



Mary Claire Fischer  
Attorney at Law

January 9, 2006  
VIA EXPRESS MAIL

Mr. Andrew D. Kirch  
5707 Indianola Avenue  
Indianapolis, Indiana 46220

RE: CAUSE NO. 2005-CI-19492, RICHARD M. SCOVILLE, INDIVIDUALLY, AND ON BEHALF OF FREE SPEECH STORE A/K/A FSS, FREESPEECHSTORE.COM VS. BRIAN J. BRUNS A/K/A ABUSIVE HOSTS BLOCKING LISTS, AHBL.ORG, THE SUMMIT OPEN SOURCE DEVELOPMENT GROUP, SOSDG.ORG, ANDREW D. KIRCH A/KA D&K CONSULTING, AND TRELANE.NET; IN THE 45<sup>TH</sup> JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS.

Dear Mr. Kirch:

This engagement letter is to confirm our agreement as to my representation of you, Abusive Hosts Blocking Lists, AHBL.Org, The Summit Open Source Development Group, SOSDG.Org, D&K Consulting and trelane.net in the above-referenced matter. You engaged me to act as your attorney in this matter, and to represent you as trial counsel in connection with the filing, hearing and argument of a Special Appearance to the Jurisdiction for you, and the other described defendants (with the exception of Brian J. Bruns). Although we verbally agreed to the terms of this engagement, because of the short time between the initial engagement and the filing and drafting of the Special Appearance, as well as the intensity of the work necessary to complete the engagement, we have not, until now, reduced our agreement to writing.

We agreed that I would provide my services to you as an attorney, at the discounted rate of \$175.00 per hour. For paralegal services in connection with this representation, we agreed to the discounted rate of \$25.00 per hour. You also agreed to pay the reasonable and necessary expenses related to the engagement. These expenses include, but are not limited to the cost of copies, postage, long distance telephone charges, facsimile charges, overnight or express delivery charges, courier services, parking, filing fees, court costs and any other incidental expenses, as well as the cost of meals for Ms. Fischer and any legal staff during preparation time after ordinary business hours, and while at the Courthouse for the hearing of the Special Appearance.

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As you are aware, the Special Appearance hearing was concluded last Friday, January 6, 2006, at which time the Honorable John Specia, Bexar County District Judge Sustained the Special Appearance for the described Defendants.

We are in the process of sending you copies of all correspondence and pleadings in this matter, including Judge Specia's Order Sustaining Special Appearance. To date, we have received from you payments for legal fees and expenses in the amount of \$4,708.26. You will receive a detailed invoice for all the fees and expenses incurred, with credit for the pre-paid amount, within the next several days. The remaining fees and expenses are due and payable upon receipt of the invoice. However, should you wish to discuss payment terms, please feel free to call me.

Enclosed are two originals of this engagement letter for your signature. If the terms of engagement set forth herein are acceptable to you, please sign both originals. In signing this engagement letter, it is understood that you are signing on behalf of yourself, individually, as well as on behalf of all of the named Defendants in the suit, with the exception of Mr. Bruns. Please keep one of the original letters for your files, and return one in the enclosed, post-paid, Express Mail envelope. This engagement letter is a two-page document.

Please call me if you have any questions.

Sincerely,



Mary Claire Fischer

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Andrew D. Kirch

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Date

MCF/jt