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September 3, 2003

Elizabeth H. Shwiff  
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433 California Str., Ste. 1000  
San Francisco, CA 94104

Dear Elizabeth:

Thank you for the outstanding litigation support you provided to help me defend my client who was accused essentially of fraud by the Bankruptcy Trustee in the United States Bankruptcy Court for the Northern District of California.

Until you stepped in, in November 2002, the client's case seemed indefensible because the Trustee's expert, a former Internal Revenue Service Criminal Investigation Division Fraud Examiner, had extensively documented the circumstantial evidence against the client in such a manner as to make my job as defense counsel almost impossible.

You became an essential member of the defense team who not only analyzed the facts but also gathered more facts about the complex financial transactions at issue so as to find the missing defense evidence, which the client originally lacked.

The four-inch thick binder, which contained your opinion and the critical documents substantiating the client's innocence was the determinative evidence which helped the client win. You took the written report and deposition testimony of the Trustee's forensic accounting witness completely apart. You found over twenty different inconsistencies in the written report and deposition testimony of the Trustee's forensic accountant. You showed and proved exactly how the Trustee's forensic accountant had misunderstood and misinterpreted the facts of the case. You demonstrated that the Trustee's forensic accountant was reasoning backwards from a predetermined conclusion.

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I want you to know that Judge Carlson relied extensively upon your expert testimony and written report in his Trial-Court Ruling. He drew heavily from your Trial testimony and pre-Trial report to support his essential factual findings for our client.

I really appreciated that you did more than forensic accounting. You contacted witnesses at my request, using excellent interviewing skills to get complete historical information and to convince these witnesses to tell the truth fearlessly. In their previous depositions several of these witnesses had given inconsistent testimony. You were also able to narrow the issues and clarify the confusing facts, which were being used by the Trustee's forensic accountant to support the Trustee's circumstantial case against our client.

I give you great credit for your expert knowledge of the international banking transactions and flow of funds techniques that put to rest the unfavorable inferences drawn by the Trustee's forensic accountant against our client, from the irrefutable banking evidence.

What you learned about the behind-the-scenes relationships between the third party witnesses involved in the case, which had caused the client to draw the suspicion of the Trustee, was worthy of a Sherlock Holmes award.

Your skill set which includes the analysis of complex financial transactions, the interviewing of witnesses, especially foreign nationals, and the giving of credible expert testimony, both in and out of Court, in both written and oral form, assisted me tremendously to do my job as defense counsel.

In short, your skill set resulted in our winning our client's case.

I really enjoyed working with you. I would be pleased to answer any questions about our work together which any readers of this letter may wish to direct to me.

Very truly yours,

A handwritten signature in black ink that reads "Richard Avila". The signature is written in a cursive, flowing style.

Richard Avila  
Attorney at Law