and you will see an enclosed letter and real estate appraisal for the property currently owned by the Petersons. As you can see from the letter, the Petersons are actively seeking to sell the property and are inquiring as to whether or not there is interest on your part to purchase the property.

In regard to the Motion for Judgment by Default in your case against Lisa Weaver, the hearing for that Motion has been set for April 14, 2008.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Lauren M. Bristow

LMB/kmw
Enclosure

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March 25, 2008

Scott Ostermann
415 Brice Court
Abilene, KS 67410

RE: Ostermann v. Weaver

Dear Scott:

After talking with Larry Nordling of our firm, we are sending a letter to Les Gray, the independent realtor that has listed the bar building. It will be just a general information letter which lets him know that we represent you and that a court proceeding has been brought in regard to the bar building. I will copy you on that letter once we ascertain Mr. Gray's mailing address.

Also, after talking with Larry, we once again advise that you should not take any steps to board up the bar's back door, nor tap into or disconnect their sewer line at this time.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Lauren M. Bristow

LMB/kmw

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March 25, 2008

Les Gray
1086 1935 Lane
Abilene, KS 67410

RE: Lisa Weaver Building

Dear Mr. Gray:

Please be advised that our office represents Mr. and Mrs. Scott Ostermann. It is my understanding that you are handling the sale of real estate owned by Lisa Weaver that is currently occupied by the Down South Tavern. Please be advised that Mr. and Mrs. Ostermann have a pending court proceeding against Ms. Weaver in the District Court of Dickinson County, Kansas, Case No. 07 CV 131, in which Ms. Weaver's building located at 210 W. First Street is at issue.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Lauren M. Bristow

LMB/kmw

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April 25, 2008

Doug Thompson
Thompson Law Office
P.O. Box 549
Chapman, KS 67431-0549

RE: Butcher Property

Dear Doug:

I spoke with my client, Scott Ostermann, in regard to the sale price of $11,000.00 on the Butcher property. At this time, Mr. Ostermann has decided that he is no longer interested in purchasing the property from the estate.

After attending a city commission work session on Tuesday morning, James Holland informed Mr. Ostermann that the city would be contacting the Kansas Department of Health and Environment in regard to an environmental assessment.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Lauren M. Bristow

LMB/kmw
cc: Scott Ostermann

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May 16, 2008

Scott Ostermann
415 Brice Court
Abilene, KS 67410

RE: Ostermann, et. al. v. William H. Peterson and Patricia Peterson Sweeney, Trustees of the Patricia Peterson Sweeney Revocable Trust, dated February 21, 2007; DK Co. Case No. 07 CV 132

Dear Scott:

This letter is to confirm our conversation yesterday in which we discussed the need for an expert witness in order to substantiate a claim that the Peterson property water runoff has caused damage to your sewer. The possibility of hiring an engineer to serve as the expert witness was discussed. Do you have any suggestions as to who you would like to hire? This would need to be accomplished as soon as possible so that we may have the engineering report for review and production defense counsel.

After you have had a chance to review this, please give me a call so that we may discuss.

Very truly yours,

Lauren M. Bristow

LMB/kmw

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July 29, 2008

Mr. Scott Ostermann
415 Brice Court
Abilene, KS 67410

RE: *Ostermann v. Weaver* and *Ostermann v. Peterson*

Dear Scott:

I have spoken with both Chris Kellogg and Mark Guilfoyle in regard to the above referenced litigation.

In regard to *Ostermann v. Weaver*, after speaking with Chris Kellogg, Lisa Weaver has agreed to the terms of the settlement agreement as set forth herewith. In the event that the roof overhang or utility meters would need to be repaired or replaced, those items would have to be removed from your property and moved to a new location. Lisa Weaver would not oppose the fence as approved by your recent permit. Additionally, Chris Kellogg proposed that the right to the meters and roof overhang in the current location would run with the sale of the property; however, if the meters or roof overhang would have to be remedied, then any new owner should have to remove such from the current location.

In regard to *Ostermann v. Peterson*, we have been in contact with Pete Earles of Earles Engineering and have received a price estimate as to the cost for an expert report. Such report would cost approximately $3,000.00 for an initial visit to the property, as well as a contractor from Wichita being brought in with the appropriate camera necessary to complete the report. This seems like an extreme amount to spend without some assurance that the expert will be able to definitively say: (1) the water runoff caused the line to be damaged; and (2) that the damage occurred during the year before filing suit. Mark Guilfoyle has contacted our office in regard to settling this case and would like to know what items we would like to have remedied in order to settle. At the outset, you indicated your focus was on the drainage issue, and suggested plugging and/or redirecting the downspouts. I believe the defendants would negotiate regarding

the drainage issue, however, I need to know the specifics of what you would like remedied in order to settle. Please advise as to those items you would like for me to propose to Mr. Guilfoyle in order to settle this case without trial.

After you have had a chance to review this letter, give me a call to discuss.

Very truly yours,

Lauren M. Bristow

LMB/jr

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September 16, 2008

Mr. Scott Ostermann
415 Brice Court
Abilene, KS 67410

RE: Ostermann v. Weaver

Dear Scott:

Chris Kellogg, counsel for Lisa Weaver, was advised that the property in question had been transferred on July 24, 2008, which occurred before the most recent negotiations for settlement. Mr. Kellogg was unaware of the transfer of the property, and he also indicated he specifically instructed Ms. Weaver not to take any action to sell and/or transfer the property. Mr. Kellogg suggest we set up a time with the Judge presiding over this case to discuss the procedural issue which has arisen concerning the lack of standing of Ms. Weaver, and the effect on her ability to continue her attempt to have the Default Judgment set aside. The presiding Judge suggested the matter be scheduled on one of his dockets. Should Ms. Weaver elect to schedule a hearing on the Judge's docket, I believe it should be argued that Ms. Weaver is no longer the real party in interest, her Motion should be denied, and the Default Judgment should stand

It is our contention that Ms. Weaver no longer has standing to pursue her Motion to Set Aside the Default Judgment, as she is no longer the owner of the property. Thus, it is also our contention that if Ms. Weaver is no longer a real party in interest due to her transfer of the real estate, the Default Judgment should stand as ordered.

If you have any questions, please do not hesitate to contact me.

Very truly yours

Lauren M. Bristow

LMB/al

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COPY

November 7, 2008

Amanda Dohe
1114 NW 3rd St.
Abilene, KS 67410

RE: 210 West 1st Street, Abilene, KS 67410

Dear Ms. Dohe:

This letter is to serve as a demand for you to remedy those issues on your property located at 210 West 1st Street in Abilene, Kansas, as ordered by the Journal Entry of Judgment by Default in Case No. 07 CV 131 which was heard in the District Court of Dickinson County, Kansas. Said Journal Entry was filed with the District Court on April 21, 2008, and required that the defendant remove trespassing utility meters, air conditioning unit and other objects encroaching on my client Scott Ostermann's property, as well as remedy the roof overhang which also encroaches on my client's property. Ms. Lisa M. Weaver, the previous owner of the property, was a party to this law suit.

It is my understanding that Ms. Weaver transferred said property to you on July 24, 2008. At that time, the judgment was entered and valid, and therefore the property was transferred to you subject to the judgment and therefore you are now responsible to remedy these issues.

Please contact Westar Energy and Kansas Gas Service immediately to have the offending meters removed. Also, please remove the offending roof overhang and air conditioning unit immediately.

If the offending objects are not removed in fourteen (14) business days, my client will contact Westar Energy and Kansas Gas Service and have the meters removed, the roof overhang connected and the air conditioning unit removed at your expense, as the judgment provides.

Very truly yours,

for Lawrence E. Nordling

LEN/jr
cc: Scott Ostermann

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November 14, 2008

Mr. Scott Ostermann
416 Brice Court
Abilene, KS 67410

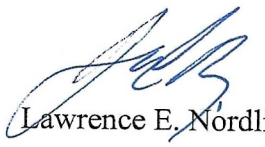
RE: Ostermann, et al. v. Weaver
Dickinson County District Court Case No. 07 CV 131

Dear Scott:

I have enclosed a certified copy of the Journal Entry which was signed by Judge Platt and filed with the Dickinson County District Court on November 10, 2008, in the above-captioned matter.

Should you have any questions concerning this correspondence, or any other matter, please do not hesitate to give me a call.

Very truly yours,



Lawrence E. Nordling

LEN/al
Enclosure

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November 20, 2008

Scott Ostermann
415 Brice Court
Abilene, KS 67410

RE: Ostermann v. Peterson

Dear Scott:

Enclosed please find the Settlement Agreement and Release which has been executed by William H. Peterson and Patricia Peterson Sweeney.

I ask that you and Chris execute the same where indicated and return it to my office as soon as possible in the enclosed self-addressed stamped envelope. As soon as we receive the Settlement Agreement, we will file such with the Court to resolve the matter of Ostermann v. Peterson.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Lauren M. Bristow

LMB/jr
Enclosure

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December 5, 2008

Scott Ostermann
415 Brice Court
Abilene, KS 67410

RE: *Ostermann v. Peterson* and *Ostermann v. Weaver*

Dear Scott:

After reviewing your letter of December 4, 2008, there is some confusion as to the first paragraph of the second page. The settlement of *Ostermann v. Peterson* is not, in fact, contingent on a resolution of *Ostermann v. Weaver*.

As you advised Ken Wasserman, Larry Nordling and myself on October 9, 2008, you were in agreement with the settlement as proposed and negotiated with Mark Guilfoyle in *Ostermann v. Peterson*. The Petersons have already signed the Settlement Agreement, and we have advised the Court that a settlement has been reached.

On Judge Platt's docket day of November 21, 2008, Judge Platt had noticed the case for a status hearing, as he had previously been advised that a settlement had been reached. At that time, we advised the Court once again that a settlement had been reached in the matter. Judge Platt stated that if he had not received a journal entry of dismissal by December 12, 2008, then he would make both parties' counsel appear, once again on the matter. If an attorney from our firm must appear on December 12, 2008, this will obviously be an unnecessary expense. Also, there is a possibility that if Judge Platt does not receive the journal entry of dismissal, then the Judge will dismiss the case without any settlement reached. In that event, the Settlement Agreement signed by the Petersons is no longer valid and any resolutions that have been reached with the Petersons will be void.

I understand your contentions with the tavern owners, but as we discussed during the conference call with Ken, Larry and myself, having the Peterson case resolved in a manner that allows concessions on the part of the Petersons, is a step forward. With the Peterson matter

resolved, we can then work on having the meters moved and roof overhang remedied on the bar building. From The recent letter by Mr. Guilfoyle, it appears as if either the tavern manager or the tavern owner or both are serious in having these issues resolved. The matter of the CMB license renewal can then be addressed administratively, which is the proper course of action for this.

Thus, it is imperative that we receive a signed Settlement Agreement in *Ostermann v. Peterson* by Wednesday, December 10, 2008, so that a journal entry of dismissal can be filed with the Court prior to December 12, 2008.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Lauren M. Bristow

LMB/jr

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December 16, 2008

Scott and Christine Ostermann
415 Brice Court
Abilene, KS 67410

RE: Ostermann, et al. v. Peterson

Dear Scott and Christine:

I have enclosed copies of the Agreed Order of Dismissal which was signed by Judge Platt and filed with the Clerk of Dickinson County District Court on December 12, 2008, along with a copy of the Settlement Agreement and Release executed by all parties. I have also sent the Release which was executed by the Petersons to the Dickinson County Register of Deeds for recording.

Should you have any questions concerning this correspondence, or any other matter, please do not hesitate to give me a call.

Very truly yours,

Lawrence E. Nordling

LEN/all
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