

SUSMAN GODFREY [REDACTED]
A REGISTERED LIMITED LIABILITY PARTNERSHIP
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June 30, 2011

Ethan Brecher, Esq.
Liddle & Robinson, LLP
800 Third Avenue, 8th Floor
New York, NY 10022

Re: Fortress VRF I LLC v. Jeepers, et al

Dear Mr. Brecher:

Please find the attached subpoena directed to Perry Gruss.

Sincerely,



Seth Ard

/mr
enc.

**JUDICIAL ARBITRATION AND MEDIATION SERVICE
NEW YORK, NEW YORK**

FORTRESS VRF I LLC and
FORTRESS VALUE RECOVERY FUND I LLC,

Claimants,

v.

JEEPERS, INC.

Respondents,

Ref. No. 1425006537

and

FINANCIAL TRUST COMPANY, INC., and
JEEPERS, INC.,

Counter-Claimants and
Third-Party Claimants,

v.

FORTRESS VALUE RECOVERY FUND I LLC,

Counter-Respondents,

and

ZWIRN PARTNERS, LLC,
ZWIRN & CO, L.P.,
DBZ GP, LLC, ZWIRN HOLDINGS, LLC,
and DANIEL ZWIRN,

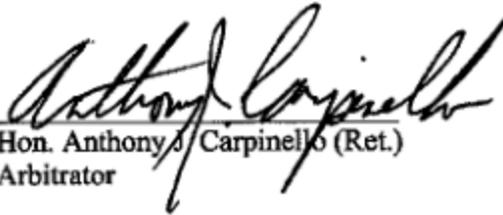
Third-Party Respondents.

SUBPOENA AD TESTIFICANDUM

To: Perry Gruss
c/o Ethan Brecher, Esq.
Liddle & Robinson, LLP
800 Third Avenue, 8th Floor
New York, NY 10022
212-687-8500

NOTICE IS HEREBY GIVEN that pursuant to the Comprehensive Arbitration Rules & Procedures of the Judicial Arbitration and Mediation Service and applicable state and federal laws, you are HEREBY COMMANDED TO APPEAR before the arbitrator on July 22, 2011 at 9:00 [REDACTED] at the offices of the Judicial Arbitration and Mediation Service, 620 Eighth Avenue 34th Floor New York, NY 10018, to give testimony at a hearing relating to the above-referenced matter.

Dated: June 29, 2011


Hon. Anthony J. Carpinello (Ret.)
Arbitrator

Requested by:

Harry P. Susman
SUSMAN GODFREY [REDACTED]
1000 Louisiana Street, Suite 5100
Houston, Texas 77002-5096
Telephone: (713) 651-9366
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Stephen D. Susman
Seth Ard
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E-mail: [REDACTED]
E-mail: [sard@\[REDACTED\]](mailto:sard@[REDACTED])

Attorneys for Respondent Counterclaimants and Third-Party Claimants
Financial Trust Company, Inc. and Jeepers, Inc.

Mary Ritter, being duly sworn, deposes and says:

1. I am over eighteen years of age and am not a party to this action and am employed by Susman Godfrey LLP, 560 Lexington Avenue, 15th Floor, New York, New York 10022.

2. On June 30, 2011, I caused a copy of the Subpoena Ad Testificandum to be served as follows:

Brad S. Karp (via email)
Allan Arffa
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas
New York, NY 10019

Alan Levine (via email)
Cooley LLP
The Grace Building
1114 Avenue of the Americas
New York, NY 10036

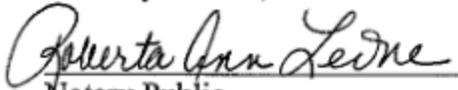
John S. Siffert (via email)
Lankler Siffert & Wohl LLP
500 Fifth Avenue, 33rd Floor
New York, NY 10110

Ethan Brecher, Esq. (via Federal Express)
Liddle & Robinson, LLP
800 Third Avenue, 8th Floor
New York, NY 10022



Mary Ritter

Sworn to before me this
30th day of June, 2011.



Notary Public

ROBERTA ANN LEONE
Notary Public, State of New York
No. 24-4790044
Qualified in Kings County
Certificate Filed in New York County
Commission Expires June 30, 2015