UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-17387

In the Matter of

DONALD F. ("JAY") LATHEN, JR., EDEN ARC CAPITAL MANAGEMENT, LLC, and EDEN ARC CAPITAL ADVISORS, LLC,

Respondents.

DECLARATION OF NANCY A. BROWN

I, Nancy A. Brown, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am employed as a Senior Trial Counsel in the Division of Enforcement (the "Division"). I submit this declaration in further support of the Division's Second Motion to Preclude Respondents' Advice of Counsel Defense, dated November 2, 2016. I am fully familiar with the facts and circumstances herein.

2. Attached hereto as Exhibit A is a true and correct copy of a November 16, 2012 email from Michael Robinson to Margaret Farrell.

3. Attached hereto as Exhibit B is a true and correct copy of an August 30, 2012 email from Jay Lathen to Margaret Farrell.

4. Attached hereto as Exhibit C is a true and correct copy of a November 7, 2016 production letter from Janna Berke to Harlan Protass.

5. Attached hereto as Exhibit D is a true and correct copy of the Attorney List produced by Respondents to the Division on October 25, 2016.

6. Attached hereto as Exhibit E is a true and correct copy of an October 30, 2009 email from Robert Grundstein to Jay Lathen.

7. Attached hereto as Exhibit F is a true and correct copy of the privilege log Respondents provided to the Division during the investigation on or about March 8, 2016.

8. Attached hereto as Exhibit G is a true and correct copy of an August 20, 2010 email from Jay Lathen to David Robbins.

9. Attached hereto as Exhibit H is a true and correct copy of a November 17, 2010 email from Jason Neroulias to JLathen, and others; and a November 9, 2010 email from Jay Lathen to Jason Neroulias.

10. Attached hereto as Exhibit I is a true and correct copy of the "September 2015 Production" tab to the revised privilege log submitted to the Division and the Court by Respondents as part of Exhibit 15 to the Affirmation of Harlan Protass, dated November 1, 2016. The Division has added page numbers to the Exhibit for ease of reference.

11. Attached hereto as Exhibit J is a true and correct copy of an October 23, 2013 email from Robert Flanders to Jay Lathen.

12. Attached hereto as Exhibit K is a true and correct copy of a December 4, 2014 email from Jay Lathen to Kevin Galbraith.

13. Attached hereto as Exhibit L is a true and correct copy of a December 11, 2014 email from Corey Chivers to Kevin Galbraith; and a September 2, 2014 letter from Kevin Galbraith to Joseph Muccia.

14. Attached hereto as Exhibit M is a true and correct copy of a May 19, 2010 email from Jay Lathen to bhood@wiggin.com.

15. Attached hereto as Exhibit N is a true and correct copy of a December 6, 2010 email from Bruce Hood to Jay Lathen.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 14, 2016
New York, NY

Nancy A. Brown

EXHIBIT A

To: mfarrell@haslaw.com[mfarrell@haslaw.com]; 'jaylathen@edenarccapital.com'[jaylathen@edenarccapital.com]
From: Michael D. Robinson
Sent: Fri 11/16/2012 12:31:54 PM
Importance: Normal
Subject: "Caramadre Memorandum" Revisions
50848846-v6-Lathen - Memo re Caramadre_MDR.DOCX

Dear Peggy,

The attachment is our redlined markup from today of your draft of September 18th.

To avoid confusion, I have renamed the file.

If you cannot open the attachment or have any other questions, please contact me or Jay.

–

Regards,

Michael

Michael D. Robinson
VP, Marketing & Administration
Eden Arc Capital Management LLC
Email: michaelrobinson@edenarccapital.com
(212) 786-7407 (Phone)
(718) 504-3934 (Fax)
Web Site: www.endcare.com

EXHIBIT B

From: Jay Lathen [redacted]
Sent: Thursday, August 30, 2012 4:34 PM
To: Farrell, Margaret D.
Subject: Re: Joint Accounts

Does an indemnity in the participant agreement solve the problem?

Jay Lathen
Eden Arc Capital Management, LLC
One Penn Plaza, Ste. 3671
New York, NY 10119
212-786-7414 Work
[redacted] Cell
646-349-5964 Fax
[redacted]

From: "Farrell, Margaret D." <mfarrell@haslaw.com>
To: 'Jay Lathen' [redacted]
Sent: Thursday, August 30, 2012 12:20 PM
Subject: RE: Joint Accounts

One could argue that but if I were representing a participant, I would want an express indemnity (as indemnities generally are not implied). Even then, the indemnity is only as good as the credit/assets of the indemnitor, so it is probably impossible to provide absolute assurance of no risk of loss.

From: Jay Lathen [redacted]
Sent: Thursday, August 30, 2012 12:19 PM
To: Farrell, Margaret D.
Subject: Re: Joint Accounts

Yes I suspect it does have the joint and several language. But doesn't the participant agreement act as a sort of an indemnity for the participant against that risk?

Jay

Jay Lathen
Eden Arc Capital Management, LLC
One Penn Plaza, Ste. 3671
New York, NY 10119
212-786-7414 Work
[redacted]
646-349-5964 Fax
[redacted]

From: "Farrell, Margaret D." <mfarrell@haslaw.com>
To: "[redacted]
Sent: Thursday, August 30, 2012 12:15 PM
Subject: RE: Joint Accounts

Usually the margin agreement makes the account holders joint and severally liable for funding any calls/deficiencies. Without seeing the margin agreement, I cannot answer your questions for certain, but I would expect that the standard document includes a joint and several liability provision.

Peggy

From: [redacted]
Sent: Thursday, August 30, 2012 12:14 PM
To: Farrell, Margaret D.
Subject: Re: Joint Accounts

The participant agreement says the participant is not responsible for funding the account, which I thought would include margin calls/deficiencies. Does that not work?

Jay

Jay Lathen
Eden Arc Capital Management, LLC
One Penn Plaza, Suite 3600
New York, NY 10119
212-786-7414 O
646-349-5964 F
[redacted] M
Sent from my Verizon Wireless BlackBerry
From: "Farrell, Margaret D." <mfarrell@haslaw.com>
Date: Thu, 30 Aug 2012 09:06:39 -0400
To: [redacted]
Subject: RE: Joint Accounts

Aside from complicating the documents related to the loan/security interest (doable), it relates to the potential loss for the co-tenant. Generally, both joint tenants are jointly liable for margin losses. This was an issue in Caramadre. Your documents don't appear to address this.

From: jlathen@yahoo.com [redacted]
Sent: Thursday, August 30, 2012 7:43 AM
To: Farrell, Margaret D.
Subject: Re: Joint Accounts

Yes they are margin accounts. Why won't that work? Fund could have second lien on the accounts.

Jay
Sent from my Verizon Wireless BlackBerry
From: "Farrell, Margaret D." <mfarrell@haslaw.com>
Date: Wed, 29 Aug 2012 19:24:24 -0400
To: Jay Lathen [redacted]
Subject: Joint Accounts

Do you margin the joint accounts? That probably won't work if you have security interests on the accounts, but in any event it would be a disclosure issue.

Peggy

EXHIBIT C

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
New York Regional Office
Brookfield Place, 200 Vesey Street, Room 400
New York, New York 10281

DIVISION OF ENFORCEMENT

JANNA BERKE
(212) 336-9144
berkej@sec.gov

November 7, 2016

BY FTP (Accellion)

Harlan Protass
Clayman & Rosenberg LLP
305 Madison Avenue
New York, NY 10165

Re: In the Matter of Eden Arc Capital Management, LLC
Admin. Proc. File No. 3-17387

Dear Mr. Protass:

As I noted in my Declaration dated October 31, 2016, the Division recently became aware of an issue with approximately 20 emails produced from its own files. The text in these emails appears to be cut off in the middle, so certain text is lost at the end of the emails. We are now reproducing these emails to you in full form. The new bates range is SEC-NY-09197-000628268 - SEC-NY-09197-000628409. This production also contains one new production from a third party, at SEC-NY-09197-000628268 – 352, which has come in since the institution of this action.

The attachments are password protected and the password will be provided to you under a separate cover. Please call me at (212) 336-9144 with any questions.

Sincerely,

Janna Berke

Encls.

cc: Judith A. Weinstock, Esq.
Alexander J. Janghorbani, Esq.
Nancy Brown, Esq.
Wayne Gosnell, Esq.
Christina Corcoran, Esq.

EXHIBIT D

October 25, 2016

In the Matter of Donald F. Lathen, Jr., Eden Arc Capital Management, LLC and Eden Arc Capital Advisors, LLC, Admin. Proc. File No. 3-17387

Attorney List

(Produced Pursuant to Order on Motion to Preclude Advice-of-Counsel Defense, dated October 18, 2016)

Name	Contact Information
Kim Baptiste	Schulte Roth & Zabel LLP 919 Third Avenue New York, NY 10022 T: 212-756-2317 kim.baptiste@srz.com
Jonathan Blattmacher (formerly of Milbank Tweed Hadley & McCloy)	Pioneer Wealth Partners 515 Madison Avenue Suite 13B New York, NY 10022 T. 212-328-0312 jblattmachr@pioneerwealthpartners.com
Cherryl J. Calaguio (formerly of Gersten Savage LLP) Please Note: Ms. Calaguio has expressed a preference for e-mail communications through personal (i.e., gmail.com) e-mail address.	Sichenzia Ross Friedman Ference LLP 61 Broadway New York, NY 10006 T. 212-930-9700 [redacted]
Stephen DeRosa	DraftLaw https://www.draftlaw.com/ (No other contact information available)
Daren Domina (formerly of Katten Muchin Rosenman LLP)	Haynes and Boone, LLP 30 Rockefeller Plaza 26th Floor New York, NY 10112 T. 212-659-4963 daren.domina@haynesboone.com
Matthew Doring	Hinckley Allen & Snyder LLP 28 State Street Boston, MA 02109 T. 617-345-9000 mdoring@kinckleyallen.com

Margaret D. Farrell	Hinckley Allen & Snyder LLP 100 Westminster Street Suite 1500 Providence, RI 02903 T. 401-274-2000 mfarrell@hinckleyallen.com
Robert G. Flanders, Jr. (formerly of Hinckley Allen & Snyder LLP)	Whelan, Corrente, Flanders, Kinder & Siket LLP 100 Westminster Street Suite 710 Providence, RI 02903 T. 401-270-0154 rflanders@whelencorrente.com
Kevin Galbraith	Law Office of Kevin Galbraith 236 West 39th Street 5th Floor New York, NY 10001 T. 212-203-1249 kevin@kevingalbraithlaw.com
Rob Grundstein (formerly of Katten Muchin Rosenman LLP)	Sabby Capital Management 10 Mountainview Road Upper Saddle River, NJ 07458 T. 646-307-4500
Bruce Hood	Withers Bergman LLP 430 Park Avenue 10th Floor New York, NY 10022 bruce.hood@withersworldwide.com
Daniel Hunter	Schulte Roth & Zabel LLP 919 Third Avenue New York, NY 10022 T: 212-756-2201 daniel.hunter@srz.com
Jackie Mancini (formerly of Hinckley Allen & Snyder LLP)	(Contact information unknown)
Jessica Montello (formerly of Gersten Savage LLP)	Wilson Elser Moskowitz Edelman & Dicker 1133 Westchester Avenue White Plains, NY 10604 T. 914-872-7475 jessica.montello@wilsonelser.com
Peter Pront	Seward and Kissel One Battery Park Plaza New York , NY 10004 T. 212-574-1221 pront@sewkis.com

Eric Roper, Esq. (formerly of Gersten Savage LLP)	1025 Fifth Avenue New York, NY 10028 T. 917-535-0038 eric@ericroperesq.com
Michael Tannenbaum	Tannenbaum Helpern Syracuse & Hirschtritt LLP 900 Third Avenue New York, NY 10022 Phone: 212-508-6701 tannenbaum@thsh.com
Dianne Zeydel	Greenberg Taurig 333 SE 2nd Avenue Suite 4400 Miami, FL 33131 T: 305-579-0575 zeydeld@gtlaw.com

EXHIBIT E

To: [redacted]
Cc: Tractenberg, Beth D.[beth.tractenberg@kattenlaw.com]; Domina, Daren R.[daren.domina@kattenlaw.com]
From: Grundstein, Robert
Sent: Fri 10/30/2009 6:50:16 PM
Subject: Trusts & Estates Issues

Jay,

As we discussed yesterday, below please find an informal memo prepared by our trusts & estates department. Beth has also confirmed that an interest in a JTWROS cannot be transferred in a will.

Beth and I will call you early next week to discuss. Please let us know when you are available Monday or Tuesday and we can schedule a call.

Regards,
Rob

ROBERT GRUNDSTEIN
Associate
Katten Muchin Rosenman LLP
575 Madison Avenue / New York, NY 10022-2585
p / (212) 940-6565 f / (212) 894-5665
robert.grundstein@kattenlaw.com / www.kattenlaw.com

In our scenario, the client intends to purchase corporate bonds to be held in a brokerage account. He will pay the costs of the bonds, which he will hold as joint tenants with rights of survivorship with his wife and a third party.

Joint Tenants Under NY Law

Creation: Under New York law, one can clearly own personal property, such as stocks and bonds, as joint tenants with rights of survivorship. As stated in EPTL Section 6-2.2(a), a disposition of property to two or more persons creates in them a tenancy in common, unless expressly declared to be a joint tenancy. Joint tenancy can be created by a conveyance from the owner of property to himself and another. NYJUR Cotenancy § 26

Furthermore, with regard to cash or securities, the presumption in New York is that property is held as joint tenants with rights of survivorship. Section 678 of the New York Banking Law states that "when a deposit of cash, securities, or other property has been made ... in or with any banking organization or...shares shall have been already issued... in the name of such depositor or shareholder and another person and in form to be paid or delivered to either, or the survivor of them, such deposit or shares and any additions thereto made, by either of such persons, after the making thereof, shall become the property of such persons as joint tenants." (A notable exception to this are "convenience accounts" which are considered the sole property of the furnisher of the funds.)

Right/Interests: The beneficial interest of a joint tenant who furnishes nothing for the purchase of the property is the same as that of his co-owner who furnishes all of the consideration. As long as all three co-tenants are living, each has a present interest in the property and a present right to 1/3 of all income received. York Civil Practice – EPTL 6-50. In the case of a joint bank account, each co-tenant has a "present unconditional property interest in an undivided" 1/3 of the money. Matter of Kleinberg v Heller, 38 NY2d 836 (1976).

In addition, each co-tenant has the right to sever the tenancy and to alienate or encumber his share of the property. He can convey his share to another party, which has the effect of eliminating all survivorship rights between him and his co-tenants. New York Civil Practice – EPTL 6-53. In such a case, the other two co-tenants remain as joint tenants as to 2/3 of the property, but the third party becomes a tenant in common with them for the remaining 1/3.

Effect of Creditors/Bankruptcy

What are the effects of a creditor's claim against the third co-tenant?

While an estate cannot be a debtor under the federal bankruptcy laws, under New York law, a co-tenant's share may be subject to a creditor's claim against his estate if he is otherwise insolvent. New York Civil Practice – EPTL 6-54 and 6-62.

Pursuant to New York Debtor and Creditor Law § 273, a conveyance made by a person who will be rendered insolvent is fraudulent as to creditors (without regard to intent) if the conveyance was made without fair consideration. New York Courts have utilized this ruled and applied it to co-tenancy, holding that since a joint tenancy can be destroyed during life, the transfer of the survivorship interest to the survivors is completed only at death. Accordingly, if this "transfer" at death renders the debtor co-tenant's estate insolvent, it is fraudulent as to creditors – who may then take the debtor's 1/3 interest. See Kozrya v. Goldstein, 550 N.Y.S.2d 229 (Sup.Ct. Suffolk Co., 1989) which states that, "It is clear that where the original form of ownership was a joint tenancy with rights of survivorship, the surviving joint tenant may not rely on succession to the deceased's half interest as a bar to enforcement, whether the subject property was personal or real...This is because a transfer of interest takes place on death, and, if this renders the decedent's estate insolvent, the transfer becomes fraudulent as to creditors."

In Estate of Granwell v. Granwell, N.Y.S.2d 783 (N.Y. 1967), a creditor of an estate was seeking to recover funds, including mutual funds, transferred by the Decedent to be held as joint tenants with rights of survivorship with his wife. The Court held that the creditor could recover against the Decedent's 1/2 share, since the wife "had only an expectancy that she would succeed to his moiety of the mutual funds held in the joint accounts."

In St. Teresa's Nursing Home v. Vuksanovich 268 A.D.2d 421 (N.Y.A.D. 2 Dept., 2000), the Decedent received an interest in property from his son; he did not pay for it. A few years later, in December of 1995, the Decedent transferred his interest back to himself and his son (and his wife) as co-tenants. A few days later, the Decedent was admitted to a nursing home and died shortly thereafter. The nursing home then sued his estate for unpaid debts. The Court held that the nursing home could not prove that the Decedent's conveyance of the property in December of 1995 to co-tenancy rendered the estate insolvent. Nonetheless, the Court held that transfer *upon his death* was a transfer that rendered his estate insolvent and his share was thus reachable by the creditors. Accordingly, the vesting of the survivorship right upon the decedent's death, (a) was a conveyance, (b) was for no consideration and (c) rendered the Decedent's estate insolvent. See NYLJ, 8/14/2000, "Survivorship Rights of Joint Tenant Not Always Insulted from Claims of Deceased Creditors, Second Department Reminds". It should be noted that this case does seem to be a blatant attempt by the Decedent to rid his estate of assets subject to creditors.

Most of the cases on creditors of joint tenants involved scenarios where the decedent was the financer of the joint tenancy. However, in the St. Teresa the Decedent initially acquired the property by gift. One could seemingly argue that a decedent who paid for the joint property is more directly making his estate eventually insolvent, whereby a co-tenant who receives his interest via a gift is never bankrupting his estate of funds. However, as I understand the cases above, the logic of the Courts does not rest on how the co-tenant acquired the property. Rather, since a co-tenant, whether he paid for the property or received it via gift, has the power to dispose of the property during his lifetime, he is regarded as the owner until his death. The survivorship interest only transfers at his death to the other co-tenants and such a transfer may be considered a conveyance that can be reached by creditors.

Gift Consequences

A gift tax may apply when property is transferred to be held as joint tenants with rights of survivorship.

Section 2511 of the Code states that gift tax will apply "whether the transfer is in trust or otherwise, whether the gift is direct or indirect, and whether the property is real or personal, tangible or intangible...". Under federal law, a gift/transfer is considered complete when the donor parts with dominion and control over the property so that he has no power to change its disposition.

While gift tax is governed by federal law, state law is relevant with regard to joint property to determine the following: what are the property interests held by each individual, whether a joint arrangement is merely a convenience account treated as sole property and whether a tenant has the right to sever his interest, which is

relevant to determining, under federal law, whether a transfer/gift occurred when the joint tenancy was created. BNA 823-2nd A-4.

As noted above, under New York law a joint tenant has the right to sever his interest.

Treas. Reg §25.2511-1 discusses examples of transfers that are subject to gift taxes. One example listed is where one purchases property with his own funds and has the title conveyed to himself and B as joint tenants, but which rights may be defeated by either party severing his interest. In this case, there is a gift to B in the amount of half the value of the property.

Accordingly, in our case, upon the creation of the joint tenancy, a gift of 1/3 of the property is given to the third party. The gift will qualify for the gift tax annual exclusion as a gift of a present interest, yet any amount in excess of the exclusion may be subject to gift tax. BNA 823-2nd A-15. (It is worth noting that the bonds may still be partially includible in the client's estate under the consideration-furnished rule of Section 2040.)

EXHIBIT F

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1	Email with Attachment(s)	4/2/09 11:39 AM	Grundstein, Robert	Lathen, Jay	Governale, Jack P.; Riordan, JoAnn	Engagement Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2	Email	4/3/09 6:38 PM	Grundstein, Robert	Lathen, Jay	Governale, Jack P.; Riordan, JoAnn	RE: Engagement Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
3	Email	4/8/09 10:20 AM	Grundstein, Robert	Lathen, Jay		RE: Survivors Option :-	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
4	Email with Attachment(s)	4/27/09 5:52 PM	Grundstein, Robert	Lathen, Jay		Market Timing Complaint	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
5	Email	5/13/09 10:53 AM	Grundstein, Robert	Lathen, Jay		FW: Bank of America Internotes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
6	Email with Attachment(s)	5/14/09 11:15 AM	Grundstein, Robert	Lathen, Jay		FW: Bank of America Internotes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
7	Email with Attachment(s)	7/10/09 4:49 PM	Grundstein, Robert	Lathen, Jay		Event Driven PPM	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
8	Email with Attachment(s)	7/14/09 11:09 AM	Grundstein, Robert	Lathen, Jay		RE: Power of Attorney	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
9	Email	9/30/09 10:15 PM	Lathen, Jay	Grundstein, Robert; Domina, Daren R.		Investment Advisor	Attorney Client Privilege	Communication requesting legal advice of counsel.		
10	Email	10/9/09 2:41 PM	Grundstein, Robert	Lathen, Jay		Rob Loewy (tax attorney) is out of the office today	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
11	Email with Attachment(s)	10/9/09 6:16 PM	Grundstein, Robert	Lathen, Jay	Domina, Daren R.	RE: Lathen/Arelas Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
12	Email	10/30/09 6:50 PM	Grundstein, Robert	Lathen, Jay	Tractenberg, Beth D.; Domina, Daren R.	Trusts & Estates Issues	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
13	Email	11/2/09 7:20 PM	Grundstein, Robert	Lathen, Jay	Tractenberg, Beth D.	IRS Ruling	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
14	Email with Attachment(s)	1/12/10 5:08 PM	D'Arrigo, Ruth A.	Lathen, Jay	Grundstein, Robert	RE: Invoice	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
15	Email with Attachment(s)	1/25/10 10:30 AM	Grundstein, Robert	Lathen, Jay		RE: I was scrambling	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
16	Email	2/18/10 6:00 PM	Randers, Robert G.	Lathen, Jay	Bouton, William W.	Legal Review and Advice on EndCare Business Model	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
17	Email	2/19/10 10:23 AM	Randers, Robert G.	Lathen, Jay	Bouton, William W.	Conference Call This Afternoon?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
18	Email	3/31/10 11:09 AM	Lathen, Jay	Randers, Robert G.			Attorney Client Privilege	Communication requesting legal advice of counsel.		
19	Email with Attachment(s)	5/20/10 10:03 AM	Hood, Bruce E.	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
20	Email	6/1/10 4:47 PM	Hood, Bruce E.	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
21	Email	6/11/10 6:46 PM	Randers, Robert G.	Lathen, Jay		RJ Litigation re Annuities and Bonds	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
22	Email	6/13/10 5:31 PM	Hood, Bruce E.	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
23	Email	7/16/10 12:14 PM	Lathen, Jay	Roper, Eric		EndCare Materials	Attorney Client Privilege	Communication requesting legal advice of counsel.		
24	Email	7/19/10 1:19 PM	Roper, Eric	Lathen, Jay		RE: EndCare Materials	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
25	Email	7/19/10 3:34 PM	Lathen, Jay	Roper, Eric		Re: EndCare Materials	Attorney Client Privilege	Communication requesting legal advice of counsel.		
26	Email	7/26/10 7:45 PM	Lathen, Jay	Roper, Eric		Re: EndCare Materials	Attorney Client Privilege	Communication requesting legal advice of counsel.		
27	Email	7/26/10 8:02 PM	Lathen, Jay	Roper, Eric; Calagulo, Cheryll		Re: EndCare Materials	Attorney Client Privilege	Communication requesting legal advice of counsel.		
28	Email	7/27/10 9:58 AM	Roper, Eric	Lathen, Jay; Calagulo, Cheryll		RE: EndCare Materials	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
29	Email	7/28/10 1:53 PM	Lathen, Jay	Roper, Eric; Calagulo, Cheryll		Re: EndCare Materials	Attorney Client Privilege	Communication requesting legal advice of counsel.		
30	Email	7/28/10 3:32 PM	Lathen, Jay	Roper, Eric; Calagulo, Cheryll		Re: EndCare Materials	Attorney Client Privilege	Communication requesting legal advice of counsel.		
31	Email	8/10/10 11:50 AM	Lathen, Jay	Roper, Eric		Re: EndCare - tax discussion	Attorney Client Privilege	Communication requesting legal advice of counsel.		
32	Email	8/17/10 3:20 PM	Lathen, Jay	Roper, Eric		Running 10 mins late	Attorney Client Privilege	Communication requesting legal advice of counsel.		
33	Email	8/18/10 7:18 PM	Lathen, Jay	Robbins, David E.		Fw: Complaint	Attorney Client Privilege	Communication requesting legal advice of counsel.		
34	Email	8/19/10 2:53 PM	Robbins, David E.	Lathen, Jay		RE: Complaint	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
35	Email	8/20/10 3:31 PM	Lathen, Jay	Robbins, David E.		Re: Robbins	Attorney Client Privilege	Communication requesting legal advice of counsel.		
36	Email	8/20/10 3:53 PM	Robbins, David E.	Lathen, Jay		RE: Robbins	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
37	Email	8/24/10 11:55 AM	Lathen, Jay	Robbins, David E.		Re: Robbins	Attorney Client Privilege	Communication requesting legal advice of counsel.		
38	Email	8/24/10 2:10 PM	Lathen, Jay	Robbins, David E.		Re: Robbins	Attorney Client Privilege	Communication requesting legal advice of counsel.		
39	Email with Attachment(s)	8/25/10 5:27 PM	Lathen, Jay	Robbins, David E.		Re: Robbins Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
40	Email with Attachment(s)	8/26/10 12:59 PM	Lathen, Jay	Robbins, David E.		Re: CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION	Attorney Client Privilege	Communication requesting legal advice of counsel.		
41	Email with Attachment(s)	8/26/10 4:54 PM	Robbins, David E.	McCarthy, Denis	Lathen, Jay	Donald Lathen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
42	Email	8/26/10 5:40 PM	Robbins, David E.	Lathen, Jay		Robbins to Lathen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
43	Email	8/27/10 9:43 AM	Lathen, Jay	Robbins, David E.		Re: Donald Lathen	Attorney Client Privilege	Communication requesting legal advice of counsel.		
44	Email	8/27/10 2:55 PM	Lathen, Jay	Calagulo, Cheryll	Roper, Eric	Re: EndCare Term Sheet	Attorney Client Privilege	Communication requesting legal advice of counsel.		
45	Email	8/29/10 4:45 PM	Robbins, David E.	McCarthy, Denis	Lathen, Jay	Jay Lathen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
46	Email	8/30/10 12:25 PM	Robbins, David E.	Lathen, Jay		CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
47	Email with Attachment(s)	8/30/10 2:21 PM	Robbins, David E.	Lathen, Jay		RE: CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
48	Email with Attachment(s)	8/31/10 12:41 PM	Robbins, David E.	McCarthy, Denis	Lathen, Jay	Jay Lathen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
49	Email	8/31/10 12:46 PM	Robbins, David E.	Lathen, Jay		RE: CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
50	Email	9/9/10 7:58 PM	Lathen, Jay	Robbins, David E.		Arbitration Case I mentioned last week	Attorney Client Privilege	Communication requesting legal advice of counsel.		
51	Email	9/10/10 2:13 PM	Lathen, Jay	Robbins, David E.		Re: Jay Lathen	Attorney Client Privilege	Communication requesting legal advice of counsel.		
52	Email	9/22/10 11:29 AM	Lathen, Jay	Roper, Eric		Re: How are you doing	Attorney Client Privilege	Communication requesting legal advice of counsel.		
53	Email	9/22/10 8:14 PM	Lathen, Jay	Roper, Eric		Sorry I didn't get back to you today	Attorney Client Privilege	Communication requesting legal advice of counsel.		
54	Email	9/23/10 7:35 AM	Lathen, Jay	Roper, Eric		Re: Sorry I didn't get back to you today	Attorney Client Privilege	Communication requesting legal advice of counsel.		
55	Email	9/23/10 9:03 PM	Lathen, Jay	Roper, Eric; Calagulo, Cheryll		EndCare Term Sheet Edits	Attorney Client Privilege	Communication requesting legal advice of counsel.		
56	Email	9/28/10 4:55 PM	Lathen, Jay	Robbins, David E.		Re: JP Morgan	Attorney Client Privilege	Communication requesting legal advice of counsel.		
57	Email	10/4/10 8:21 PM	Lathen, Jay	Roper, Eric		Revised Term Sheet	Attorney Client Privilege	Communication requesting legal advice of counsel.		
58	Email	10/5/10 1:25 PM	Lathen, Jay	Robbins, David E.		Re: Robbins	Attorney Client Privilege	Communication requesting legal advice of counsel.		
59	Email	10/8/10 11:18 AM	Lathen, Jay	Roper, Eric; Calagulo, Cheryll		Re: Endcare Revisons	Attorney Client Privilege	Communication requesting legal advice of counsel.		
60	Email	10/8/10 2:43 PM	Lathen, Jay	Roper, Eric; Calagulo, Cheryll		Re: Endcare Revisons	Attorney Client Privilege	Communication requesting legal advice of counsel.		
61	Email	10/8/10 6:12 PM	Lathen, Jay	Roper, Eric; Calagulo, Cheryll		Re: Endcare Revisons	Attorney Client Privilege	Communication requesting legal advice of counsel.		
62	Email	10/7/10 9:40 AM	Roper, Eric	Lathen, Jay; Calagulo, Cheryll			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
63	Email	10/8/10 3:33 PM	Russell, Judith	Lathen, Jay	Roper, Eric	FROM ERIC ROPER'S OFFICE	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
64	Email	10/12/10 7:21 PM	Lathen, Jay	Roper, Eric		Investor Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
65	Email	10/14/10 11:49 AM	Lathen, Jay	Roper, Eric		Updated Investor Presentation and Sample EndCare contract	Attorney Client Privilege	Communication requesting legal advice of counsel.		
66	Email	10/14/10 1:33 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Re: Updated Investor Presentation and Sample EndCare contract	Attorney Client Privilege	Communication requesting legal advice of counsel.		
67	Email	10/18/10 5:27 PM	Lathen, Jay	Roper, Eric		Sample EndCare contract	Attorney Client Privilege	Communication requesting legal advice of counsel.		
68	Email	10/20/10 1:24 PM	Lathen, Jay	Roper, Eric		EndCare Fund	Attorney Client Privilege	Communication requesting legal advice of counsel.		
69	Email with Attachment(s)	11/1/10 3:30 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll		LPA - 1st Draft	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
70	Email	11/2/10 6:41 PM	Lathen, Jay	Roper, Eric		Fw: Trusts & Estates Issues	Attorney Client Privilege	Communication requesting legal advice of counsel.		
71	Email	11/3/10 10:38 AM	Lathen, Jay	Flanders, Robert G.		Re: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
72	Email	11/3/10 1:46 PM	Flanders, Robert G.	Lathen, Jay		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
73	Email	11/3/10 3:18 PM	Flanders, Robert G.	Lathen, Jay		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
74	Email	11/3/10 4:58 PM	Lathen, Jay	Roper, Eric		See attached	Attorney Client Privilege	Communication requesting legal advice of counsel.		
75	Email	11/4/10 7:37 PM	Flanders, Robert G.	Lathen, Jay		Ledger History and Billing Backup	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
76	Email	11/5/10 1:10 PM	Flanders, Robert G.	Lathen, Jay		Re: Ledger History and Billing Backup	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
77	Email	11/8/10 4:28 PM	Lathen, Jay	Roper, Eric		Fw: website	Attorney Client Privilege	Communication requesting legal advice of counsel.		
78	Email	11/9/10 9:52 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		LPA Comments	Attorney Client Privilege	Communication requesting legal advice of counsel.		
79	Email	11/9/10 3:05 PM	Lathen, Jay	Roper, Eric		Re: LPA Comments	Attorney Client Privilege	Communication requesting legal advice of counsel.		
80	Email	11/9/10 7:41 PM	Lathen, Jay	Flanders, Robert G.		Re: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
81	Email	11/10/10 10:07 AM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Re: LPA Comments	Attorney Client Privilege	Communication requesting legal advice of counsel.		
82	Email	11/10/10 6:19 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Encare.com website	Attorney Client Privilege	Communication requesting legal advice of counsel.		
83	Email	11/11/10 12:26 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll; Riley, John H.; Derosa, Stephen	Neroulias, Jason	RE: Encare.com website	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
84	Email	11/11/10 12:46 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll; Riley, John H.; Derosa, Stephen	Neroulias, Jason	Re: Encare.com website	Attorney Client Privilege	Communication requesting legal advice of counsel.		
85	Email	11/11/10 1:07 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll; Riley, John H.; Derosa, Stephen	Neroulias, Jason	RE: Encare.com website	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
86	Email	11/11/10 2:59 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll		Contacts	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
87	Email	11/12/10 2:46 PM	Lathen, Jay	Roper, Eric		Brochure for Hospices and Participants	Attorney Client Privilege	Communication requesting legal advice of counsel.		
88	Email	11/12/10 6:02 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll		LPA Re-Draft	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
89	Email	11/15/10 11:20 AM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll; Neroulias, Jason; Derosa, Stephen	Lechowitz, David	FW:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
90	Email	11/17/10 9:11 AM	Roper, Eric	Lathen, Jay; Morenzberg, Daniel	Glodek, Kevin; Belesis, Thomas	FW: D & O Insurance	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
91	Email	11/21/10 5:47 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll; Neroulias, Jason		Encare PPM	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
92	Email	11/23/10 9:59 AM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Fw: Valuation Language	Attorney Client Privilege	Communication requesting legal advice of counsel.		
93	Email	11/23/10 6:11 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		LP Agreement Edits	Attorney Client Privilege	Communication requesting legal advice of counsel.		
94	Email	11/30/10 2:36 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll		FW: LP Agreement Edits	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
95	Email	11/30/10 5:52 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Re: LP Agreement Edits	Attorney Client Privilege	Communication requesting legal advice of counsel.		
96	Email	11/30/10 6:21 PM	Lathen, Jay	Celaguio, Cheryll; Roper, Eric		Re: LP Agreement Edits	Attorney Client Privilege	Communication requesting legal advice of counsel.		
97	Email	12/6/10 6:00 PM	Lathen, Jay	Roper, Eric; Savage, Michael; Celaguio, Cheryll		Re: 501(c)(3) Foundation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
98	Email	12/12/10 11:23 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Edits to Offering Memo	Attorney Client Privilege	Communication requesting legal advice of counsel.		
99	Email	12/15/10 9:02 PM	Lathen, Jay	Roper, Eric		Re: RULE 5130	Attorney Client Privilege	Communication requesting legal advice of counsel.		
100	Email	12/21/10 5:25 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Edits to PPM	Attorney Client Privilege	Communication requesting legal advice of counsel.		
101	Email	12/21/10 6:03 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Re: Edits to PPM	Attorney Client Privilege	Communication requesting legal advice of counsel.		
102	Email	12/22/10 2:12 PM	Lathen, Jay	Celaguio, Cheryll		Got your vmail	Attorney Client Privilege	Communication requesting legal advice of counsel.		
103	Email	12/23/10 8:17 AM	Lathen, Jay	Celaguio, Cheryll		Call this morning	Attorney Client Privilege	Communication requesting legal advice of counsel.		
104	Email	12/23/10 8:17 AM	Lathen, Jay	Celaguio, Cheryll		Re: Call this morning	Attorney Client Privilege	Communication requesting legal advice of counsel.		
105	Email	12/27/10 10:52 AM	Lathen, Jay	Celaguio, Cheryll		Re: Edits to PPM	Attorney Client Privilege	Communication requesting legal advice of counsel.		
106	Email	1/3/11 8:39 PM	Lathen, Jay	Celaguio, Cheryll	Roper, Eric	Re: Revised PPM and LPA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
107	Email	1/4/11 2:16 PM	Roper, Eric	Lathen, Jay		FW: J. Lathen - Retainer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
108	Email	1/12/11 10:52 AM	Russell, Judith	Lathen, Jay	Roper, Eric	FROM: ERIC ROPER'S OFFICE	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
109	Email	1/17/11 12:43 PM	Lathen, Jay	Roper, Eric		Fwd: EndCare Paperwork	Attorney Client Privilege	Communication requesting legal advice of counsel.		
110	Email	1/18/11 10:17 AM	Lathen, Jay	Roper, Eric		Re: Fwd: EndCare Paperwork	Attorney Client Privilege	Communication requesting legal advice of counsel.		
111	Email	1/20/11 11:12 PM	Roper, Eric	Lathen, Jay		FW: Eden Arc Agreements	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
112	Email	1/22/11 9:30 AM	Lathen, Jay	Celaguio, Cheryll		Fund Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
113	Email	1/22/11 11:25 AM	Lathen, Jay	Celaguio, Cheryll		Re: Fund Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
114	Email	1/26/11 2:18 PM	Lathen, Jay	Celaguio, Cheryll	Roper, Eric	Re: Lathen	Attorney Client Privilege	Communication requesting legal advice of counsel.		
115	Email	2/1/11 4:13 PM	Lathen, Jay	Roper, Eric		Fw:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
116	Email	2/1/11 5:31 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Mark-up to docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
117	Email	2/1/11 4:23 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll		Participation Agreement Revised	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
118	Email	2/2/11 7:13 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Fw: Following up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
119	Email	2/9/11 5:39 PM	Lathen, Jay	Celaguio, Cheryll	Roper, Eric	Re: Mark-up to docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
120	Email	2/14/11 1:05 PM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Eden Arc Bank Accounts	Attorney Client Privilege	Communication requesting legal advice of counsel.		
121	Email	2/17/11 9:15 AM	Lathen, Jay	Celaguio, Cheryll		Article of Organization	Attorney Client Privilege	Communication requesting legal advice of counsel.		
122	Email	2/17/11 3:07 PM	Lathen, Jay	Celaguio, Cheryll		Publishing	Attorney Client Privilege	Communication requesting legal advice of counsel.		
123	Email	2/23/11 10:01 AM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Re: Eden Arc - draft admin agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
124	Email	2/23/11 10:45 AM	Russell, Judith	Lathen, Jay	Roper, Eric	FROM: ERIC ROPER'S OFFICE	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
125	Email	2/23/11 5:19 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll		Administration Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
126	Email	2/25/11 3:54 PM	Russell, Judith	Lathen, Jay	Celaguio, Cheryll	FROM: DERSTON SAVAGE LLP	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
127	Email	2/3/11 6:35 AM	Lathen, Jay	Roper, Eric; Celaguio, Cheryll		Re: Edits to Admin Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
128	Email	2/3/11 10:48 AM	Lathen, Jay	Roper, Eric		Re: Edits to Admin Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
129	Email	3/3/11 11:59 PM	Lathen, Jay	Celaguio, Cheryll		Re: Subscription Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
130	Email	4/27/11 2:08 PM	Lathen, Jay	Roper, Eric		Blue Sky Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
131	Email	10/19/11 8:18 AM	Lathen, Jay	Roper, Eric		Re: Meeting this morning	Attorney Client Privilege	Communication requesting legal advice of counsel.		
132	Email	10/19/11 11:53 AM	Lathen, Jay	Roper, Eric		Re: Meeting this morning	Attorney Client Privilege	Communication requesting legal advice of counsel.		
133	Email	10/21/11 4:17 PM	Lathen, Jay	Roper, Eric		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
134	Email	10/24/11 11:48 AM	Lathen, Jay	Roper, Eric		POA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
135	Email	10/24/11 5:16 PM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll		FW: Follow-up our discussion.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
136	Email	10/25/11 11:08 AM	Roper, Eric	Lathen, Jay; Celaguio, Cheryll		Revised Documents	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Dates
137	Email	10/29/11 12:36 PM	Lethen, Jay	Roper, Eric; Calagulo, Cheryl		Re: Follow-up our discussion.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
138	Email	10/31/11 2:29 PM	Roper, Eric	Lethen, Jay; Calagulo, Cheryl		FW:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
139	Email	10/31/11 11:07 AM	Lethen, Jay	Roper, Eric; Calagulo, Cheryl		Re: Revised Documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
140	Email	10/31/11 11:29 AM	Lethen, Jay	Roper, Eric; Calagulo, Cheryl		Re: Revised Documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
141	Email	11/1/11 10:41 AM	Lethen, Jay	Roper, Eric; Calagulo, Cheryl		Re: call - could we speak around 11:30 this morning Jay. Tx	Attorney Client Privilege	Communication requesting legal advice of counsel.		
142	Email	11/1/11 10:54 AM	Lethen, Jay	Roper, Eric		Re: call - could we speak around 11:30 this morning Jay. Tx.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
143	Email	11/1/11 12:41 PM	Lethen, Jay	Roper, Eric; Calagulo, Cheryl		Brokerage Account Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
144	Email	11/18/11 1:05 PM	Lethen, Jay	Roper, Eric; Calagulo, Cheryl		Fw: Eden Arc Capital Partners - Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
145	Email	11/18/11 2:23 PM	Lethen, Jay	Roper, Eric; Calagulo, Cheryl		Re: Eden Arc Capital Partners - Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
146	Email	1/11/12 8:31 PM	Russell, Judith	Lethen, Jay		GERSTEN SAVAGE LLP	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
147	Email	1/13/12 10:52 AM	Lethen, Jay	Roper, Eric	Bedard, David	Introduction	Attorney Client Privilege	Communication requesting legal advice of counsel.		
148	Email	1/24/12 6:54 PM	Lethen, Jay	Roper, Eric		Re: Introduction	Attorney Client Privilege	Communication requesting legal advice of counsel.		
149	Email	4/5/12 2:59 PM	Lethen, Jay	Roper, Eric		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
150	Email	4/19/12 9:59 AM	Roper, Eric	Lethen, Jay; Derosa, Stephen		FW: EB Info	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
151	Email	5/9/12 3:43 PM	Russell, Judith	Lethen, Jay	Roper, Eric	FROM ERIC B. ROPER'S OFFICE	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
152	Email	5/14/12 5:58 PM	Roper, Eric	Lethen, Jay; Derosa, Stephen		Firm Brochure Part 2A	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
153	Email	5/29/12 8:20 PM	Lethen, Jay	Roper, Eric		Re: Engagement Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
154	Email	5/30/12 2:36 PM	Lethen, Jay	Roper, Eric		Re: call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
155	Email	5/30/12 4:53 PM	Lethen, Jay	Roper, Eric		Re: call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
156	Email	6/5/12 2:40 PM	Roper, Eric	Lethen, Jay		Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
157	Email	6/7/12 2:31 PM	Lethen, Jay	Roper, Eric		Re: Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
158	Email	6/15/12 1:47 PM	Flanders, Robert G.	Lethen, Jay		Re: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
159	Email	6/19/12 5:52 PM	Roper, Eric	Lethen, Jay; Derosa, Stephen	Nunez, Maria; Santos, Brenda		Attorney Client Privilege	Communication reflecting legal advice of counsel.		
160	Email	6/21/12 4:53 PM	Flanders, Robert G.	Farrell, Margaret D.	Lethen, Jay	Fwd: Investment Management Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
161	Email	6/28/12 11:45 AM	Roper, Eric	Lethen, Jay; Derosa, Stephen; Montello, Jessica		Following Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
162	Email	6/26/12 2:09 PM	Lethen, Jay	Roper, Eric; Derosa, Stephen; Montello, Jessica		Re: Following Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
163	Email	6/28/12 9:52 AM	Lethen, Jay	Roper, Eric		Re: any thoughts on the LPA changes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
164	Email	6/28/12 9:56 AM	Roper, Eric	Lethen, Jay		RE: any thoughts on the LPA changes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
165	Email	6/28/12 4:51 PM	Lethen, Jay	Roper, Eric		Re: any thoughts on the LPA changes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
166	Email	7/18/12 10:43 AM	Lethen, Jay	Derosa, Stephen	Roper, Eric; Montello, Jessica; Robinson, Michael D.	RE: Following Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
167	Email	7/18/12 1:56 PM	Derosa, Stephen	Lethen, Jay	Roper, Eric; Montello, Jessica; Robinson, Michael D.	RE: Following Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
168	Email	7/18/12 1:57 PM	Robinson, Michael D.	Derosa, Stephen	Lethen, Jay; Roper, Eric; Montello, Jessica	Re: Following Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
169	Email	7/18/12 2:01 PM	Derosa, Stephen	Robinson, Michael D.	Lethen, Jay; Roper, Eric; Montello, Jessica	RE: Following Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
170	Email	7/20/12 1:19 PM	Russell, Judith	Lethen, Jay	Roper, Eric	FROM GERSTEN SAVAGE LLP	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
171	Email	7/26/12 3:06 PM	Roper, Eric	Lethen, Jay; Derosa, Stephen; Montello, Jessica	Russell, Judith	Side letters	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
172	Email	7/26/12 3:51 PM	Falcoa, Donna M.	Lethen, Jay	Farrell, Margaret D.; Flanders, Robert G.	Amended Engagement Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
173	Email	7/26/12 5:23 PM	Lethen, Jay	Derosa, Stephen	Roper, Eric; Montello, Jessica; Robinson, Michael D.	RE: IARD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
174	Email	7/27/12 4:11 PM	Russell, Judith	Lethen, Jay	Roper, Eric	FW: Eden Arc Capital Partners, LP	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
175	Email	7/30/12 2:32 PM	Falcoa, Donna M.	Lethen, Jay	Flanders, Robert G.; Farrell, Margaret D.	Amended Engagement Letter (revised July 30, 2012)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
176	Email	7/31/12 4:44 PM	Derosa, Stephen	Robinson, Michael D.	Roper, Eric; Montello, Jessica; Lethen, Jay	RE: IARD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
177	Email	7/31/12 5:23 PM	Robinson, Michael D.	Derosa, Stephen	Lethen, Jay	Re: IARD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
178	Email	8/1/12 6:39 PM	Derosa, Stephen	Robinson, Michael D.		RE: IARD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
179	Email	8/1/12 7:15 PM	Robinson, Michael D.	Derosa, Stephen		Re: IARD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
180	Email with Attachment(s)	8/2/12 12:00 PM	Roper, Eric	Lethen, Jay; Robinson, Michael D.	Derosa, Stephen	Revised LPA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
181	Email	8/2/12 2:37 PM	Lethen, Jay	Roper, Eric; Robinson, Michael D.	Derosa, Stephen	Re: Revised LPA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
182	Email	8/3/12 3:53 PM	Flanders, Robert G.	Lethen, Jay; Falcoa, Donna M.	Farrell, Margaret D.	RE: Amended Engagement Letter (revised July 30, 2012)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
183	Email	8/3/12 5:11 PM	Lethen, Jay	Flanders, Robert G.; Falcoa, Donna M.	Farrell, Margaret D.	Re: Amended Engagement Letter (revised July 30, 2012)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
184	Email	8/7/12 11:33 AM	Robinson, Michael D.	Derosa, Stephen		Re: IARD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
185	Email with Attachment(s)	8/7/12 11:57 AM	Derosa, Stephen	Robinson, Michael D.	Roper, Eric; Lethen, Jay; Riley, John H.	RE: IARD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
186	Email	8/7/12 12:31 PM	Robinson, Michael D.	Derosa, Stephen		Re: IARD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
187	Email	8/9/12 11:14 AM	Derosa, Stephen	Roper, Eric; Robinson, Michael D.	Lethen, Jay; Riley, John H.	RE: IARD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
188	Email	8/9/12 11:15 AM	Roper, Eric	Derosa, Stephen; Robinson, Michael D.	Lethen, Jay; Riley, John H.	RE: IARD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
189	Email	8/15/12 4:56 PM	Derosa, Stephen	Lethen, Jay; Robinson, Michael D.	Roper, Eric; Montello, Jessica; Riley, John H.	RE: IARD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
190	Email with Attachment(s)	8/16/12 4:08 PM	Derosa, Stephen	Robinson, Michael D.; Lethen, Jay	Roper, Eric; Montello, Jessica	RE: IARD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
191	Email	8/21/12 2:46 PM	Derosa, Stephen	Robinson, Michael D.; Lethen, Jay	Roper, Eric; Montello, Jessica	RE: IARD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
192	Email	8/23/12 9:56 AM	Lethen, Jay	Roper, Eric; Derosa, Stephen	Robinson, Michael D.	Re: Jay - let me know when you have look over the PPM so we can complete revisions. Best, Eric	Attorney Client Privilege	Communication requesting legal advice of counsel.		
193	Email	8/23/12 11:17 AM	Farrell, Margaret D.	Lethen, Jay		RE: Amended Engagement Letter (revised July 30, 2012)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
194	Email	8/23/12 1:54 PM	Farrell, Margaret D.	Lethen, Jay	Robinson, Michael D.	RE: Prospectuses	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
195	Email	8/23/12 3:32 PM	Farrell, Margaret D.	Lethen, Jay	Robinson, Michael D.	RE: Prospectuses	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
196	Email with Attachment(s)	8/23/12 3:48 PM	Robinson, Michael D.	Ferrell, Margaret D.	Lathen, Jay	Re: Prospectuses	Attorney Client Privilege	Communication requesting legal advice of counsel.		
197	Email	8/23/12 5:38 PM	Ferrell, Margaret D.	Lathen, Jay	Robinson, Michael D.	RE: Prospectuses	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
198	Email	8/24/12 10:18 AM	Roper, Eric	Lathen, Jay; Derosa, Stephen; Robinson, Michael D.		11:00 call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
199	Email	8/24/12 10:25 AM	Ferrell, Margaret D.	Lathen, Jay		EndCare	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
200	Email	8/24/12 11:00 AM	Lathen, Jay	Roper, Eric; Derosa, Stephen; Robinson, Michael D.		Re: 11:00 call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
201	Email	8/29/12 7:24 PM	Ferrell, Margaret D.	Lathen, Jay		Joint Accounts	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
202	Email	8/30/12 9:07 AM	Ferrell, Margaret D.	Lathen, Jay		RE: Joint Accounts	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
203	Email	8/30/12 12:15 PM	Ferrell, Margaret D.	Lathen, Jay		RE: Joint Accounts	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
204	Email	8/30/12 12:21 PM	Ferrell, Margaret D.	Lathen, Jay		RE: Joint Accounts	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
205	Email	8/30/12 12:39 PM	Ferrell, Margaret D.	Lathen, Jay		RE: Joint Accounts	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
206	Email	9/5/12 5:01 PM	Ferrell, Margaret D.	Lathen, Jay	Flanders, Robert G.	Lathen - Memo re Caramadre.DOCX	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
207	Email	9/5/12 11:35 AM	Derosa, Stephen	Lathen, Jay; Robinson, Michael D.	Roper, Eric	RE: 11:00 call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
208	Email	9/6/12 4:17 PM	Ferrell, Margaret D.	Robinson, Michael D.	Lathen, Jay	RE: Conference Call RE: Caramadre.DOCX	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
209	Email	9/7/12 9:21 AM	Robinson, Michael D.	Derosa, Stephen	Lathen, Jay; Roper, Eric	11:00 call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
210	Email	9/7/12 10:07 AM	Russell, Judith	Robinson, Michael D.; Lathen, Jay; Derosa, Stephen	Roper, Eric	CALL INFORMATION FOR TODAY'S 11:00 CONFERENCE CALL	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
213	Email with Attachment(s)	9/7/12 10:48 AM	Lathen, Jay	Russell, Judith; Robinson, Michael D.; Derosa, Stephen	Roper, Eric	RE: CALL INFORMATION FOR TODAY'S 11:00 CONFERENCE CALL	Attorney Client Privilege	Communication requesting legal advice of counsel.		
212	Email	9/7/12 10:59 AM	Russell, Judith	Lathen, Jay; Robinson, Michael D.; Derosa, Stephen	Roper, Eric	RE: CALL INFORMATION FOR TODAY'S 11:00 CONFERENCE CALL	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
213	Email	9/7/12 11:03 AM	Robinson, Michael D.	Russell, Judith	Lathen, Jay; Derosa, Stephen; Roper, Eric	Re: CALL INFORMATION FOR TODAY'S 11:00 CONFERENCE CALL	Attorney Client Privilege	Communication requesting legal advice of counsel.		
214	Email	9/7/12 11:23 AM	Roper, Eric	Russell, Judith; Robinson, Michael D.; Lathen, Jay; Derosa, Stephen		RE: CALL INFORMATION FOR TODAY'S 11:00 CONFERENCE CALL	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
215	Email	9/7/12 12:30 PM	Derosa, Stephen	Robinson, Michael D.; Lathen, Jay	Roper, Eric	ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
216	Email	9/7/12 1:49 PM	Lathen, Jay	Ferrell, Margaret D.; Robinson, Michael D.		RE: Conference Call RE: Caramadre.DOCX	Attorney Client Privilege	Communication requesting legal advice of counsel.		
217	Email	9/7/12 1:53 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		RE: Conference Call RE: Caramadre.DOCX	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
218	Email with Attachment(s)	9/7/12 2:25 PM	Lathen, Jay	Derosa, Stephen; Roper, Eric	Robinson, Michael D.	Final Brochure Part 2	Attorney Client Privilege	Communication requesting legal advice of counsel.		
219	Email	9/7/12 2:56 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		RE: Conference Call RE: Caramadre.DOCX	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
220	Email	9/7/12 2:57 PM	Lathen, Jay	Ferrell, Margaret D.; Robinson, Michael D.		Re: Conference Call RE: Caramadre.DOCX	Attorney Client Privilege	Communication requesting legal advice of counsel.		
221	Email	9/7/12 3:05 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		RE: Conference Call RE: Caramadre.DOCX	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
222	Email	9/7/12 3:25 PM	Derosa, Stephen	Lathen, Jay; Robinson, Michael D.	Roper, Eric	RE: RIA Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
223	Email with Attachment(s)	9/7/12 3:53 PM	Derosa, Stephen	Lathen, Jay; Roper, Eric	Robinson, Michael D.	RE: Final Brochure Part 2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
224	Email with Attachment(s)	9/11/12 12:40 PM	Robinson, Michael D.	Ferrell, Margaret D.	Lathen, Jay	Documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
225	Email with Attachment(s)	9/11/12 2:15 PM	Ferrell, Margaret D.	Robinson, Michael D.	Lathen, Jay	RE: Documents	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
226	Email	9/11/12 10:33 AM	Derosa, Stephen	Lathen, Jay; Robinson, Michael D.	Roper, Eric	RE: Final Brochure Part 2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
227	Email	9/11/12 11:00 AM	Lathen, Jay	Derosa, Stephen; Robinson, Michael D.	Roper, Eric	RE: Final Brochure Part 2	Attorney Client Privilege	Communication requesting legal advice of counsel.		
228	Email	9/11/12 11:01 AM	Derosa, Stephen	Lathen, Jay; Robinson, Michael D.	Roper, Eric	RE: Final Brochure Part 2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
229	Email	9/11/12 11:08 AM	Derosa, Stephen	Lathen, Jay; Robinson, Michael D.	Roper, Eric	RE: Final Brochure Part 2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
230	Email with Attachment(s)	9/11/12 12:01 PM	Robinson, Michael D.	Ferrell, Margaret D.		Securities Account Control Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
231	Email	9/13/12 1:36 PM	Ferrell, Margaret D.	Robinson, Michael D.		RE: Securities Account Control Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
232	Email	9/13/12 2:10 PM	Robinson, Michael D.	Ferrell, Margaret D.		Re: Securities Account Control Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
233	Email	9/13/12 2:12 PM	Ferrell, Margaret D.	Robinson, Michael D.		RE: Securities Account Control Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
234	Email	9/14/12 11:39 AM	Derosa, Stephen	Lathen, Jay; Robinson, Michael D.	Roper, Eric	RE: Final Brochure Part 2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
235	Email	9/18/12 10:37 AM	Ferrell, Margaret D.	Robinson, Michael D.		RE: Securities Account Control Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
236	Email	9/18/12 10:40 AM	Robinson, Michael D.	Ferrell, Margaret D.		End Care Project	Attorney Client Privilege	Communication requesting legal advice of counsel.		
237	Email with Attachment(s)	9/18/12 10:57 AM	Robinson, Michael D.	Ferrell, Margaret D.	Lathen, Jay	Re: Securities Account Control Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
238	Email	9/18/12 11:16 AM	Ferrell, Margaret D.	Robinson, Michael D.	Mandini, Jacquelyn A.; Doring, Matthew P.	RE: End Care Project	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
239	Email	9/18/12 11:46 AM	Robinson, Michael D.	Ferrell, Margaret D.		Re: End Care Project	Attorney Client Privilege	Communication requesting legal advice of counsel.		
240	Email	9/18/12 11:52 AM	Ferrell, Margaret D.	Robinson, Michael D.		RE: End Care Project	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
241	Email	9/18/12 12:02 PM	Ferrell, Margaret D.	Robinson, Michael D.		RE: End Care Project	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
242	Email	9/18/12 12:07 PM	Robinson, Michael D.	Ferrell, Margaret D.		Re: End Care Project	Attorney Client Privilege	Communication requesting legal advice of counsel.		
243	Email with Attachment(s)	9/18/12 12:22 PM	Robinson, Michael D.	Ferrell, Margaret D.		Re: Securities Account Control Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
244	Email with Attachment(s)	9/18/12 2:25 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.	Mandini, Jacquelyn A.; Doring, Matthew P.	EndCare Documents/Attorney client privileged	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
245	Email with Attachment(s)	9/18/12 2:38 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.	Doring, Matthew P.; Mandini, Jacquelyn A.	Credit Line Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
246	Email	9/25/12 2:25 PM	Mandini, Jacquelyn A.	Robinson, Michael D.	Lathen, Jay	EndCare	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
247	Email with Attachment(s)	9/27/12 4:28 PM	Robinson, Michael D.	Ferrell, Margaret D.	Lathen, Jay; Mandini, Jacquelyn A.; Doring, Matthew P.	Re: EndCare Documents/Attorney client privileged	Attorney Client Privilege	Communication requesting legal advice of counsel.		
248	Email	9/27/12 4:29 PM	Ferrell, Margaret D.	Robinson, Michael D.		Out of Office: EndCare Documents/Attorney client privileged	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
249	Email	9/28/12 8:44 AM	Mandini, Jacquelyn A.	Robinson, Michael D.; Ferrell, Margaret D.	Lathen, Jay; Doring, Matthew P.	RE: EndCare Documents/Attorney client privileged	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
250	Email with Attachment(s)	10/1/12 5:10 PM	Robinson, Michael D.	Ferrell, Margaret D.	Doring, Matthew P.; Mandini, Jacquelyn A.; Lathen, Jay	Brochure and Participant's Agent Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
251	Email	10/1/12 6:55 PM	Ferrell, Margaret D.	Robinson, Michael D.	Doring, Matthew P.; Mandini, Jacquelyn A.; Lathen, Jay	RE: Brochure and Participant's Agent Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
252	Email with Attachment(s)	10/4/12 9:37 AM	Robinson, Michael D.	Ferrell, Margaret D.		Securities Account Control Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
253	Email	10/4/12 9:55 AM	Ferrell, Margaret D.	Robinson, Michael D.		RE: Securities Account Control Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
254	Email with Attachment(s)	11/16/12 12:32 PM	Robinson, Michael D.	Ferrell, Margaret D.; Lathen, Jay		Caramadre Memorandum Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
255	Email with Attachment(s)	11/19/12 10:54 AM	Roper, Eric	Lathen, Jay; Robinson, Michael D.		FW: vCard & Bio -- Darren Kane, Former SEC Agent with Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
256	Email with Attachment(s)	11/19/12 10:56 AM	Roper, Eric	Lathen, Jay		FW: vCard & Bio -- Darren Kane, Former SEC Agent with Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
257	Email	11/20/12 11:50 AM	Roper, Eric	Kane, Darren; Lathen, Jay; Robinson, Michael D.		FW: vCard & Bio -- Darren Kane, Former SEC Agent with Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
258	Email	11/20/12 12:10 PM	Lathen, Jay	Roper, Eric; Kane, Darren; Robinson, Michael D.		RE: vCard & Bio -- Darren Kane, Former SEC Agent with Mission Critical Services	Attorney Client Privilege	Communication requesting legal advice of counsel.		
259	Email	11/20/12 12:11 PM	Lathen, Jay	Roper, Eric; Kane, Darren; Robinson, Michael D.		RE: vCard & Bio -- Darren Kane, Former SEC Agent with Mission Critical Services	Attorney Client Privilege	Communication requesting legal advice of counsel.		
260	Email with Attachment(s)	11/20/12 4:42 PM	Kane, Darren	Lathen, Jay; Robinson, Michael D.	Roper, Eric	RE: vCard & Bio -- Darren Kane, Former SEC Agent with Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
261	Email with Attachment(s)	11/28/12 9:40 AM	Kane, Darren	Lathen, Jay		SEC Exam Preparation -- Specific Topics & Questions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
262	Email	11/29/12 11:15 AM	Lathen, Jay	Kane, Darren	Robinson, Michael D.	RE: SEC Exam Preparation -- Specific Topics & Questions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
263	Email	11/29/12 11:34 AM	Kane, Darren	Lathen, Jay	Robinson, Michael D.	RE: SEC Exam Preparation -- Specific Topics & Questions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
264	Email	11/30/12 4:34 PM	Flanders, Robert G.	Lathen, Jay	Ferrell, Margaret D.	Detail for Work on Caramadre Memorandum	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
265	Email	11/30/12 6:06 PM	Lathen, Jay	Flanders, Robert G.	Ferrell, Margaret D.; Robinson, Michael D.	RE: Detail for Work on Caramadre Memorandum	Attorney Client Privilege	Communication requesting legal advice of counsel.		
266	Email	12/3/12 12:01 PM	Ferrell, Margaret D.	Robinson, Michael D.; Lathen, Jay		RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
267	Email	12/3/12 12:37 PM	Ferrell, Margaret D.	Robinson, Michael D.; Lathen, Jay		RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
268	Email with Attachment(s)	12/3/12 12:38 PM	Robinson, Michael D.	Ferrell, Margaret D.	Lathen, Jay	Re: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
269	Email with Attachment(s)	12/3/12 4:00 PM	Robinson, Michael D.	Ferrell, Margaret D.	Lathen, Jay	Re: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
270	Email	12/6/12 5:52 PM	Joseph, Cassondra E.	Beck, Rafael; Robinson, Michael D.; Lathen, Jay		RE: Compliance services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
271	Email	12/6/12 6:22 PM	Lathen, Jay	Joseph, Cassondra E.; Beck, Rafael; Robinson, Michael D.		RE: Compliance services	Attorney Client Privilege	Communication requesting legal advice of counsel.		
272	Email	12/10/12 1:24 PM	Kane, Darren	Lathen, Jay		Your Availability -- Darren Kane/Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
273	Email with Attachment(s)	12/10/12 5:34 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		IA books and records	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
274	Email with Attachment(s)	12/10/12 5:35 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Steve Pope - Smarsh, Inc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
275	Email with Attachment(s)	12/10/12 5:36 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Robert Fredericks - SECCAS, LLC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
276	Email with Attachment(s)	12/10/12 5:37 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Warren Hogwood - Global Relay Communications Inc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
277	Email	12/10/12 5:38 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Email archives	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
278	Email	12/10/12 6:11 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.; Lathen, Jay		RE: Email archives	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
279	Email	12/10/12 7:41 PM	Lathen, Jay	Joseph, Cassondra E.; Robinson, Michael D.; Lathen, Jay		RE: Email archives	Attorney Client Privilege	Communication requesting legal advice of counsel.		
280	Email	12/12/12 11:50 AM	Ferrell, Margaret D.	Robinson, Michael D.	Lathen, Jay	RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
281	Email	12/12/12 12:01 PM	Lathen, Jay	Ferrell, Margaret D.; Robinson, Michael D.		RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
282	Email	12/12/12 3:47 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
283	Email	12/14/12 1:33 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
284	Email	12/14/12 4:44 PM	Lathen, Jay	Ferrell, Margaret D.; Robinson, Michael D.		RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
285	Email	12/14/12 5:44 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
286	Email	12/14/12 6:00 PM	Lathen, Jay	Ferrell, Margaret D.; Robinson, Michael D.		RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
287	Email	12/14/12 6:06 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
288	Email	12/18/12 11:31 AM	Joseph, Cassondra E.	Robinson, Michael D.	Beck, Rafael	RE: Email archives	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
289	Email	12/19/12 6:42 AM	Joseph, Cassondra E.	Robinson, Michael D.	Stupay, Michael; Beck, Rafael	Re: Email archives	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
290	Email with Attachment(s)	12/19/12 11:44 AM	Robinson, Michael D.	Ferrell, Margaret D.	Lathen, Jay	Re: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
291	Email	12/19/12 12:05 PM	Ferrell, Margaret D.	Robinson, Michael D.	Lathen, Jay	RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
292	Email	12/19/12 12:35 PM	Robinson, Michael D.	Ferrell, Margaret D.		Re: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
293	Email with Attachment(s)	12/19/12 12:59 PM	Ferrell, Margaret D.	Robinson, Michael D.	Lathen, Jay	RE: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
294	Email with Attachment(s)	12/19/12 1:05 PM	Robinson, Michael D.	Ferrell, Margaret D.	Lathen, Jay	Re: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
295	Email with Attachment(s)	12/19/12 6:55 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		Memorandum	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
296	Email with Attachment(s)	12/21/12 10:17 AM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		Revised Memo	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
297	Email with Attachment(s)	12/21/12 1:55 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		Memo revised	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
298	Email	12/21/12 2:05 PM	Lathen, Jay	Ferrell, Margaret D.; Robinson, Michael D.		RE: Memo revised	Attorney Client Privilege	Communication requesting legal advice of counsel.		
299	Email	12/21/12 2:12 PM	Ferrell, Margaret D.	Lathen, Jay; Robinson, Michael D.		RE: Memo revised	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
300	Email	12/21/12 2:26 PM	Robinson, Michael D.	Ferrell, Margaret D.	Lathen, Jay	Re: Memo revised	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Notes
301	Email with Attachment(s)	12/21/12 5:07 PM	Farrell, Margaret D.	Lathen, Jay; Robinson, Michael D.	Flanders, Robert G.	Memorandum	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
302	Email	12/21/12 6:55 PM	Farrell, Margaret D.	Lathen, Jay	Robinson, Michael D.; Flanders, Robert G.	RE: Memorandum	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
303	Email	12/21/12 6:55 PM	Lathen, Jay	Farrell, Margaret D.	Robinson, Michael D.; Flanders, Robert G.	Re: Memorandum	Attorney Client Privilege	Communication requesting legal advice of counsel.		
304	Email	12/26/13 10:42 PM	Joseph, Cassondra E.	Robinson, Michael D.	Beck, Rafael; Lathen, Jay; Stupay, Michael	Re: Eden Arc - Compliance Services proposal	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
305	Email	1/8/13 10:18 AM	Beck, Rafael	Robinson, Michael D.	Lathen, Jay; Stupay, Michael; Joseph, Cassondra E.	Re: Eden Arc - Compliance Services proposal	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
306	Email	1/8/13 5:33 PM	Robinson, Michael D.	Doring, Matthew P.	Farrell, Margaret D.	Discretionary Line Agreement "Draft"	Attorney Client Privilege	Communication requesting legal advice of counsel.		
307	Email	1/8/13 5:40 PM	Doring, Matthew P.	Robinson, Michael D.	Farrell, Margaret D.	Re: Discretionary Line Agreement "Draft"	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
308	Email with Attachment(s)	2/18/13 3:48 PM	Joseph, Cassondra E.	Robinson, Michael D.; Lathen, Jay		Eden Arc Manual 2013 0201.docx	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
309	Email	2/19/13 3:01 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Accredited Investors	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
310	Email with Attachment(s)	2/20/13 4:29 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Eden Arc Code of Ethics 2013 0201.doc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
311	Email	2/26/13 1:48 PM	Robinson, Michael D.	Joseph, Cassondra E.	Lathen, Jay	Re: Eden Arc Code of Ethics 2013 0201.doc	Attorney Client Privilege	Communication requesting legal advice of counsel.		
312	Email	2/26/13 1:56 PM	Joseph, Cassondra E.	Robinson, Michael D.	Lathen, Jay	RE: Eden Arc Code of Ethics 2013 0201.doc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
313	Email	2/26/13 1:57 PM	Robinson, Michael D.	Joseph, Cassondra E.	Lathen, Jay	Re: Eden Arc Code of Ethics 2013 0201.doc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
314	Email	3/12/13 10:49 AM	Robinson, Michael D.	Joseph, Cassondra E.	Lathen, Jay	Discussion of the Draft Compliance Manuals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
315	Email	3/12/13 10:51 AM	Robinson, Michael D.	Joseph, Cassondra E.		Manuals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
316	Email	3/12/13 2:10 PM	Joseph, Cassondra E.	Robinson, Michael D.		Re: Manuals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
317	Email	3/12/13 2:40 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Manuals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
318	Email with Attachment(s)	3/13/13 11:49 AM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Manuals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
319	Email	3/13/13 11:50 AM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Manuals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
320	Email with Attachment(s)	3/13/13 1:13 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Manuals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
321	Email	3/13/13 1:22 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Manuals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
322	Email	3/13/13 8:21 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Manuals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
323	Email	3/14/13 2:19 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		IA registration	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
324	Email	3/14/13 2:35 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		TX IA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
325	Email with Attachment(s)	3/14/13 2:42 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Oscar Gonzalez - Texas State Securities Board	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
326	Email with Attachment(s)	3/14/13 2:45 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Series 65 & 66 licenses.docx	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
327	Email with Attachment(s)	3/14/13 3:42 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Performance Fees.docx	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
328	Email	3/14/13 3:48 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		IA overall requirements per SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
329	Email	3/14/13 3:50 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		More from SEC re regulatory requirements	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
330	Email with Attachment(s)	3/14/13 4:10 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Eden Arc Privacy Notice 2013 0314.docx	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
331	Email with Attachment(s)	3/14/13 5:07 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		COMPLIANCE CHECKLIST for IAs.doc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
332	Email	3/14/13 7:29 PM	Lathen, Jay	Joseph, Cassondra E.	Robinson, Michael D.	RE: TX IA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
333	Email	3/14/13 7:31 PM	Joseph, Cassondra E.	Lathen, Jay		RE: TX IA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
334	Email	3/14/13 7:33 PM	Joseph, Cassondra E.	Lathen, Jay		RE: TX IA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
335	Email	3/14/13 7:44 PM	Lathen, Jay	Joseph, Cassondra E.		RE: TX IA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
336	Email	3/21/13 4:04 PM	Robinson, Michael D.	Joseph, Cassondra E.		The Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
337	Email	3/21/13 4:05 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: The Docs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
338	Email	3/21/13 4:53 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: The Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
339	Email	3/22/13 7:09 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		TX IAR NOTICE filing	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
340	Email	3/22/13 7:15 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		FL IAR registration - from FL FAQs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
341	Email	3/25/13 11:06 AM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		TX registration	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
342	Email	3/25/13 11:08 AM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		TX issues	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
343	Email	3/26/13 11:34 AM	Lathen, Jay	Joseph, Cassondra E.	Robinson, Michael D.	Re: TX registration	Attorney Client Privilege	Communication requesting legal advice of counsel.		
344	Email	3/29/13 11:53 AM	Joseph, Cassondra E.	Lathen, Jay		RE: TX registration	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
345	Email	4/1/13 11:24 AM	Joseph, Cassondra E.	Robinson, Michael D.		RE: The Docs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
346	Email	4/2/13 3:22 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Updates from Us	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
347	Email with Attachment(s)	4/8/13 2:12 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		EdenArc AML Procedures 2013 0408.docx	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
348	Email with Attachment(s)	4/8/13 2:55 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Eden Arc BCP 2013 0408.doc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
349	Email with Attachment(s)	4/9/13 9:53 AM	Robinson, Michael D.	Joseph, Cassondra E.	Lathen, Jay	Code of Ethic + Compliance Policies and Procedures	Attorney Client Privilege	Communication requesting legal advice of counsel.		
350	Email	4/24/13 10:35 PM	Robinson, Michael D.	Joseph, Cassondra E.		Documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
351	Email	4/24/13 11:18 PM	Robinson, Michael D.	Joseph, Cassondra E.		Documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
352	Email	4/25/13 4:07 AM	Joseph, Cassondra E.	Robinson, Michael D.		Re: Documents	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
353	Email	4/25/13 7:37 AM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
354	Email	4/25/13 8:26 AM	Beck, Rafael	Lathen, Jay		Time to talk about compliance?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
355	Email	5/13/13 1:12 PM	Joseph, Cassondra E.	Lathen, Jay; Robinson, Michael D.		Do you have availability today?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
356	Email	5/13/13 3:34 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Do you have availability today?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
357	Email	5/13/13 4:10 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Do you have availability today?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
358	Email	5/13/13 4:17 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Do you have availability today?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
359	Email	5/13/13 4:20 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Do you have availability today?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
360	Email	5/13/13 4:30 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Do you have availability today?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
361	Email	5/15/13 4:07 PM	Joseph, Cassondra E.	Robinson, Michael D.		Still on the phone...	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
362	Email	5/15/13 4:13 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Still on the phone...	Attorney Client Privilege	Communication requesting legal advice of counsel.		
363	Email	5/15/13 4:22 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Still on the phone...	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
364	Email	5/15/13 7:09 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Still on the phone...	Attorney Client Privilege	Communication requesting legal advice of counsel.		
365	Email	5/15/13 7:10 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Still on the phone...	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
366	Email	5/22/13 12:59 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Still on the phone	Attorney Client Privilege	Communication requesting legal advice of counsel.		
367	Email with Attachment(s)	6/20/13 3:03 PM	Lethen, Jay	Roper, Eric		Current Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
368	Email with Attachment(s)	6/25/13 8:19 PM	Roper, Eric	Lethen, Jay; Colagulo, Cheryl		FW: Revised Docs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
369	Email with Attachment(s)	6/27/13 12:16 PM	Lethen, Jay	Roper, Eric; Colagulo, Cheryl		RE: Revised Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
370	Email	6/27/13 1:30 PM	Roper, Eric	Lethen, Jay; Colagulo, Cheryl		Final documents	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
371	Email with Attachment(s)	7/2/13 5:30 PM	Joseph, Cassondra E.	Robinson, Michael D.	Lethen, Jay	Eden Arc Manual v. 2 2013 0702.docx	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
372	Email	7/2/13 5:50 PM	Robinson, Michael D.	Joseph, Cassondra E.	Lethen, Jay	Re: Eden Arc Manual v. 2 2013 0702.docx	Attorney Client Privilege	Communication requesting legal advice of counsel.		
373	Email	7/3/13 2:50 AM	Joseph, Cassondra E.	Robinson, Michael D.	Lethen, Jay	Re: Eden Arc Manual v. 2 2013 0702.docx	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
374	Email	7/7/13 5:33 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Eden Arc Manual v. 2 2013 0702.docx	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
375	Email	7/7/13 5:33 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Eden Arc Manual v. 2 2013 0702.docx	Attorney Client Privilege	Communication requesting legal advice of counsel.		
376	Email with Attachment(s)	7/8/13 6:39 PM	Lethen, Jay	Roper, Eric; Colagulo, Cheryl		RE: Final documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
377	Email	7/16/13 9:14 PM	Roper, Eric	Lethen, Jay		Out of Office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
378	Email	7/26/13 12:17 PM	Joseph, Cassondra E.	Robinson, Michael D.		Still in Maine?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
379	Email	7/26/13 3:14 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Still in Maine?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
380	Email	7/26/13 3:15 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Still in Maine?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
381	Email	7/26/13 3:16 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Still in Maine?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
382	Email	7/26/13 3:17 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Still in Maine?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
383	Email	7/31/13 5:18 PM	Robinson, Michael D.	Joseph, Cassondra E.		Re: Still in Maine?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
384	Email	7/31/13 5:29 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Still in Maine?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
385	Email	8/9/13 1:47 PM	Joseph, Cassondra E.	Robinson, Michael D.		Back in Maine?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
386	Email	8/9/13 2:26 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Back in Maine?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
387	Email	8/9/13 2:29 PM	Robinson, Michael D.	Joseph, Cassondra E.	Lethen, Jay	Re: Back in Maine?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
388	Email	8/9/13 2:30 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Back in Maine?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
389	Email	8/9/13 3:47 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Back in Maine?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
390	Email	8/9/13 3:08 PM	Joseph, Cassondra E.	Robinson, Michael D.		Meet w/ M. Robinson (Eden Arc)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
391	Email	8/12/13 3:10 PM	Joseph, Cassondra E.	Robinson, Michael D.		RE: Back in Maine?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
392	Email with Attachment(s)	8/13/13 1:53 PM	Joseph, Cassondra E.	Lethen, Jay; Robinson, Michael D.		Manuals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
393	Email	8/23/13 12:09 PM	Lethen, Jay	Farrell, Margaret D.		FW: Benchmark Plus ODD follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
394	Email	8/23/13 12:30 PM	Farrell, Margaret D.	Lethen, Jay		Re: Benchmark Plus ODD follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
395	Email	8/23/13 12:43 PM	Lethen, Jay	Farrell, Margaret D.		RE: Benchmark Plus ODD follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
396	Email	8/23/13 1:00 PM	Farrell, Margaret D.	Lethen, Jay		Re: Benchmark Plus ODD follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
397	Email	8/23/13 2:26 PM	Lethen, Jay	Farrell, Margaret D.		RE: Benchmark Plus ODD follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
398	Email	9/5/13 1:15 PM	Lethen, Jay	Maine, Phaedra	Roper, Eric	RE: Law Offices of Eric R. Roper PC - SECOND NOTICE	Attorney Client Privilege	Communication requesting legal advice of counsel.		
399	Email with Attachment(s)	9/18/13 10:33 AM	Kane, Darren	Lethen, Jay	Davis, Amanda; Brooks, Jenna	Engagement Letter – Mission Critical Services & Eden Arc Capital Management	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
400	Email	9/20/13 6:46 PM	Joseph, Cassondra E.	Lethen, Jay		FW: SEC Charges Father and Son in South Carolina for FraudulentProgram Designed to Profit From Fate of Terminally Ill	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
401	Email	9/21/13 4:22 AM	Lethen, Jay	Flanders, Robert G.; Farrell, Margaret D.		SEC Case Related to Survivor's Option Bonds	Attorney Client Privilege	Communication requesting legal advice of counsel.		
402	Email	9/21/13 8:32 AM	Lethen, Jay	Lethen, Kathy		Fwd: SEC Charges Father and Son in South Carolina for FraudulentProgram Designed to Profit From Fate of Terminally Ill	Attorney Client Privilege	Communication reflecting legal advice of Cassondra Joseph.		
403	Email with Attachment(s)	9/25/13 10:29 AM	Robinson, Michael D.	Farrell, Margaret D.		Profit Sharing Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
404	Email with Attachment(s)	9/25/13 10:46 AM	Lethen, Jay	Flanders, Robert G.; Farrell, Margaret D.		FW: Redemption Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
405	Email	9/25/13 11:01 AM	Robinson, Michael D.	Farrell, Margaret D.		Boilerplate	Attorney Client Privilege	Communication requesting legal advice of counsel.		
406	Email	9/25/13 1:49 PM	Farrell, Margaret D.	Robinson, Michael D.	Lethen, Jay	RE: Profit Sharing Agreement/Privileged communication	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
407	Email with Attachment(s)	9/25/13 3:51 PM	Lethen, Jay	Farrell, Margaret D.; Flanders, Robert G.	Robinson, Michael D.	Fwd: Goldman Sachs Bank USA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
408	Email	9/25/13 4:02 PM	Farrell, Margaret D.	Lethen, Jay; Flanders, Robert G.	Robinson, Michael D.	RE: Goldman Sachs Bank USA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
409	Email with Attachment(s)	9/25/13 9:35 PM	Lethen, Jay	Farrell, Margaret D.; Flanders, Robert G.	Robinson, Michael D.	RE: Goldman Sachs Bank USA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
410	Email	9/25/13 10:31 PM	Robinson, Michael D.	Lethen, Jay	Farrell, Margaret D.; Flanders, Robert G.	Re: Goldman Sachs Bank USA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
411	Email	9/26/13 8:54 AM	Farrell, Margaret D.	Robinson, Michael D.; Lethen, Jay	Flanders, Robert G.	RE: Goldman Sachs Bank USA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
412	Email with Attachment(s)	9/26/13 10:18 AM	Robinson, Michael D.	Farrell, Margaret D.		CI, ISng Standard Account Form	Attorney Client Privilege	Communication requesting legal advice of counsel.		
413	Email	9/27/13 10:24 AM	Lethen, Jay	Fagrell, Margaret D.; Flanders, Robert G.		Response Letter to Sidley Austin	Attorney Client Privilege	Communication requesting legal advice of counsel.		
414	Email	9/27/13 11:02 AM	Flanders, Robert G.	Lethen, Jay	Farrell, Margaret D.	RE: Response Letter to Sidley Austin	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
415	Email with Attachment(s)	9/27/13 1:16 PM	Flanders, Robert G.	Lethen, Jay	Farrell, Margaret D.	Sidley Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
416	Email	9/27/13 1:26 PM	Lethen, Jay	Flanders, Robert G.	Farrell, Margaret D.	RE: Sidley Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
417	Email	9/27/13 1:55 PM	Flanders, Robert G.	Lethen, Jay	Farrell, Margaret D.	RE: Sidley Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
418	Email with Attachment(s)	9/27/13 2:15 PM	Flanders, Robert G.	Lethen, Jay		Case Summaries You Requested	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
419	Email with Attachment(s)	9/27/13 2:24 PM	Flanders, Robert G.	Massey, William R.		Goldman Sachs/Donald Lethen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
420	Email with Attachment(s)	9/30/13 10:01 AM	Lethen, Jay	Lethen, Jay		Fw: Revised Participant Agreement	Attorney Client Privilege/Work Product	Communication reflecting legal advice of Margaret Farrell.		
421	Email	9/30/13 10:02 AM	Lethen, Jay	Lethen, Jay		Fw: Benchmark Plus Questions	Attorney Client Privilege	Communication reflecting legal advice of Margaret Farrell.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
422	Email	9/30/13 5:07 PM	Lathen, Jay	Flanders, Robert G.		RE: Case Summaries You Requested	Attorney Client Privilege	Communication requesting legal advice of counsel.		
423	Email	10/1/13 8:22 AM	Lathen, Jay	Roper, Eric		Got your message yesterday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
424	Email	10/1/13 3:25 PM	Roper, Eric	Lathen, Jay; Strohmenger, Richard		RE: Got your message yesterday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
425	Email	10/1/13 5:17 PM	Lathen, Jay	Roper, Eric; Strohmenger, Richard		RE: Got your message yesterday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
426	Email	10/2/13 10:19 AM	Lathen, Jay	Kane, Darren	Davis, Amanda; Brooks, Jenna; Robinson, Michael D.	RE: Engagement Letter – Mission Critical Services & Eden ArcCapital Management	Attorney Client Privilege	Communication requesting legal advice of counsel.		
427	Email	10/2/13 10:27 AM	Kane, Darren	Lathen, Jay		RE: Engagement Letter – Mission Critical Services & Eden Arc Capital Management	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
428	Email with Attachment(s)	10/2/13 10:36 AM	Robinson, Michael D.	Kane, Darren	Lathen, Jay; Davis, Amanda; Brooks, Jenna	Re: Engagement Letter – Mission Critical Services & Eden Arc CapitalManagement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
429	Email	10/2/13 5:35 PM	Strohmenger, Richard	Lathen, Jay	Tannenbaum, Michael G.; Roper, Eric	Eden Arc Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
430	Email with Attachment(s)	10/2/13 9:56 PM	Kane, Darren	Robinson, Michael D.	Lathen, Jay; Davis, Amanda; Brooks, Jenna	RE: Engagement Letter – Mission Critical Services & Eden Arc Capital Management	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
431	Email	10/2/13 9:56 PM	Kane, Darren	Lathen, Jay	Robinson, Michael D.	Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
432	Email with Attachment(s)	10/3/13 4:57 PM	Flanders, Robert G.	Lathen, Jay	Farrell, Margaret D.	FW: Goldman Sachs Bank USA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
433	Email with Attachment(s)	10/3/13 4:57 PM	Lathen, Jay	Flanders, Robert G.		FW: Goldman Sachs Bank USA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
434	Email	10/7/13 6:13 PM	Lathen, Jay	Kane, Darren	Robinson, Michael D.	RE: Your Availability	Attorney Client Privilege	Communication requesting legal advice of counsel.		
435	Email	10/7/13 6:33 PM	Kane, Darren	Lathen, Jay	Robinson, Michael D.	RE: Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
436	Email	10/7/13 6:40 PM	Lathen, Jay	Kane, Darren	Robinson, Michael D.	RE: Your Availability	Attorney Client Privilege	Communication requesting legal advice of counsel.		
437	Email	10/7/13 7:27 PM	Kane, Darren	Lathen, Jay	Robinson, Michael D.	RE: Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
438	Email	10/7/13 8:23 PM	Kane, Darren	Lathen, Jay		RE: Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
439	Email with Attachment(s)	10/9/13 2:28 PM	Lathen, Jay	Lathen, Jay		fwd: Memorandum to Jay Lathen	Attorney Work Product	Communication attaching privileged work product.		
440	Email	10/9/13 7:41 PM	Flanders, Robert G.	Massey, William R.	Zarchan, Aryeh H.; Stern, Andrew W.	RE: Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
441	Email	10/10/13 10:07 AM	Flanders, Robert G.	Massey, William R.	Zarchan, Aryeh H.; Stern, Andrew W.	RE: Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
442	Email	10/11/13 12:07 PM	Lathen, Jay	Flanders, Robert G.		Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
443	Email	10/15/13 1:22 PM	Flanders, Robert G.	Lathen, Jay		RE: Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
444	Email	10/15/13 1:17 PM	Lathen, Jay	Flanders, Robert G.		RE: Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
445	Email	10/15/13 3:44 PM	Lathen, Jay	Kane, Darren		Today's call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
446	Email	10/15/13 3:48 PM	Kane, Darren	Lathen, Jay		RE: Today's call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
447	Email	10/17/13 12:46 PM	Lathen, Jay	Kane, Darren		RE: Today's call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
448	Email	10/17/13 12:57 PM	Kane, Darren	Lathen, Jay		RE: Today's call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
449	Email	10/17/13 1:02 PM	Lathen, Jay	Kane, Darren	Robinson, Michael D.	RE: Today's call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
450	Email	10/17/13 1:32 PM	Kane, Darren	Lathen, Jay	Robinson, Michael D.	RE: Today's call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
451	Email with Attachment(s)	10/20/13 7:46 PM	Flanders, Robert G.	Lathen, Jay		RE: Goldman Sachs Bank USA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
452	Email with Attachment(s)	10/21/13 11:44 AM	Lathen, Jay	Flanders, Robert G.		RE: Goldman Sachs Bank USA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
453	Email	10/21/13 5:38 PM	Flanders, Robert G.	Lathen, Jay		RE: Goldman Sachs Bank USA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
454	Email with Attachment(s)	10/21/13 5:44 PM	Lathen, Jay	Flanders, Robert G.		RE: Goldman Sachs Bank USA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
455	Email	10/23/13 10:20 AM	Roper, Eric	Lathen, Jay		RE: Eden Arc Capital Partners - September 2013 Performance Summary	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
456	Email with Attachment(s)	10/23/13 11:41 AM	Flanders, Robert G.	Lathen, Jay	Farrell, Margaret D.	RE: Goldman Sachs Bank USA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
457	Email with Attachment(s)	10/23/13 1:05 PM	Lathen, Jay	Flanders, Robert G.	Farrell, Margaret D.	RE: Goldman Sachs Bank USA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
458	Email	10/23/13 4:18 PM	Lathen, Jay	Flanders, Robert G.		Call tomorrow	Attorney Client Privilege	Communication requesting legal advice of counsel.		
459	Email with Attachment(s)	10/23/13 4:31 PM	Kane, Darren	Lathen, Jay		SEC Enforcement Action	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
460	Email with Attachment(s)	10/23/13 4:58 PM	Kane, Darren	Lathen, Jay		Snipit 2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
461	Email with Attachment(s)	10/23/13 5:02 PM	Kane, Darren	Lathen, Jay		Sent from Snipping Tool	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
462	Email	10/23/13 7:43 PM	Kane, Darren	Lathen, Jay		Document Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
463	Email	10/23/13 9:26 PM	Kane, Darren	Lathen, Jay	Kane, Darren	Document Request 2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
464	Email	10/24/13 1:08 PM	Kane, Darren	Lathen, Jay		RE: Document Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
465	Email	10/24/13 1:08 PM	Kane, Darren	Lathen, Jay		RE: Document Request 2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
466	Email	10/24/13 1:44 PM	Kane, Darren	Lathen, Jay		RE: Document Request 2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
467	Email with Attachment(s)	10/14/13 4:55 PM	Kane, Darren	Lathen, Jay		RE: Eden Arc Capital Partners - September 2013 Performance Summary	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
468	Email with Attachment(s)	10/25/13 12:50 PM	Lathen, Jay	Flanders, Robert G.		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
469	Email with Attachment(s)	10/25/13 2:12 PM	Flanders, Robert G.	Lathen, Jay		FW: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
470	Email	10/25/13 2:56 PM	Farrell, Margaret D.	Flanders, Robert G.; Lathen, Jay		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
471	Email	10/25/13 3:41 PM	Lathen, Jay	Farrell, Margaret D.; Flanders, Robert G.		RE: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
472	Email	10/25/13 6:15 PM	Farrell, Margaret D.	Lathen, Jay; Flanders, Robert G.		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
473	Email	10/28/13 9:54 AM	Lathen, Jay	Roper, Eric		RE: Eden Arc Capital Partners - September 2013 Performance Summary	Attorney Client Privilege	Communication requesting legal advice of counsel.		
474	Email	10/28/13 11:35 AM	Kane, Darren	Lathen, Jay		RE: Eden Arc Capital Partners - September 2013 Performance Summary	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
475	Email	10/28/13 2:13 PM	Roper, Eric	Lathen, Jay		Re: Eden Arc Capital Partners - September 2013 Performance Summary	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
476	Email with Attachment(s)	10/28/13 2:23 PM	Flanders, Robert G.	Lathen, Jay		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
477	Email with Attachment(s)	10/28/13 2:47 PM	Lathen, Jay	Flanders, Robert G.		FW: Fwd:cusip 38143A550	Attorney Client Privilege	Communication requesting legal advice of counsel.		
478	Email	10/28/13 2:43 PM	Lathen, Jay	Flanders, Robert G.		RE: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Batch
479	Email	10/29/13 6:55 AM	Kane, Darren	Lathen, Jay		New Rule 506(d)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
480	Email	11/4/13 11:24 AM	Lathen, Jay	Lonergan, Kyle A.		Re: Talk	Attorney Client Privilege	Communication requesting legal advice of counsel.		
481	Email	11/4/13 11:25 AM	Lonergan, Kyle A.	Lathen, Jay		RE: Talk	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
482	Email with Attachment(s)	11/4/13 11:55 AM	Lathen, Jay	Lonergan, Kyle A.		RE: Talk	Attorney Client Privilege	Communication requesting legal advice of counsel.		
483	Email	11/4/13 3:26 PM	Lathen, Jay	Kane, Darren		RE: New Rule 506(d)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
484	Email	11/4/13 3:54 PM	Kane, Darren	Lathen, Jay		RE: New Rule 506(d)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
485	Email with Attachment(s)	11/6/13 11:28 AM	Robbins, David E.	Lathen, Jay		Robbins	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
486	Email	11/6/13 12:10 PM	Lonergan, Kyle A.	Lathen, Jay		Your call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
487	Email	11/6/13 12:11 PM	Lathen, Jay	Lonergan, Kyle A.		RE: Your call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
488	Email with Attachment(s)	11/6/13 5:05 PM	Lathen, Jay	Robbins, David E.		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
489	Email	11/6/13 5:14 PM	Lonergan, Kyle A.	Lathen, Jay		RE: Your call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
490	Email	11/7/13 10:54 AM	Robbins, David E.	Lathen, Jay	Gillin, Daniel	RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
491	Email with Attachment(s)	11/7/13 2:47 PM	Lonergan, Kyle A.	Lathen, Jay		Attorney Recommendations	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
492	Email	11/7/13 5:45 PM	Lathen, Jay	Flanders, Robert G.		FINRA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
493	Email	11/7/13 6:35 PM	Lathen, Jay	Flanders, Robert G.	Robinson, Michael D.	New Goldman Death Put Language	Attorney Client Privilege	Communication requesting legal advice of counsel.		
494	Email	11/7/13 7:33 PM	Flanders, Robert G.	Lathen, Jay		Re: New Goldman Death Put Language	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
495	Email	11/7/13 7:41 PM	Flanders, Robert G.	Lathen, Jay		Re: FINRA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
496	Email	11/7/13 9:37 PM	Flanders, Robert G.	Lathen, Jay		Fwd: FINRA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
497	Email	11/8/13 9:50 AM	Flanders, Robert G.	Lathen, Jay		FW: FINRA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
498	Email	11/8/13 7:03 PM	Lathen, Jay	Lonergan, Kyle A.		RE: Attorney Recommendations	Attorney Client Privilege	Communication requesting legal advice of counsel.		
499	Email	11/12/13 10:45 AM	Lathen, Jay	Ferrell, Margaret D.		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
500	Email	11/13/13 10:48 AM	Ferrell, Margaret D.	Lathen, Jay		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
501	Email	11/13/13 10:58 AM	Lathen, Jay	Ferrell, Margaret D.		RE: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
502	Email	11/13/13 11:07 AM	Ferrell, Margaret D.	Lathen, Jay		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
503	Email	11/13/13 1:57 PM	Lathen, Jay	Ferrell, Margaret D.		FW: New Goldman Death Put Language	Attorney Client Privilege	Communication requesting legal advice of counsel.		
504	Email with Attachment(s)	11/14/13 11:10 AM	Lathen, Jay	Ferrell, Margaret D.		Survivor Option Guidelines	Attorney Client Privilege	Communication requesting legal advice of counsel.		
505	Email with Attachment(s)	11/20/13 11:45 AM	Lathen, Jay	Flanders, Robert G.		FW: FINRA letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
506	Email with Attachment(s)	11/20/13 12:17 PM	Lathen, Jay	Flanders, Robert G.		USA v Parker	Attorney Client Privilege	Communication requesting legal advice of counsel.		
507	Email	11/20/13 1:44 PM	Flanders, Robert G.	Lathen, Jay		RE: USA v Parker	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
508	Email with Attachment(s)	11/22/13 4:11 PM	Flanders, Robert G.	Lathen, Jay		Draft CL King letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
509	Email	12/1/13 4:47 PM	Kane, Darren	Lathen, Jay		Your Availability -- Monthly Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
510	Email	12/3/13 5:02 PM	Lathen, Jay	Kane, Darren		RE: Your Availability -- Monthly Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
511	Email	12/3/13 5:16 PM	Lathen, Jay	Flanders, Robert G.		RE: Draft CL King letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
512	Email	12/3/13 5:26 PM	Flanders, Robert G.	Lathen, Jay		Re: Draft CL King letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
513	Email with Attachment(s)	12/3/13 5:44 PM	Lathen, Jay	Flanders, Robert G.		FW: Bloomberg Law Document Delivery	Attorney Client Privilege	Communication requesting legal advice of counsel.		
514	Email	12/3/13 8:15 PM	Kane, Darren	Lathen, Jay		RE: Your Availability -- Monthly Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
515	Email	12/4/13 7:54 PM	Lathen, Jay	Kane, Darren		RE: Your Availability -- Monthly Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
516	Email	12/4/13 8:14 PM	Kane, Darren	Lathen, Jay		RE: Your Availability -- Monthly Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
517	Email	12/4/13 8:18 PM	Lathen, Jay	Kane, Darren		RE: Your Availability -- Monthly Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
518	Email with Attachment(s)	12/5/13 2:44 PM	Lathen, Jay	Flanders, Robert G.; Ferrell, Margaret D.		FBI Memo on Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
519	Email	12/5/13 2:45 PM	Ferrell, Margaret D.	Lathen, Jay; Flanders, Robert G.		RE: FBI Memo on Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
520	Email with Attachment(s)	12/6/13 5:35 PM	Flanders, Robert G.	Lathen, Jay		Fwd: Accounts #7090-0028, Donald Lathen and Frederick Jackson, ITWROS:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
521	Email with Attachment(s)	12/8/13 6:49 PM	Kane, Darren	Lathen, Jay		RE: Your Availability -- Monthly Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
522	Email	12/9/13 11:19 AM	Robinson, Michael D.	Kane, Darren		Log-in	Attorney Client Privilege	Communication requesting legal advice of counsel.		
523	Email	12/9/13 11:23 AM	Robinson, Michael D.	Kane, Darren		Grandfather	Attorney Client Privilege	Communication requesting legal advice of counsel.		
524	Email with Attachment(s)	12/9/13 11:28 AM	Lathen, Jay	Kane, Darren		Blue Sand Solicitation Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
525	Email	12/9/13 11:28 AM	Kane, Darren	Robinson, Michael D.		RE: Log-in	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
526	Email	12/9/13 11:30 AM	Kane, Darren	Robinson, Michael D.		RE: Grandfather	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
527	Email	12/9/13 11:37 AM	Kane, Darren	Lathen, Jay		RE: Blue Sand Solicitation Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
528	Email	12/10/13 5:13 PM	Lathen, Jay	Montgomery, Michael H.		Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
529	Email	12/10/13 5:17 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
530	Email	12/10/13 5:18 PM	Lathen, Jay	Montgomery, Michael H.		Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
531	Email with Attachment(s)	12/10/13 5:43 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
532	Email with Attachment(s)	12/18/13 9:56 AM	Flanders, Robert G.	Lathen, Jay	Ferrell, Margaret D.	Carapeabia appeal decision	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
533	Email	12/20/13 3:00 PM	Roper, Eric	Lathen, Jay		RE: Eden Arc Capital Partners - November 2013 Performance Summary	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
534	Email with Attachment(s)	12/30/13 7:09 AM	Kane, Darren	Lathen, Jay		FW: Invoices from Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
535	Email	12/31/13 2:58 PM	Lathen, Jay	Kane, Darren		RE: Invoices from Mission Critical Services	Attorney Client Privilege	Communication requesting legal advice of counsel.		
536	Email	12/31/13 8:49 PM	Kane, Darren	Lathen, Jay		RE: Invoices from Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
537	Email	1/6/14 8:54 AM	Kane, Darren	Lathen, Jay	Hartman, David	Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
538	Email	1/6/14 10:47 AM	Lathen, Jay	Kane, Darren	Hartman, David	RE: Your Availability	Attorney Client Privilege	Communication requesting legal advice of counsel.		
539	Email	1/6/14 11:07 AM	Kane, Darren	Lathen, Jay	Hartman, David	RE: Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
540	Email	1/6/14 2:05 PM	Lathen, Jay	Kane, Darren	Hartman, David	Re: Your Availability	Attorney Client Privilege	Communication requesting legal advice of counsel.		
541	Email with Attachment(s)	1/7/14 2:54 PM	Kane, Darren	Lathen, Jay	Hartman, David	Draft Risk Assessment & Gap Analysis Matrix	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
542	Email	1/7/14 4:57 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
543	Email with Attachment(s)	1/9/14 2:33 PM	Hartman, David	Lathen, Jay	Kane, Darren	Follow up to our call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
544	Email	1/13/14 4:30 PM	Roper, Eric	Lathen, Jay		RE: Lunch tomorrow	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
545	Email	1/14/14 6:50 PM	Lathen, Jay	Roper, Eric		RE: Lunch tomorrow	Attorney Client Privilege	Communication requesting legal advice of counsel.		
546	Email	1/15/14 8:04 AM	Roper, Eric	Lathen, Jay		Re: Lunch tomorrow	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
547	Email	1/13/14 10:17 AM	Lathen, Jay	Roper, Eric		Re: Lunch tomorrow	Attorney Client Privilege	Communication requesting legal advice of counsel.		
548	Email with Attachment(s)	1/29/14 3:46 PM	Lathen, Jay	Roper, Eric		Goldman Situation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
549	Email with Attachment(s)	1/29/14 4:38 PM	Roper, Eric	Lathen, Jay		FW: Goldman Situation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
550	Email	1/30/14 9:14 PM	Lathen, Jay	Grundstein, Robert; Zitter, Ken		RE: Introduction	Attorney Client Privilege	Communication requesting legal advice of counsel.		
551	Email	2/3/14 11:53 PM	Hartman, David	Lathen, Jay	Kane, Darren	Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
552	Email	2/3/14 3:41 PM	Lathen, Jay	Hartman, David	Kane, Darren	RE: Your Availability	Attorney Client Privilege	Communication requesting legal advice of counsel.		
553	Email	2/4/14 2:55 PM	Coumoundouros, Jami	Lathen, Jay	Sarkozi, Paul D.; Roper, Eric	RE: Goldman Situation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
554	Email	2/4/14 2:58 PM	Lathen, Jay	Coumoundouros, Jami	Sarkozi, Paul D.; Roper, Eric	Re: Goldman Situation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
555	Email	2/4/14 3:10 PM	Coumoundouros, Jami	Lathen, Jay		RE: Goldman Situation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
556	Email	2/7/14 2:57 PM	Lathen, Jay	Montgomery, Michael H.		RE: Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
557	Email	2/7/14 4:17 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
558	Email	2/7/14 4:50 PM	Lathen, Jay	Montgomery, Michael H.		RE: Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
559	Email	2/7/14 5:09 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
560	Email with Attachment(s)	2/7/14 7:42 PM	Sarkozi, Paul D.	Lathen, Jay		RE: Goldman Situation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
561	Email with Attachment(s)	2/10/14 11:52 AM	Sarkozi, Paul D.	Lathen, Jay	Roper, Eric	RE: Goldman Situation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
562	Email	2/11/14 12:29 PM	Sarkozi, Paul D.	Lathen, Jay	Roper, Eric	RE: Goldman Situation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
563	Email with Attachment(s)	2/11/14 3:00 PM	Lathen, Jay	Sarkozi, Paul D.	Roper, Eric	RE: Goldman Situation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
564	Email	2/12/14 4:55 PM	Lathen, Jay	Hood, Bruce E.		Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
565	Email with Attachment(s)	2/12/14 7:02 PM	Hartman, David	Lathen, Jay	Kane, Darren	ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
566	Email	2/12/14 7:42 PM	Hood, Bruce E.	Lathen, Jay		RE: Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
567	Email	2/12/14 7:54 PM	Lathen, Jay	Hood, Bruce E.		Re: RE: Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
568	Email	2/13/14 7:18 AM	Hood, Bruce E.	Lathen, Jay		Re: RE: Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
569	Email	2/13/14 7:28 AM	Lathen, Jay	Hood, Bruce E.		Re: RE: Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
570	Email	2/13/14 2:47 PM	Lathen, Jay	Hood, Bruce E.		RE: RE: Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
571	Email	2/13/14 4:10 PM	Kane, Darren	Lathen, Jay		[Auto-Reply] RE: ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
572	Email	2/13/14 4:10 PM	Lathen, Jay	Hartman, David	Kane, Darren	RE: ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
573	Email	2/14/14 8:50 AM	Hartman, David	Lathen, Jay	Kane, Darren	RE: ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
574	Email	2/14/14 9:18 AM	Lathen, Jay	Hartman, David	Kane, Darren	Re: ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
575	Email	2/14/14 9:19 AM	Kane, Darren	Lathen, Jay		[Auto-Reply] Re: ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
576	Email with Attachment(s)	2/14/14 11:10 AM	Lathen, Jay	Farrell, Margaret D.	Robinson, Michael D.	Eden Arc - Revised Participant Agreement and Loan Document	Attorney Client Privilege	Communication requesting legal advice of counsel.		
577	Email	2/14/14 2:50 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
578	Email	2/20/14 12:51 PM	Kane, Darren	Lathen, Jay		[Auto-Reply] RE: ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
579	Email	2/20/14 12:51 PM	Lathen, Jay	Hartman, David	Kane, Darren	RE: ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
580	Email	2/20/14 2:17 PM	Hartman, David	Lathen, Jay	Kane, Darren	RE: ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
581	Email	2/20/14 6:17 PM	Hood, Bruce E.	Lathen, Jay		RE: RE: Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
582	Email	2/20/14 6:55 PM	Lathen, Jay	Hood, Bruce E.		RE: RE: Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
583	Email	2/20/14 7:28 PM	Kane, Darren	Lathen, Jay		SEC Announces Initiative Directed at Never-Before Examined Registered Investment Advisers	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
584	Email	2/21/14 1:04 PM	Hood, Bruce E.	Lathen, Jay		RE: RE: Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
585	Email	2/21/14 1:12 PM	Lathen, Jay	Hood, Bruce E.		RE: RE: Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
586	Email	2/21/14 4:42 PM	Hood, Bruce E.	Lathen, Jay		RE: RE: Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
587	Email with Attachment(s)	2/21/14 7:03 PM	Lathen, Jay	Sarkozi, Paul D.	Roper, Eric	RE: Goldman Situation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
588	Email	2/22/14 9:15 AM	Roper, Eric	Lathen, Jay	Sarkozi, Paul D.	Re: Goldman Situation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
589	Email with Attachment(s)	2/22/14 12:45 PM	Lathen, Jay	Roper, Eric		Fwd: Goldman Situation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
590	Email	2/23/14 11:25 PM	Roper, Eric	Lathen, Jay		Re: Goldman Situation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
591	Email with Attachment(s)	2/24/14 11:08 AM	Lathen, Jay	Roper, Eric		RE: Goldman Situation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
592	Email	2/24/14 6:55 PM	Farrell, Margaret D.	Lathen, Jay	Robinson, Michael D.	RE: Eden Arc - Revised Participant Agreement and Loan Document	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
593	Email with Attachment(s)	3/3/14 11:11 PM	Farrell, Margaret D.	Lathen, Jay	Robinson, Michael D.	RE: Eden Arc - Revised Participant Agreement and Loan Document	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
594	Email	3/17/14 8:51 AM	Hartman, David	Lathen, Jay	Kane, Darren	regulatory assets under management	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
595	Email with Attachment(s)	3/13/14 6:59 AM	Kane, Darren	Lathen, Jay		Ryan Dolan Kane	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
596	Email	3/13/14 11:55 AM	Keogh, Cassondra E.	Lathen, Jay; Robinson, Michael D.	Beck, Rafael	FW: Michael A. Horowitz and Moshe Marc Cohen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
597	Email	3/13/14 10:58 AM	Keogh, Cassondra E.	Lathen, Jay; Robinson, Michael D.	Beck, Rafael	RE: Michael A. Horowitz and Moshe Marc Cohen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
598	Email	3/14/14 11:00 AM	Lathen, Jay	Hartman, David	Kane, Darren; Robinson, Michael D.	RE: ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
599	Email	3/24/14 11:31 AM	Hartman, David	Lathen, Jay	Kane, Darren; Robinson, Michael D.	RE: ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
600	Email	3/14/14 11:35 AM	Lathen, Jay	Hartman, David	Kane, Darren; Robinson, Michael D.	RE: ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
601	Email	3/14/14 5:40 PM	Lathen, Jay	Hood, Bruce E.		RE: RE: Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
602	Email	3/14/14 6:43 PM	Hood, Bruce E.	Lathen, Jay		Re: RE: RE: Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
603	Email	3/19/14 9:20 AM	Hartman, David	Lathen, Jay; Robinson, Michael D.	Kane, Darren	RE: ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
604	Email	3/19/14 11:03 AM	Robinson, Michael D.	Hartman, David; Lathen, Jay	Kane, Darren	Re: ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
605	Email with Attachment(s)	3/20/14 4:00 PM	Robinson, Michael D.	Hartman, David; Lathen, Jay	Kane, Darren	Re: ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
606	Email	3/25/14 11:39 AM	Hood, Bruce E.	Lathen, Jay		RE: RE: Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
607	Email with Attachment(s)	3/26/14 2:33 PM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Form ADV Questionnaire	Attorney Client Privilege	Communication requesting legal advice of counsel.		
608	Email with Attachment(s)	3/26/14 2:35 PM	Robinson, Michael D.	Hartman, David		ADV info	Attorney Client Privilege	Communication requesting legal advice of counsel.		
609	Email	3/26/14 4:19 PM	Hood, Bruce E.	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
610	Email	3/26/14 6:01 PM	Lathen, Jay	Hood, Bruce E.		Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
611	Email	3/27/14 9:14 PM	Hartman, David	Robinson, Michael D.; Lathen, Jay		ADV Log in	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
612	Email	3/27/14 11:55 PM	Lathen, Jay	Hartman, David	Robinson, Michael D.	Re: ADV Log in	Attorney Client Privilege	Communication requesting legal advice of counsel.		
613	Email	3/27/14 11:56 PM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Re: ADV Log in	Attorney Client Privilege	Communication requesting legal advice of counsel.		
614	Email with Attachment(s)	3/28/14 7:13 AM	Hartman, David	Lathen, Jay; Robinson, Michael D.		Draft ADV for Review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
615	Email	3/28/14 10:10 AM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Re: Draft ADV for Review	Attorney Client Privilege	Communication requesting legal advice of counsel.		
616	Email with Attachment(s)	3/29/14 11:06 AM	Hartman, David	Lathen, Jay; Robinson, Michael D.		ADV 1A FOR REVIEW AND QUESTION FOR ADV THAT MUST BE FILED MONDAY 3	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
617	Email with Attachment(s)	3/29/14 11:11 AM	Hartman, David	Lathen, Jay; Robinson, Michael D.		Better version of the ADV 1A	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
618	Email	3/30/14 7:21 PM	Hartman, David	Lathen, Jay; Robinson, Michael D.		RE: Better version of the ADV 1A	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
619	Email	3/30/14 7:42 PM	Lathen, Jay	Hartman, David	Robinson, Michael D.	Re: Better version of the ADV 1A	Attorney Client Privilege	Communication requesting legal advice of counsel.		
620	Email	3/30/14 7:43 PM	Hartman, David	Lathen, Jay		RE: Better version of the ADV 1A	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
621	Email	3/31/14 9:51 AM	Robinson, Michael D.	Hartman, David		Re: Better version of the ADV 1A	Attorney Client Privilege	Communication requesting legal advice of counsel.		
622	Email with Attachment(s)	3/31/14 2:17 PM	Hartman, David	Lathen, Jay		Updated AVD 1A for your review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
623	Email with Attachment(s)	3/31/14 3:32 PM	Lathen, Jay	Hartman, David	Robinson, Michael D.	FINAL EDITS	Attorney Client Privilege	Communication requesting legal advice of counsel.		
624	Email with Attachment(s)	3/31/14 6:32 PM	Hartman, David	Lathen, Jay	Robinson, Michael D.	RE: FINAL EDITS	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
625	Email	3/31/14 6:37 PM	Lathen, Jay	Hartman, David	Robinson, Michael D.	RE: FINAL EDITS	Attorney Client Privilege	Communication requesting legal advice of counsel.		
626	Email	4/1/14 8:17 PM	Lathen, Jay	Hood, Bruce E.		RE:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
627	Email	4/1/14 9:18 PM	Hood, Bruce E.	Lathen, Jay		Re: RE:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
628	Email	4/2/14 7:32 AM	Lathen, Jay	Hood, Bruce E.		Re: RE:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
629	Email	4/2/14 1:24 PM	Hood, Bruce E.	Lathen, Jay		This is the definition of "actively traded" that we will have to meet	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
630	Email	4/4/14 10:28 AM	Galbraith, Kevin	Lathen, Jay		Message from Kevin Galbraith (Jay Lathen)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
631	Email	4/4/14 11:13 AM	Lathen, Jay	Galbraith, Kevin		RE: Message from Kevin Galbraith (Jay Lathen)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
632	Email	4/4/14 11:19 AM	Galbraith, Kevin	Lathen, Jay		RE: Message from Kevin Galbraith (Jay Lathen)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
633	Email	4/4/14 11:21 AM	Lathen, Jay	Galbraith, Kevin		RE: Message from Kevin Galbraith (Jay Lathen)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
634	Email	4/4/14 11:24 AM	Galbraith, Kevin	Lathen, Jay		RE: Message from Kevin Galbraith (Jay Lathen)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
635	Email	4/4/14 11:56 AM	Lathen, Jay	Galbraith, Kevin		RE: Message from Kevin Galbraith (Jay Lathen)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
636	Email	4/8/14 4:26 PM	Lathen, Jay	Flanders, Robert G.		Audit Confirm	Attorney Client Privilege	Communication requesting legal advice of counsel.		
637	Email	4/8/14 5:03 PM	Flanders, Robert G.	Lathen, Jay		Re: Audit Confirm	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
638	Email	4/24/14 12:00 PM	Lathen, Jay	Farrell, Margaret D.		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
639	Email	4/24/14 12:01 PM	Farrell, Margaret D.	Lathen, Jay		Automatic reply: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
640	Email	4/25/14 1:40 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
641	Email with Attachment(s)	5/5/14 3:41 PM	Hartman, David	Lathen, Jay		Risk Assessment and Gap Analysis	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
642	Email with Attachment(s)	5/16/14 9:33 AM	Hartman, David	Lathen, Jay		Updated ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
643	Email	5/16/14 3:53 PM	Lathen, Jay	Hartman, David		RE: Updated ADV	Attorney Client Privilege	Communication requesting legal advice of counsel.		
644	Email	5/16/14 4:46 PM	Hartman, David	Lathen, Jay		RE: Updated ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
645	Email with Attachment(s)	5/29/14 11:39 AM	Lathen, Jay	Roper, Eric		Subscription Doc	Attorney Client Privilege	Communication requesting legal advice of counsel.		
646	Email	6/17/14 3:09 PM	Lathen, Jay	Farrell, Margaret D.	Robinson, Michael D.	RE: Eden Arc - Revised Participant Agreement and Loan Document	Attorney Client Privilege	Communication requesting legal advice of counsel.		
647	Email	6/17/14 3:19 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
648	Email	6/17/14 3:23 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
649	Email with Attachment(s)	6/17/14 3:30 PM	Lathen, Jay	Tannenbaum, Michael G.		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
650	Email	6/17/14 5:37 PM	Lathen, Jay	Hartman, David		RE: Updated ADV	Attorney Client Privilege	Communication requesting legal advice of counsel.		
651	Email with Attachment(s)	6/17/14 5:49 PM	Lathen, Jay	Tannenbaum, Michael G.		RE: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
652	Email with Attachment(s)	6/17/14 6:50 PM	Lathen, Jay	Roper, Eric		FW: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
653	Email	6/18/14 11:39 AM	Hartman, David	Lathen, Jay	Ito, David; Kane, Darren	RE: Updated ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
654	Email	6/18/14 12:08 PM	Ito, David	Lathen, Jay	Hartman, David; Kane, Darren	RE: Updated ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
655	Email	6/18/14 12:50 PM	Lathen, Jay	Ito, David	Hartman, David; Kane, Darren	RE: Updated ADV	Attorney Client Privilege	Communication requesting legal advice of counsel.		
656	Email with Attachment(s)	6/18/14 5:17 PM	Ito, David	Lathen, Jay	Hartman, David; Kane, Darren	RE: Updated ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
657	Email	6/19/14 3:16 PM	Galbraith, Kevin	Lathen, Jay		Your Message	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
658	Email with Attachment(s)	6/19/14 6:30 PM	Lathen, Jay	Galbraith, Kevin		RE: Your Message	Attorney Client Privilege	Communication requesting legal advice of counsel.		
659	Email	6/19/14 6:36 PM	Galbraith, Kevin	Lathen, Jay		Re: Your Message	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
660	Email	6/19/14 7:11 PM	Lathen, Jay	Ito, David	Hartman, David; Kane, Darren	RE: Updated ADV	Attorney Client Privilege	Communication requesting legal advice of counsel.		
661	Email	6/23/14 4:37 PM	Farrell, Margaret D.	Lathen, Jay	Robinson, Michael D.	RE: Eden Arc - Revised Participant Agreement and Loan Document	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
662	Email	6/23/14 5:16 PM	Lathen, Jay	Farrell, Margaret D.	Robinson, Michael D.	RE: Eden Arc - Revised Participant Agreement and Loan Document	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File name	Privilege Type	Privilege Description	Redacted	Production Bates
663	Email	6/23/14 5:38 PM	Ferrell, Margaret D.	Lathen, Jay	Robinson, Michael D.	RE: Eden Arc - Revised Participant Agreement and Loan Document	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
664	Email with Attachment(s)	6/25/14 4:25 PM	Galbraith, Kevin	Lathen, Jay		Engagement Letter (Eden Arc Capital Management, LLC)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
665	Email	6/25/14 5:37 PM	Galbraith, Kevin	Lathen, Jay		Opinion Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
666	Email	6/25/14 5:40 PM	Lathen, Jay	Galbraith, Kevin		Re: Opinion Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
667	Email	6/25/14 6:12 PM	Galbraith, Kevin	Lathen, Jay		Re: Opinion Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
668	Email	6/26/14 12:50 PM	Fenk, Darren	Lathen, Jay		Submission Notification	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
669	Email with Attachment(s)	6/30/14 3:37 PM	Lathen, Jay	Galbraith, Kevin		FW: Bloomberg Law Document Delivery	Attorney Client Privilege	Communication requesting legal advice of counsel.		
670	Email	6/30/14 3:51 PM	Galbraith, Kevin	Lathen, Jay		RE: FW: Bloomberg Law Document Delivery	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
671	Email	6/30/14 3:53 PM	Lathen, Jay	Galbraith, Kevin		RE: FW: Bloomberg Law Document Delivery	Attorney Client Privilege	Communication requesting legal advice of counsel.		
672	Email	6/30/14 4:17 PM	Galbraith, Kevin	Lathen, Jay		RE: FW: Bloomberg Law Document Delivery	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
673	Email	6/30/14 6:05 PM	Lathen, Jay	Montgomery, Michael H.		RE: Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
674	Email	6/30/14 6:15 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
675	Email	6/30/14 6:18 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
676	Email	6/30/14 6:21 PM	Montgomery, Michael H.	Lathen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
677	Email	6/30/14 6:22 PM	Lathen, Jay	Montgomery, Michael H.		RE: Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
678	Email	6/30/14 6:25 PM	Lathen, Jay	Montgomery, Michael H.		RE: Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
679	Email with Attachment(s)	6/30/14 8:46 PM	Lathen, Jay	Galbraith, Kevin		RE: FW: Bloomberg Law Document Delivery	Attorney Client Privilege	Communication requesting legal advice of counsel.		
680	Email	6/30/14 8:52 PM	Galbraith, Kevin	Lathen, Jay		Re: Bloomberg Law Document Delivery	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
681	Email with Attachment(s)	7/1/14 1:03 PM	Galbraith, Kevin	Lathen, Jay		RE: FW: Bloomberg Law Document Delivery	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
682	Email with Attachment(s)	7/1/14 2:21 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	Signed Engagement Letter & Payment	Attorney Client Privilege	Communication requesting legal advice of counsel.		
683	Email	7/1/14 4:39 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	RE: Signed Engagement Letter & Payment	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
684	Email with Attachment(s)	7/1/14 4:49 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Kevin Galbraith has signed Engagement Letter -- Fully Executed.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
685	Email	7/1/14 5:13 PM	Robinson, Michael D.	Galbraith, Kevin; Lathen, Jay		Re: Kevin Galbraith has signed Engagement Letter -- Fully Executed.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
686	Email	7/1/14 8:48 PM	Lathen, Jay	Galbraith, Kevin; Robinson, Michael D.		RE: Signed Engagement Letter & Payment	Attorney Client Privilege	Communication requesting legal advice of counsel.		
687	Email	7/1/14 8:50 PM	Lathen, Jay	Lathen, Kathy		FW: Signed Engagement Letter & Payment	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.		
688	Email	7/1/14 10:56 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		RE: Signed Engagement Letter & Payment	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
689	Email	7/2/14 8:14 AM	Lathen, Jay	Galbraith, Kevin		Re: Signed Engagement Letter & Payment	Attorney Client Privilege	Communication requesting legal advice of counsel.		
690	Email	7/2/14 9:12 AM	Lathen, Kathy	Lathen, Jay		Re: Signed Engagement Letter & Payment	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.		
691	Email	7/2/14 1:08 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Signed Engagement Letter & Payment	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
692	Email	7/2/14 1:29 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Signed Engagement Letter & Payment	Attorney Client Privilege	Communication requesting legal advice of counsel.		
693	Email	7/3/14 11:50 AM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Call with Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
694	Email	7/3/14 12:07 PM	Robinson, Michael D.	Galbraith, Kevin		Re: Call with Prospect Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
695	Email	7/3/14 12:11 PM	Galbraith, Kevin	Robinson, Michael D.		RE: Call with Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
696	Email	7/3/14 2:32 PM	Hartman, David	Lathen, Jay		Documents for Best Execution Review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
697	Email	7/3/14 2:54 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
698	Email	7/3/14 5:18 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	Re: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
699	Email	7/7/14 9:59 AM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
700	Email with Attachment(s)	7/7/14 1:07 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
701	Email	7/7/14 1:20 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
702	Email	7/7/14 4:03 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
703	Email	7/8/14 11:04 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
704	Email with Attachment(s)	7/8/14 3:54 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
705	Email	7/9/14 10:19 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
706	Email	7/9/14 1:03 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
707	Email	7/9/14 3:05 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
708	Email	7/9/14 6:28 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
709	Email	7/9/14 7:20 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
710	Email with Attachment(s)	7/10/14 3:42 PM	Lathen, Jay	Tannenbaum, Michael G.	Roper, Eric	FW: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
711	Email	7/10/14 3:48 PM	Roper, Eric	Lathen, Jay		Out of Office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
712	Email	7/10/14 4:10 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
713	Email	7/10/14 4:18 PM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
714	Email	7/10/14 4:29 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
715	Email	7/10/14 5:03 PM	Tannenbaum, Michael G.	Lathen, Jay	Roper, Eric; Sarkozi, Paul D.	Re: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
716	Email	7/10/14 5:31 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
717	Email	7/10/14 7:07 PM	Roper, Eric	Lathen, Jay		Out of Office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
718	Email	7/10/14 7:07 PM	Lathen, Jay	Tannenbaum, Michael G.	Roper, Eric; Sarkozi, Paul D.	Re: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
719	Email	7/11/14 6:37 AM	Tannenbaum, Michael G.	Lathen, Jay	Roper, Eric; Sarkozi, Paul D.	Re: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
720	Email	7/11/14 5:47 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
721	Email	7/11/14 5:56 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital -- Follow-Up (Correction to Tuesday availability for DeBois)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
722	Email with Attachment(s)	7/14/14 10:23 AM	Lathen, Jay	Galbraith, Kevin		Prospect Holdings	Attorney Client Privilege	Communication requesting legal advice of counsel.		
723	Email	7/14/14 11:04 AM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
724	Email	7/14/14 11:59 AM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
725	Email with Attachment(s)	7/14/14 12:04 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Holdings	Attorney Client Privilege	Communication requesting legal advice of counsel.		
726	Email	7/14/14 1:07 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
727	Email with Attachment(s)	7/15/14 4:39 PM	Tone, Darren	Lathen, Jay		FW: Invoices from Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
728	Email	7/15/14 9:31 AM	Galbraith, Kevin	Lathen, Jay		Schedule the rest of the week	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
729	Email	7/16/14 9:57 AM	Lathen, Jay	Galbraith, Kevin		Re: Schedule the rest of the week	Attorney Client Privilege	Communication requesting legal advice of counsel.		
730	Email	7/16/14 9:59 AM	Galbraith, Kevin	Lathen, Jay		RE: Schedule the rest of the week	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
731	Email with Attachment(s)	7/16/14 5:05 PM	Galbraith, Kevin	Lathen, Jay		RE: Schedule the rest of the week	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
732	Email	7/16/14 5:21 PM	Lathen, Jay	Galbraith, Kevin		RE: Schedule the rest of the week	Attorney Client Privilege	Communication requesting legal advice of counsel.		
733	Email	7/16/14 5:26 PM	Galbraith, Kevin	Lathen, Jay		RE: Schedule the rest of the week	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
734	Email	7/16/14 5:35 PM	Galbraith, Kevin	Lathen, Jay		RE: Schedule the rest of the week	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
735	Email	7/16/14 5:49 PM	Lathen, Jay	Galbraith, Kevin		RE: Schedule the rest of the week	Attorney Client Privilege	Communication requesting legal advice of counsel.		
736	Email	7/16/14 6:05 PM	Galbraith, Kevin	Lathen, Jay		RE: Schedule the rest of the week	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
737	Email	7/17/14 2:16 PM	Galbraith, Kevin	Robinson, Michael D.		RE: Michael_Robinson_wants_to_share_"PROSPECT_CAPITAL_DATABASE"_with_you	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
738	Email	7/17/14 3:46 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	Re: Michael_Robinson_wants_to_share_"PROSPECT_CAPITAL_DATABASE"_with_you	Attorney Client Privilege	Communication requesting legal advice of counsel.		
739	Email	7/17/14 3:54 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	RE: Michael_Robinson_wants_to_share_"PROSPECT_CAPITAL_DATABASE"_with_you	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
740	Email	7/21/14 12:06 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Michael_Robinson_wants_to_share_"PROSPECT_CAPITAL_DATABASE"_with_you	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
741	Email	7/21/14 12:50 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Michael_Robinson_wants_to_share_"PROSPECT_CAPITAL_DATABASE"_with_you	Attorney Client Privilege	Communication requesting legal advice of counsel.		
742	Email	7/21/14 1:03 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: Michael_Robinson_wants_to_share_"PROSPECT_CAPITAL_DATABASE"_with_you	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
743	Email	7/21/14 1:42 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Michael_Robinson_wants_to_share_"PROSPECT_CAPITAL_DATABASE"_with_you	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
744	Email with Attachment(s)	7/22/14 4:01 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		FWD: Fwt Supplemental Indenture to Eden Arc Prospect Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
745	Email	7/24/14 5:31 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Next week	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
746	Email	7/24/14 5:48 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Re: Next week	Attorney Client Privilege	Communication requesting legal advice of counsel.		
747	Email	7/31/14 5:29 PM	Farrell, Margaret D.	Lathen, Jay	Flanders, Robert G.	Michael Horowitz	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
748	Email	7/31/14 7:17 PM	Lathen, Jay	Farrell, Margaret D.	Flanders, Robert G.	Re: Michael Horowitz	Attorney Client Privilege	Communication requesting legal advice of counsel.		
749	Email	8/4/14 3:00 PM	Lathen, Jay	Blattmachr, Jonathan		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
750	Email	8/4/14 3:03 PM	Blattmachr, Jonathan	Lathen, Jay		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
751	Email	8/4/14 3:15 PM	Zeydel, Diana	Lathen, Jay; Zeydel, Diana; Figueras, Marilyn		Telephone Conference: Diana Zeydel and Jay Lathen re seeking legal opinion (referred by J. Blattmachr)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
752	Email	8/4/14 6:31 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
753	Email	8/4/14 6:41 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
754	Email	8/5/14 1:41 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
755	Email	8/5/14 2:02 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
756	Email	8/5/14 2:49 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Re: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
757	Email	8/14/14 6:09 PM	Galbraith, Kevin	Lathen, Jay		Fwd: from US Bank outside counsel	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
758	Email	8/15/14 3:07 AM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Re: from US Bank outside counsel	Attorney Client Privilege	Communication requesting legal advice of counsel.		
759	Email	8/15/14 2:34 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: from US Bank outside counsel	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
760	Email	8/18/14 9:38 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: from US Bank outside counsel	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
761	Email	8/18/14 9:48 AM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: from US Bank outside counsel	Attorney Client Privilege	Communication requesting legal advice of counsel.		
762	Email	8/18/14 1:56 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: from US Bank outside counsel	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
763	Email	8/18/14 6:05 PM	Lathen, Jay	Blattmachr, Jonathan		RE: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
764	Email	8/20/14 4:02 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
765	Email	8/25/14 6:16 PM	Tone, Darren	Lathen, Jay		Monthly Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
766	Email with Attachment(s)	8/26/14 4:29 PM	Lathen, Jay	Galbraith, Kevin		Goldman Correspondence	Attorney Client Privilege	Communication requesting legal advice of counsel.		
767	Email	8/26/14 5:13 PM	Galbraith, Kevin	Lathen, Jay		RE: Goldman Correspondence	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
768	Email	8/26/14 9:01 PM	Lathen, Jay	Galbraith, Kevin		Legal Research	Attorney Client Privilege	Communication requesting legal advice of counsel.		
769	Email	8/26/14 10:39 PM	Galbraith, Kevin	Lathen, Jay		Re: Legal Research	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
770	Email	8/27/14 6:37 AM	Lathen, Jay	Galbraith, Kevin		Re: Legal Research	Attorney Client Privilege	Communication requesting legal advice of counsel.		
771	Email with Attachment(s)	8/27/14 7:57 AM	Lathen, Jay	Galbraith, Kevin		My letter to US Bank dated January 29, 2014	Attorney Client Privilege	Communication requesting legal advice of counsel.		
772	Email	8/27/14 9:29 AM	Galbraith, Kevin	Lathen, Jay		Re: Legal Research	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
773	Email	8/27/14 2:48 PM	Galbraith, Kevin	Lathen, Jay		RE: Legal Research	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
774	Email	8/27/14 2:49 PM	Lathen, Jay	Galbraith, Kevin		RE: Legal Research	Attorney Client Privilege	Communication requesting legal advice of counsel.		
775	Email	8/27/14 11:15 PM	Galbraith, Kevin	Lathen, Jay		RE: Legal Research	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
776	Email	8/27/14 11:52 PM	Lathen, Jay	Galbraith, Kevin		Re: Legal Research	Attorney Client Privilege	Communication requesting legal advice of counsel.		
777	Email with Attachment(s)	8/28/14 1:44 PM	Lathen, Jay	Galbraith, Kevin		RE: Legal Research	Attorney Client Privilege	Communication requesting legal advice of counsel.		
778	Email	8/28/14 1:55 PM	Galbraith, Kevin	Lathen, Jay		RE: Legal Research	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
779	Email	8/29/14 12:43 PM	Galbraith, Kevin	Lathen, Jay		RE: Legal Research	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
780	Email with Attachment(s)	8/29/14 4:59 PM	Galbraith, Kevin	Lathen, Jay		Letter – Draft with KG Suggested Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	CC	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
781	Email with Attachment(s)	8/29/14 5:54 PM	Lathen, Jay	Galbraith, Kevin		Re: Letter – Draft with KG Suggested Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
782	Email with Attachment(s)	9/2/14 1:09 PM	Lathen, Jay	Galbraith, Kevin		RE: Letter – Draft with KG Suggested Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
783	Email	9/2/14 1:17 PM	Galbraith, Kevin	Lathen, Jay		RE: Letter – Draft with KG Suggested Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
784	Email	9/2/14 1:52 PM	Lathen, Jay	Galbraith, Kevin		RE: Letter – Draft with KG Suggested Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
785	Email with Attachment(s)	9/2/14 2:08 PM	Lathen, Jay	Galbraith, Kevin		RE: Letter – Draft with KG Suggested Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
786	Email	9/2/14 2:20 PM	Galbraith, Kevin	Lathen, Jay		RE: Letter – Draft with KG Suggested Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
787	Email with Attachment(s)	9/2/14 2:43 PM	Galbraith, Kevin	Lathen, Jay		RE: Letter – Draft with KG Suggested Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
788	Email with Attachment(s)	9/2/14 5:37 PM	Lathen, Jay	Galbraith, Kevin		RE: Letter – Draft with KG Suggested Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
789	Email with Attachment(s)	9/2/14 5:47 PM	Galbraith, Kevin	Lathen, Jay		[FWD: Prospect Capital Corporation Survivor's Option Submissions]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
790	Email with Attachment(s)	9/2/14 6:34 PM	Galbraith, Kevin	Lathen, Jay		Bill 9-2-14	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
791	Email with Attachment(s)	9/3/14 2:03 PM	Lathen, Jay	Galbraith, Kevin		US Bank Recent Reject Letters	Attorney Client Privilege	Communication requesting legal advice of counsel.		
792	Email	9/3/14 2:05 PM	Galbraith, Kevin	Lathen, Jay		RE: US Bank Recent Reject Letters	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
793	Email with Attachment(s)	9/3/14 2:27 PM	Galbraith, Kevin	Lathen, Jay		[FWD: Eden Arc Capital – Additional Submissions Rejected]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
794	Email	9/3/14 3:47 PM	Lathen, Jay	Galbraith, Kevin		RE: [FWD: Eden Arc Capital – Additional Submissions Rejected]	Attorney Client Privilege	Communication requesting legal advice of counsel.		
795	Email	9/4/14 5:04 PM	Galbraith, Kevin	Lathen, Jay		[FWD: Prospect Capital]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
796	Email	9/4/14 5:46 PM	Lathen, Jay	Galbraith, Kevin		RE: [FWD: Prospect Capital]	Attorney Client Privilege	Communication requesting legal advice of counsel.		
797	Email	9/4/14 5:57 PM	Galbraith, Kevin	Lathen, Jay		Re: [FWD: Prospect Capital]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
798	Email	9/4/14 9:22 PM	Galbraith, Kevin	Lathen, Jay		RE: [FWD: Prospect Capital]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
799	Email	9/5/14 11:07 AM	Lathen, Jay	Galbraith, Kevin		RE: [FWD: Prospect Capital]	Attorney Client Privilege	Communication requesting legal advice of counsel.		
800	Email	9/5/14 11:51 AM	Galbraith, Kevin	Lathen, Jay		Fwd: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
801	Email	9/5/14 11:51 AM	Galbraith, Kevin	Lathen, Jay		Re: [FWD: Prospect Capital]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
802	Email	9/5/14 3:16 PM	Lathen, Jay	Kane, Darren		RE: Monthly Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
803	Email	9/5/14 3:35 PM	Lathen, Jay	Galbraith, Kevin		FINRA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
804	Email	9/5/14 3:49 PM	Galbraith, Kevin	Lathen, Jay		RE: FINRA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
805	Email	9/5/14 9:21 PM	Kane, Darren	Lathen, Jay		RE: Monthly Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
806	Email	9/8/14 10:54 AM	Lathen, Jay	Kane, Darren		Re: Monthly Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
807	Email	9/8/14 9:33 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: Monthly Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
808	Email	9/9/14 11:07 AM	Galbraith, Kevin	Lathen, Jay		FINRA Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
809	Email	9/9/14 2:20 PM	Lathen, Jay	Galbraith, Kevin		RE: FINRA Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
810	Email	9/9/14 2:50 PM	Galbraith, Kevin	Lathen, Jay		RE: FINRA Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
811	Email	9/9/14 2:58 PM	Lathen, Jay	Galbraith, Kevin		RE: FINRA Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
812	Email	9/9/14 3:05 PM	Lathen, Jay	Galbraith, Kevin		RE: FINRA Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
813	Email	9/9/14 3:28 PM	Galbraith, Kevin	Lathen, Jay		RE: FINRA Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
814	Email with Attachment(s)	9/9/14 4:34 PM	Lathen, Jay	Kane, Darren		FW: Invoice 1-350536 from Vintage	Attorney Client Privilege	Communication requesting legal advice of counsel.		
815	Email with Attachment(s)	9/9/14 4:35 PM	Lathen, Jay	Kane, Darren		FW: Invoice 1-352182 from Vintage	Attorney Client Privilege	Communication requesting legal advice of counsel.		
816	Email	9/9/14 10:50 PM	Kane, Darren	Lathen, Jay		RE: Invoice 1-352182 from Vintage	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
817	Email	9/10/14 10:39 AM	Lathen, Jay	Kane, Darren		RE: Invoice 1-352182 from Vintage	Attorney Client Privilege	Communication requesting legal advice of counsel.		
818	Email	9/10/14 10:57 AM	Kane, Darren	Lathen, Jay		RE: Invoice 1-352182 from Vintage	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
819	Email	9/10/14 11:02 AM	Kane, Darren	Lathen, Jay		FW: Invoice 1-352182 from Vintage	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
820	Email with Attachment(s)	9/10/14 12:04 PM	Lathen, Jay	Kane, Darren		FW: Invoice 1-352892 from Vintage	Attorney Client Privilege	Communication requesting legal advice of counsel.		
821	Email	9/10/14 12:55 PM	Kane, Darren	Lathen, Jay		RE: Invoice 1-352892 from Vintage	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
822	Email	9/10/14 3:36 PM	Roper, Eric	Lathen, Jay		Office Situation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
823	Email with Attachment(s)	9/11/14 2:45 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Agenda for 9/15 FINRA Conference Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
824	Email with Attachment(s)	9/11/14 4:00 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Base Indenture	Attorney Client Privilege	Communication requesting legal advice of counsel.		
825	Email	9/11/14 7:20 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Base Indenture	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
826	Email	9/15/14 1:05 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
827	Email	9/15/14 1:53 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Re: Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
828	Email	9/15/14 1:57 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
829	Email	9/15/14 2:05 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
830	Email with Attachment(s)	9/15/14 6:40 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	FWD: Eden Arc Capital – Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
831	Email	9/17/14 12:56 PM	Lathen, Jay	Galbraith, Kevin		WSJ Article on Survivor's Option Securities	Attorney Client Privilege	Communication requesting legal advice of counsel.		
832	Email	9/17/14 1:06 PM	Galbraith, Kevin	Lathen, Jay		RE: WSJ Article on Survivor's Option Securities	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
833	Email	9/17/14 3:20 PM	Galbraith, Kevin	Lathen, Jay		[FWD: Eden Arc Capital – Follow-Up Information]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
834	Email	9/17/14 3:34 PM	Galbraith, Kevin	Lathen, Jay		RE: [FWD: Eden Arc Capital – Follow-Up Information]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
835	Email	9/17/14 3:53 PM	Lathen, Jay	Galbraith, Kevin		RE: [FWD: Eden Arc Capital – Follow-Up Information]	Attorney Client Privilege	Communication requesting legal advice of counsel.		
836	Email	9/17/14 5:25 PM	Lathen, Jay	Galbraith, Kevin		RE: [FWD: Eden Arc Capital – Follow-Up Information]	Attorney Client Privilege	Communication requesting legal advice of counsel.		
837	Email	9/17/14 5:36 PM	Lathen, Jay	Galbraith, Kevin		RE: [FWD: Eden Arc Capital – Follow-Up Information]	Attorney Client Privilege	Communication requesting legal advice of counsel.		
838	Email	9/17/14 5:50 PM	Lathen, Jay	Galbraith, Kevin		FW: Redemption Rejection	Attorney Client Privilege	Communication requesting legal advice of counsel.		
839	Email	9/17/14 5:57 PM	Galbraith, Kevin	Lathen, Jay		Re: [FWD: Eden Arc Capital – Follow-Up Information]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
840	Email	9/17/14 8:55 PM	Lathen, Jay	Galbraith, Kevin		Lunch	Attorney Client Privilege	Communication requesting legal advice of counsel.		
841	Email	9/17/14 7:39 PM	Galbraith, Kevin	Lathen, Jay		Fwd: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
842	Email with Attachment(s)	9/19/14 2:47 PM	Lathen, Jay	Galbraith, Kevin		Cases	Attorney Client Privilege	Communication requesting legal advice of counsel.		
843	Email	9/19/14 3:04 PM	Galbraith, Kevin	Lathen, Jay		RE: Cases	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
844	Email with Attachment(s)	9/19/14 6:24 PM	Galbraith, Kevin	Lathen, Jay		Fwd: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
845	Email	9/19/14 7:03 PM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
846	Email	9/19/14 9:54 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
847	Email	9/20/14 11:17 AM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
848	Email	9/20/14 11:45 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
849	Email	9/22/14 8:34 AM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
850	Email	9/22/14 8:39 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
851	Email	9/22/14 8:42 AM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
852	Email with Attachment(s)	9/22/14 12:56 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
853	Email	9/22/14 1:17 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
854	Email	9/23/14 2:31 PM	Lathen, Jay	Galbraith, Kevin		RE: Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
855	Email	9/23/14 2:35 PM	Galbraith, Kevin	Lathen, Jay		RE: Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
856	Email	9/24/14 11:52 AM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
857	Email	9/24/14 12:27 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
858	Email	9/24/14 12:29 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
859	Email	9/24/14 12:30 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
860	Email	9/24/14 12:57 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital Corp. Survivor's Option Submissions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
861	Email	9/29/14 4:01 PM	Lathen, Jay	Montgomery, Michael H.		RE: Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
862	Email	9/29/14 4:02 PM	Galbraith, Kevin	Lathen, Jay		FINRA Follow-Up Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
863	Email	9/29/14 4:03 PM	Lathen, Jay	Galbraith, Kevin		RE: FINRA Follow-Up Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
864	Email	9/29/14 4:33 PM	Galbraith, Kevin	Lathen, Jay		RE: FINRA Follow-Up Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
865	Email	9/29/14 6:10 PM	Galbraith, Kevin	Lathen, Jay		FWD: Eden Arc Capital -- GE Capital Internotes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
866	Email	9/30/14 10:18 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: FWD: Eden Arc Capital -- GE Capital Internotes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
867	Email	9/30/14 11:08 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: FINRA Follow-Up Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
868	Email with Attachment(s)	9/30/14 12:06 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: FWD: Eden Arc Capital -- GE Capital Internotes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
869	Email	9/30/14 12:09 PM	Galbraith, Kevin	Lathen, Jay		RE: FWD: Eden Arc Capital -- GE Capital Internotes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
870	Email with Attachment(s)	9/30/14 12:26 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: FINRA Follow-Up Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
871	Email	9/30/14 1:26 PM	Lathen, Jay	Galbraith, Kevin		RE: FINRA Follow-Up Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
872	Email	9/30/14 2:02 PM	Galbraith, Kevin	Lathen, Jay		RE: FINRA Follow-Up Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
873	Email	9/30/14 4:04 PM	Galbraith, Kevin	Lathen, Jay		RE: FINRA Follow-Up Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
874	Email	9/30/14 5:25 PM	Galbraith, Kevin	Lathen, Jay		FWD: RE: Eden Arc Capital -- Follow-Up Information	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
875	Email	9/30/14 5:31 PM	Lathen, Jay	Galbraith, Kevin		RE: RE: Eden Arc Capital -- Follow-Up Information	Attorney Client Privilege	Communication requesting legal advice of counsel.		
876	Email with Attachment(s)	10/1/14 9:41 AM	Galbraith, Kevin	Lathen, Jay		FWD: E-mail from Fred Robustelli, GE Treasury	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
877	Email	10/1/14 12:17 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	FWD: Eden Arc Capital -- GE Capital Internotes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
878	Email	10/1/14 12:58 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	FWD: RE: Prospect Capital v. Lathen et al. -- Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
879	Email with Attachment(s)	10/1/14 2:34 PM	Galbraith, Kevin	Lathen, Jay		Cases cited in Prospect Email of 10/1/14	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
880	Email	10/1/14 4:09 PM	Kane, Darren	Lathen, Jay		SEC Charges Purported Money Manager in New York Who Schemed Investors and Lied to SEC Examiners	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
881	Email with Attachment(s)	10/1/14 5:03 PM	Kane, Darren	Lathen, Jay		SEC Document Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
882	Email with Attachment(s)	10/1/14 5:41 PM	Kane, Darren	Lathen, Jay		SEC Form ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
883	Email with Attachment(s)	10/1/14 6:41 PM	Lathen, Jay	Kane, Darren		RE: SEC Form ADV	Attorney Client Privilege	Communication requesting legal advice of counsel.		
884	Email	10/1/14 7:15 PM	Kane, Darren	Lathen, Jay		RE: SEC Form ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
885	Email	10/2/14 11:09 AM	Nestman, David	Lathen, Jay		Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
886	Email	10/2/14 11:15 AM	Lathen, Jay	Nestman, David		Re: Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
887	Email	10/2/14 1:19 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: FINRA Follow-Up Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
888	Email	10/2/14 1:44 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	RE: FINRA Follow-Up Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
889	Email with Attachment(s)	10/2/14 2:39 PM	Lathen, Jay	Kane, Darren		RE: SEC Form ADV	Attorney Client Privilege	Communication requesting legal advice of counsel.		
890	Email	10/2/14 6:34 PM	Kane, Darren	Lathen, Jay		RE: SEC Form ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
891	Email	10/3/14 9:53 AM	Kane, Darren	Lathen, Jay		Do you have a second?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
892	Email	10/3/14 10:30 AM	Lathen, Jay	Kane, Darren		Re: Do you have a second?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
893	Email	10/3/14 10:57 AM	Kane, Darren	Lathen, Jay		206(4)-2 Custody of funds or securities of clients by investment advisers.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
894	Email with Attachment(s)	10/3/14 11:21 AM	Lathen, Jay	Kane, Darren		RE: 206(4)-2 Custody of funds or securities of clients byinvestment advisers.	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Dates
895	Email	10/3/14 11:50 AM	Kane, Darren	Lethen, Jay		FW: Inquiry	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
896	Email with Attachment(s)	10/3/14 11:55 PM	Lethen, Jay	Kane, Darren; Hartman, David		SEC Info Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
897	Email	10/3/14 1:31 PM	Kane, Darren	Lethen, Jay	Hartman, David	RE: SEC Info Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
898	Email with Attachment(s)	10/3/14 1:53 PM	Galbraith, Kevin	Lethen, Jay		Call with Prospect – Pushed Back to Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
899	Email	10/3/14 2:13 PM	Lethen, Jay	Kane, Darren	Hartman, David	RE: SEC Info Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
900	Email	10/3/14 2:17 PM	Kane, Darren	Lethen, Jay	Hartman, David	RE: SEC Info Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
901	Email	10/6/14 5:37 PM	Hartman, David	Lethen, Jay		call tomorrow	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
902	Email	10/6/14 6:16 PM	Lethen, Jay	Hartman, David		RE: call tomorrow	Attorney Client Privilege	Communication requesting legal advice of counsel.		
903	Email	10/8/14 2:20 PM	Galbraith, Kevin	Lethen, Jay		Status Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
904	Email	10/8/14 2:58 PM	Lethen, Jay	Galbraith, Kevin		Re: Status Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
905	Email	10/8/14 3:14 PM	Galbraith, Kevin	Lethen, Jay		RE: Status Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
906	Email	10/9/14 10:49 AM	Galbraith, Kevin	Lethen, Jay		RE: Status Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
907	Email	10/9/14 10:53 AM	Lethen, Jay	Galbraith, Kevin		RE: Status Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
908	Email	10/9/14 11:15 AM	Galbraith, Kevin	Lethen, Jay		RE: Status Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
909	Email with Attachment(s)	10/9/14 2:37 PM	Lethen, Jay	Kane, Darren		Line of Credit Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
910	Email	10/9/14 3:23 PM	Kane, Darren	Lethen, Jay		RE: Line of Credit Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
911	Email	10/9/14 4:45 PM	Lethen, Jay	Kane, Darren		RE: Line of Credit Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
912	Email	10/9/14 6:46 PM	Lethen, Jay	Kane, Darren		SEC Stuff	Attorney Client Privilege	Communication requesting legal advice of counsel.		
913	Email	10/9/14 7:27 PM	Kane, Darren	Lethen, Jay		RE: SEC Stuff	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
914	Email	10/9/14 7:45 PM	Galbraith, Kevin	Lethen, Jay		Fwd: GE Capital Internotes – Follow-Up Information	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
915	Email with Attachment(s)	10/10/14 1:44 PM	Lethen, Jay	Kane, Darren		RE: SEC Stuff	Attorney Client Privilege	Communication requesting legal advice of counsel.		
916	Email with Attachment(s)	10/10/14 2:05 PM	Lethen, Jay	Kane, Darren		Litigation Summary	Attorney Client Privilege	Communication requesting legal advice of counsel.		
917	Email with Attachment(s)	10/10/14 2:21 PM	Kane, Darren	Lethen, Jay		Portfolio Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
918	Email with Attachment(s)	10/10/14 4:45 PM	Kane, Darren	Lethen, Jay		RE: Litigation Summary	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
919	Email with Attachment(s)	10/10/14 4:48 PM	Kane, Darren	Lethen, Jay		RE: Litigation Summary	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
920	Email with Attachment(s)	10/10/14 4:52 PM	Lethen, Jay	Kane, Darren		Letter to US Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
921	Email with Attachment(s)	10/10/14 5:16 PM	Galbraith, Kevin	Lethen, Jay		FINRA Letter – Draft for Your Review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
922	Email with Attachment(s)	10/10/14 5:16 PM	Kane, Darren	Lethen, Jay		Redacted Investor Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
923	Email with Attachment(s)	10/10/14 5:23 PM	Galbraith, Kevin	Lethen, Jay		[FWD: Survivor's Option]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
924	Email with Attachment(s)	10/10/14 6:01 PM	Kane, Darren	Lethen, Jay		EndCare Brochure	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
925	Email	10/14/14 11:07 AM	Galbraith, Kevin	Lethen, Jay		Call Re: US Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
926	Email	10/14/14 11:21 AM	Lethen, Jay	Galbraith, Kevin		Re: Call Re: US Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
927	Email with Attachment(s)	10/14/14 12:10 PM	Lethen, Jay	Kane, Darren		FW: FW: EndCare Brochure	Attorney Client Privilege	Communication requesting legal advice of counsel.		
928	Email	10/14/14 2:29 PM	Kane, Darren	Lethen, Jay		RE: FW: EndCare Brochure	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
929	Email	10/14/14 4:53 PM	Galbraith, Kevin	Lethen, Jay		RE: Call Re: US Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
930	Email	10/14/14 4:58 PM	Lethen, Jay	Galbraith, Kevin		RE: Call Re: US Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
931	Email with Attachment(s)	10/14/14 5:33 PM	Galbraith, Kevin	Lethen, Jay		[FWD: Eden Arc Capital]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
932	Email	10/15/14 2:59 PM	Galbraith, Kevin	Lethen, Jay		RE: Call Re: US Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
933	Email	10/15/14 3:02 PM	Lethen, Jay	Galbraith, Kevin		Re: Call Re: US Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
934	Email	10/15/14 5:16 PM	Robinson, Michael D.	Roper, Eric		FedEx	Attorney Client Privilege	Communication requesting legal advice of counsel.		
935	Email	10/15/14 10:14 AM	Lethen, Jay	Kane, Darren	Hartman, David	SEC Conference Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
936	Email	10/15/14 1:04 PM	Kane, Darren	Lethen, Jay	Hartman, David	RE: SEC Conference Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
937	Email	10/15/14 1:47 PM	Lethen, Jay	Kane, Darren	Hartman, David	Re: SEC Conference Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
938	Email	10/15/14 1:48 PM	Kane, Darren	Lethen, Jay		RE: SEC Conference Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
939	Email	10/15/14 7:43 PM	Kane, Darren	Lethen, Jay		do you have a sec? 212-229-2229	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
940	Email	10/17/14 10:50 AM	Galbraith, Kevin	Lethen, Jay		GE Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
941	Email with Attachment(s)	10/17/14 12:17 PM	Lethen, Jay	Kane, Darren; Hartman, David		SEC Additional Info Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
942	Email	10/17/14 2:50 PM	Kane, Darren	Lethen, Jay	Hartman, David	RE: SEC Additional Info Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
943	Email	10/17/14 4:10 PM	Lethen, Jay	Kane, Darren	Hartman, David	RE: SEC Additional Info Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
944	Email	10/17/14 4:12 PM	Kane, Darren	Lethen, Jay		RE: SEC Additional Info Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
945	Email	10/17/14 4:17 PM	Lethen, Jay	Kane, Darren		Re: SEC Additional Info Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
946	Email	10/17/14 6:12 PM	Kane, Darren	Lethen, Jay		RE: SEC Additional Info Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
947	Email	10/19/14 12:01 PM	Kane, Darren	Lethen, Jay		Inquiry	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
948	Email	10/19/14 12:11 PM	Lethen, Jay	Kane, Darren		Re: Inquiry	Attorney Client Privilege	Communication requesting legal advice of counsel.		
949	Email	10/19/14 1:27 PM	Kane, Darren	Lethen, Jay		RE: Inquiry	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
950	Email	10/20/14 12:40 PM	Galbraith, Kevin	Lethen, Jay		Status Update and Wednesday Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
951	Email	10/20/14 12:42 PM	Lethen, Jay	Galbraith, Kevin		RE: Status Update and Wednesday Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
952	Email	10/20/14 12:44 PM	Galbraith, Kevin	Lethen, Jay		RE: Status Update and Wednesday Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
953	Email with Attachment(s)	10/20/14 6:25 PM	Kane, Darren	Lethen, Jay		Revised EndCare Brochure	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
954	Email	10/21/14 8:55 AM	Galbraith, Kevin	Lethen, Jay		GE Capital Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
955	Email	10/21/14 9:27 AM	Lethen, Jay	Galbraith, Kevin		Re: GE Capital Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
956	Email	10/21/14 9:43 AM	Galbraith, Kevin	Lethen, Jay		RE: GE Capital Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
957	Email	10/21/14 9:48 AM	Lethen, Jay	Galbraith, Kevin		Re: GE Capital Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Batch
958	Email with Attachment(s)	10/21/14 5:12 PM	Lethen, Jay	Kane, Darren		FBI Agent Gross Memo	Attorney Client Privilege	Communication requesting legal advice of counsel.		
959	Email	10/21/14 6:45 PM	Kane, Darren	Lethen, Jay		RE: FBI Agent Gross Memo	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
960	Email with Attachment(s)	10/22/14 2:58 PM	Robinson, Michael D.	Galbraith, Kevin	Lethen, Jay	GECC at First SouthWest	Attorney Client Privilege	Communication requesting legal advice of counsel.		
961	Email	10/22/14 3:39 PM	Galbraith, Kevin	Robinson, Michael D.	Lethen, Jay	RE: GECC at First SouthWest	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
962	Email	10/22/14 4:24 PM	Galbraith, Kevin	Lethen, Jay		Language for SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
963	Email with Attachment(s)	10/22/14 4:40 PM	Galbraith, Kevin	Lethen, Jay		RE: Language for SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
964	Email with Attachment(s)	10/22/14 10:19 PM	Kane, Darren	Lethen, Jay		Definition of "Documents"	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
965	Email with Attachment(s)	10/23/14 9:21 AM	Lethen, Jay	Kane, Darren		EndCare Application Form	Attorney Client Privilege	Communication requesting legal advice of counsel.		
966	Email	10/23/14 10:35 AM	Kane, Darren	Lethen, Jay		RE: EndCare Application Form	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
967	Email	10/23/14 1:02 PM	Lethen, Jay	Kane, Darren		SEC email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
968	Email with Attachment(s)	10/23/14 1:48 PM	Robinson, Michael D.	Kane, Darren	Lethen, Jay	EndCare Brochure	Attorney Client Privilege	Communication requesting legal advice of counsel.		
969	Email	10/23/14 3:03 PM	Kane, Darren	Robinson, Michael D.		RE: EndCare Brochure	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
970	Email	10/23/14 4:57 PM	Kane, Darren	Lethen, Jay		RE: SEC email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
971	Email	10/23/14 6:27 PM	Lethen, Jay	Galbraith, Kevin		Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
972	Email with Attachment(s)	10/23/14 8:04 PM	Kane, Darren	Lethen, Jay		RE: EndCare Brochure	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
973	Email	10/24/14 10:28 AM	Lethen, Jay	Galbraith, Kevin		RE: Staples Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
974	Email	10/24/14 10:28 AM	Galbraith, Kevin	Lethen, Jay		RE: Staples Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
975	Email	10/24/14 11:42 AM	Galbraith, Kevin	Lethen, Jay		FWD: RE: Eden Arc Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
976	Email with Attachment(s)	10/24/14 7:51 PM	Lethen, Jay	Kane, Darren		Investor Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
977	Email	10/24/14 8:02 PM	Kane, Darren	Lethen, Jay		RE: Investor Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
978	Email	10/27/14 8:52 AM	Galbraith, Kevin	Lethen, Jay		Call today	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
979	Email	10/27/14 8:53 AM	Lethen, Jay	Galbraith, Kevin		RE: Call today	Attorney Client Privilege	Communication requesting legal advice of counsel.		
980	Email	10/27/14 9:55 AM	Galbraith, Kevin	Lethen, Jay		Re: Call today	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
981	Email with Attachment(s)	10/27/14 2:06 PM	Lethen, Jay	Galbraith, Kevin		US Bank Securities	Attorney Client Privilege	Communication requesting legal advice of counsel.		
982	Email with Attachment(s)	10/27/14 2:16 PM	Lethen, Jay	Galbraith, Kevin		FW: US Bank Securities	Attorney Client Privilege	Communication requesting legal advice of counsel.		
983	Email	10/27/14 3:13 PM	Lethen, Jay	Galbraith, Kevin		Prospect Talking Points	Attorney Client Privilege	Communication requesting legal advice of counsel.		
984	Email	10/27/14 3:50 PM	Galbraith, Kevin	Lethen, Jay		RE: Prospect Talking Points	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
985	Email	10/27/14 4:54 PM	Galbraith, Kevin	Lethen, Jay		RE: Prospect Talking Points	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
986	Email	10/27/14 7:00 PM	Lethen, Jay	Galbraith, Kevin		US Bank Talking Points	Attorney Client Privilege	Communication requesting legal advice of counsel.		
987	Email	10/27/14 8:33 PM	Lethen, Jay	Galbraith, Kevin		GE Capital Talking Points	Attorney Client Privilege	Communication requesting legal advice of counsel.		
988	Email	10/28/14 9:19 AM	Galbraith, Kevin	Lethen, Jay		RE: US Bank Talking Points	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
989	Email	10/28/14 12:44 PM	Galbraith, Kevin	Lethen, Jay	Robinson, Michael D.	Process Server	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
990	Email with Attachment(s)	10/28/14 1:15 PM	Kane, Darren	Lethen, Jay		RE: Investor Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
991	Email	10/28/14 3:32 PM	Lethen, Jay	Galbraith, Kevin		4 o'clock call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
992	Email	10/28/14 3:40 PM	Galbraith, Kevin	Lethen, Jay		RE: 4 o'clock call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
993	Email	10/30/14 3:55 PM	Kane, Darren	Lethen, Jay		RE: Outstanding Invoices From Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
994	Email	10/31/14 12:02 PM	Galbraith, Kevin	Lethen, Jay		Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
995	Email	10/31/14 3:08 PM	Galbraith, Kevin	Lethen, Jay		RE: Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
996	Email	10/31/14 3:10 PM	Lethen, Jay	Galbraith, Kevin		RE: Prospect	Attorney Client Privilege	Communication requesting legal advice of counsel.		
997	Email	11/2/14 7:27 PM	Kane, Darren	Lethen, Jay		Checking in	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
998	Email	11/3/14 6:53 AM	Lethen, Jay	Kane, Darren		Re: Checking in	Attorney Client Privilege	Communication requesting legal advice of counsel.		
999	Email with Attachment(s)	11/3/14 11:23 AM	Lethen, Jay	Kane, Darren		SEC Request #2	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1000	Email with Attachment(s)	11/3/14 12:28 PM	Lethen, Jay	Galbraith, Kevin		RE: Prospect	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1001	Email	11/3/14 12:33 PM	Galbraith, Kevin	Lethen, Jay		RE: Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1002	Email	11/3/14 12:34 PM	Kane, Darren	Lethen, Jay		RE: SEC Request #2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1003	Email	11/3/14 12:38 PM	Lethen, Jay	Kane, Darren		Re: SEC Request #2	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1004	Email	11/3/14 12:42 PM	Kane, Darren	Lethen, Jay		RE: SEC Request #2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1005	Email	11/3/14 12:43 PM	Lethen, Jay	Galbraith, Kevin		Re: Prospect	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1006	Email	11/3/14 5:17 PM	Kane, Darren	Lethen, Jay		RE: Re: SEC Request #2	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1007	Email	11/3/14 5:34 PM	Lethen, Jay	Kane, Darren		RE: Re: SEC Request #2	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1008	Email with Attachment(s)	11/3/14 6:28 PM	Lethen, Jay	Kane, Darren		Solicitation Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1009	Email	11/3/14 8:04 PM	Kane, Darren	Lethen, Jay		RE: Solicitation Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1010	Email	11/4/14 11:31 AM	Lethen, Jay	Kane, Darren; Hartman, David		SEC Conference Call Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1011	Email	11/4/14 11:50 AM	Hartman, David	Lethen, Jay; Kane, Darren		RE: SEC Conference Call Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1012	Email	11/4/14 12:00 PM	Kane, Darren	Lethen, Jay	Hartman, David	RE: SEC Conference Call Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1013	Email	11/4/14 12:40 PM	Galbraith, Kevin	Lethen, Jay		Re: Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1014	Email with Attachment(s)	11/4/14 2:58 PM	Galbraith, Kevin	Lethen, Jay		Re: Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1015	Email	11/4/14 3:27 PM	Lethen, Jay	Kane, Darren	Hartman, David	RE: SEC Conference Call Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1016	Email with Attachment(s)	11/4/14 7:19 PM	Lethen, Jay	Galbraith, Kevin		RE: Prospect	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1017	Email	11/5/14 7:39 AM	Galbraith, Kevin	Lethen, Jay		Re: Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1018	Email with Attachment(s)	11/5/14 8:23 AM	Galbraith, Kevin	Lethen, Jay		Re: Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1019	Email	11/5/14 8:36 AM	Lethen, Jay	Galbraith, Kevin		RE: Prospect	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1020	Email with Attachment(s)	11/5/14 9:13 AM	Galbraith, Kevin	Lethen, Jay		Re: Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Number
1021	Email	11/5/14 10:54 AM	Galbraith, Kevin	Lathen, Jay		Prospect Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1022	Email	11/5/14 1:53 PM	Kane, Darren	Lathen, Jay		Did you find your SEC Form ADV Part 2B?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1023	Email	11/5/14 3:09 PM	Lathen, Jay	Kane, Darren		RE: Did you find your SEC Form ADV Part 2B?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1024	Email	11/5/14 3:23 PM	Kane, Darren	Lathen, Jay		RE: Did you find your SEC Form ADV Part 2B?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1025	Email with Attachment(s)	11/5/14 3:39 PM	Kane, Darren	Lathen, Jay		FW: Invoices From Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1026	Email with Attachment(s)	11/5/14 3:31 PM	Lathen, Jay	Kane, Darren		RE: Did you find your SEC Form ADV Part 2B?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1027	Email	11/5/14 3:39 PM	Kane, Darren	Lathen, Jay		RE: Did you find your SEC Form ADV Part 2B?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1028	Email	11/5/14 3:40 PM	Lathen, Jay	Kane, Darren		RE: Invoices From Mission Critical Services	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1029	Email with Attachment(s)	11/5/14 4:45 PM	Hartman, David	Lathen, Jay		ADV 2B draft for your review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1030	Email	11/5/14 7:12 PM	Lathen, Jay	Hartman, David		RE: ADV 2B draft for your review	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1031	Email with Attachment(s)	11/5/14 7:28 PM	Lathen, Jay	Hartman, David		RE: ADV 2B draft for your review	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1032	Email	11/6/14 11:08 AM	Kane, Darren	Robinson, Michael D.	Lathen, Jay	RE: New SEC Folder	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1033	Email with Attachment(s)	11/6/14 11:31 AM	Hartman, David	Lathen, Jay	Kane, Darren	RE: ADV 2B draft for your review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1034	Email	11/6/14 11:35 AM	Kane, Darren	Lathen, Jay	Robinson, Michael D.; Hartman, David	RE: New SEC Folder	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1035	Email with Attachment(s)	11/6/14 11:42 AM	Kane, Darren	Lathen, Jay	Hartman, David	RE: ADV 2B draft for your review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1036	Email	11/6/14 11:48 AM	Lathen, Jay	Hartman, David	Kane, Darren	RE: ADV 2B draft for your review	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1037	Email	11/6/14 11:48 AM	Lathen, Jay	Kane, Darren	Robinson, Michael D.; Hartman, David	RE: New SEC Folder	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1038	Email with Attachment(s)	11/6/14 11:49 AM	Lathen, Jay	Kane, Darren	Robinson, Michael D.; Hartman, David	RE: New SEC Folder	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1039	Email	11/6/14 1:23 PM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1040	Email	11/6/14 2:58 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1041	Email with Attachment(s)	11/6/14 6:24 PM	Hartman, David	Lathen, Jay	Kane, Darren	Initial document request for the annual review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1042	Email	11/7/14 9:32 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1043	Email with Attachment(s)	11/11/14 8:59 AM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital - Eden Arc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1044	Email with Attachment(s)	11/11/14 2:00 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital - Eden Arc	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1045	Email with Attachment(s)	11/11/14 2:23 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital - Eden Arc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1046	Email	11/11/14 10:39 PM	Lathen, Jay	Galbraith, Kevin		Fwd: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1047	Email	11/12/14 7:06 AM	Galbraith, Kevin	Lathen, Jay		Re: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1048	Email	11/12/14 8:59 AM	Lathen, Jay	Flanders, Robert G.		Re: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1049	Email	11/12/14 9:07 AM	Flanders, Robert G.	Lathen, Jay		RE: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1050	Email	11/12/14 10:09 AM	Flanders, Robert G.	Robertson, Christopher	Lathen, Jay	RE: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1051	Email	11/12/14 10:15 AM	Lathen, Jay	Robertson, Christopher	Galbraith, Kevin	RE: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1052	Email	11/12/14 10:17 AM	Robertson, Christopher	Lathen, Jay	Galbraith, Kevin	RE: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1053	Email	11/12/14 10:19 AM	Lathen, Jay	Robertson, Christopher	Galbraith, Kevin	RE: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1054	Email with Attachment(s)	11/12/14 10:20 AM	Galbraith, Kevin	Lathen, Jay		FW: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1055	Email	11/12/14 10:25 AM	Lathen, Jay	Robertson, Christopher	Galbraith, Kevin	Re: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1056	Email with Attachment(s)	11/12/14 10:27 AM	Galbraith, Kevin	Lathen, Jay; Robertson, Christopher		Re: Eden Arc - CONFIDENTIAL	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1057	Email	11/12/14 1:06 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Goldman Sachs File	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1058	Email with Attachment(s)	11/12/14 1:49 PM	Lathen, Jay	Galbraith, Kevin; Robinson, Michael D.		RE: Goldman Sachs File	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1059	Email with Attachment(s)	11/12/14 1:55 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Re: Goldman Sachs File	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1060	Email	11/13/14 7:48 AM	Hartman, David	Lathen, Jay	Kane, Darren	RE: SEC Conference Call Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1061	Email	11/13/14 7:57 AM	Lathen, Jay	Hartman, David	Kane, Darren	Re: SEC Conference Call Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1062	Email	11/13/14 10:38 AM	Galbraith, Kevin	Lathen, Jay		GE Capital counsel	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1063	Email with Attachment(s)	11/13/14 4:31 PM	Lathen, Jay	Kane, Darren; Hartman, David		SEC Request #3	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1064	Email	11/13/14 8:40 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: SEC Request #3	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1065	Email with Attachment(s)	11/14/14 3:08 PM	Galbraith, Kevin	Lathen, Jay		GE Capital authorities	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1066	Email with Attachment(s)	11/17/14 6:10 PM	Lathen, Jay	Galbraith, Kevin		Draft GE Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1067	Email	11/17/14 6:21 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft GE Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1068	Email with Attachment(s)	11/18/14 1:22 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft GE Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1069	Email with Attachment(s)	11/18/14 2:26 PM	Lathen, Jay	Galbraith, Kevin		RE: Draft GE Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1070	Email with Attachment(s)	11/18/14 3:48 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1071	Email	11/19/14 8:57 AM	Hartman, David	Lathen, Jay		standing by for you call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1072	Email with Attachment(s)	11/19/14 4:16 PM	Lathen, Jay	Kane, Darren; Kane, Darren		SEC Request #4	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1073	Email	11/19/14 10:07 PM	Kane, Darren	Lathen, Jay		RE: SEC Request #4	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1074	Email	11/20/14 10:35 AM	Lathen, Jay	Kane, Darren		RE: SEC Request #4	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1075	Email	11/20/14 10:47 AM	Galbraith, Kevin	Lathen, Jay		U.S. Bank – Call with Muccia	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1076	Email	11/20/14 11:32 AM	Kane, Darren	Lathen, Jay		RE: SEC Request #4	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1077	Email	11/20/14 1:49 PM	Lathen, Jay	Galbraith, Kevin		RE: U.S. Bank – Call with Muccia	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1078	Email with Attachment(s)	11/20/14 1:54 PM	Galbraith, Kevin	Lathen, Jay		Re: U.S. Bank – Call with Muccia	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Dates
1079	Email with Attachment(s)	11/20/14 2:03 PM	Galbraith, Kevin	Lathen, Jay		Re: U.S. Bank – Call with Muccia	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1080	Email	11/20/14 2:06 PM	Lathen, Jay	Galbraith, Kevin		RE: U.S. Bank – Call with Muccia	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1081	Email with Attachment(s)	11/20/14 6:29 PM	Lathen, Jay	Kane, Darren		SEC Response #3 Reply	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1082	Email	11/24/14 4:13 PM	Lathen, Jay	Hartman, David; Kane, Darren		SEC Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1083	Email	11/24/14 4:20 PM	Hartman, David	Lathen, Jay; Kane, Darren		[BULK] RE: SEC Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1084	Email	11/24/14 4:21 PM	Lathen, Jay	Hartman, David; Kane, Darren		RE: [BULK] RE: SEC Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1085	Email	11/25/14 5:04 PM	Kane, Darren	Lathen, Jay		Tonight	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1086	Email	11/26/14 1:13 PM	Kane, Darren	Lathen, Jay		RE: Tonight	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1087	Email	11/26/14 4:17 PM	Kane, Darren	Lathen, Jay		204A-1	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1088	Email	11/27/14 9:14 AM	Kane, Darren	Lathen, Jay		[BULK] RE: Price file - October 2014	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1089	Email	12/2/14 11:37 AM	Lathen, Jay	Hartman, David	Kane, Darren	SEC Conference Call Request Tomorrow 1PM	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1090	Email	12/2/14 11:39 AM	Hartman, David	Lathen, Jay	Kane, Darren	RE: SEC Conference Call Request Tomorrow 1PM	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1091	Email	12/2/14 11:40 AM	Lathen, Jay	Hartman, David	Kane, Darren	RE: SEC Conference Call Request Tomorrow 1PM	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1092	Email	12/2/14 1:52 PM	Lathen, Jay	Hartman, David	Kane, Darren	RE: SEC Conference Call Request Tomorrow 1PM	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1093	Email	12/2/14 3:00 PM	Hartman, David	Lathen, Jay	Kane, Darren	RE: SEC Conference Call Request Tomorrow 1PM	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1094	Email	12/2/14 4:02 PM	Lathen, Jay	Hartman, David	Kane, Darren	RE: SEC Conference Call Request Tomorrow 1PM	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1095	Email	12/2/14 4:19 PM	Hartman, David	Lathen, Jay	Kane, Darren	[BULK] RE: SEC Conference Call Request Tomorrow 1PM	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1096	Email	12/3/14 9:43 AM	Galbraith, Kevin	Lathen, Jay		Message	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1097	Email	12/3/14 5:20 PM	Lathen, Jay	Galbraith, Kevin		You still on with Muccia?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1098	Email	12/4/14 10:59 AM	Lathen, Jay	Galbraith, Kevin		RE: 10 am call running long – I'll call around 11:15	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1099	Email	12/4/14 10:59 AM	Galbraith, Kevin	Lathen, Jay		10 am call running long – I'll call around 11:15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1100	Email	12/4/14 1:11 PM	Lathen, Jay	Galbraith, Kevin		RE: 10 am call running long – I'll call around 11:15	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1101	Email with Attachment(s)	12/4/14 1:28 PM	Galbraith, Kevin	Lathen, Jay		Re: 10 am call running long – I'll call around 11:15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1102	Email with Attachment(s)	12/4/14 3:20 PM	Galbraith, Kevin	Lathen, Jay		Re: 10 am call running long – I'll call around 11:15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1103	Email with Attachment(s)	12/4/14 4:22 PM	Lathen, Jay	Hartman, David; Kane, Darren	Robinson, Michael D.	Request 5 from SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1104	Email with Attachment(s)	12/4/14 8:43 PM	Lathen, Jay	Galbraith, Kevin		RE: 10 am call running long – I'll call around 11:15	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1105	Email with Attachment(s)	12/5/14 10:30 AM	Galbraith, Kevin	Lathen, Jay		New Participant Agreement and Chris Robertson	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1106	Email with Attachment(s)	12/8/14 10:51 AM	Galbraith, Kevin	Lathen, Jay		Re: New Participant Agreement and Chris Robertson	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1107	Email with Attachment(s)	12/8/14 12:08 PM	Lathen, Jay	Galbraith, Kevin		RE: New Participant Agreement and Chris Robertson	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1108	Email with Attachment(s)	12/8/14 12:17 PM	Galbraith, Kevin	Lathen, Jay		Re: New Participant Agreement and Chris Robertson	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1109	Email with Attachment(s)	12/9/14 11:58 AM	Lathen, Jay	Kane, Darren	Hartman, David	SEC Request 5	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1110	Email	12/9/14 12:03 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: SEC Request 5	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1111	Email	12/9/14 12:05 PM	Lathen, Jay	Kane, Darren	Hartman, David	RE: SEC Request 5	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1112	Email	12/9/14 1:04 PM	Kane, Darren	Lathen, Jay		RE: SEC Request 5	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1113	Email with Attachment(s)	12/9/14 1:09 PM	Galbraith, Kevin	Lathen, Jay		Re: New Participant Agreement and Chris Robertson	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1114	Email with Attachment(s)	12/9/14 3:53 PM	Galbraith, Kevin	Lathen, Jay		Re: New Participant Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1115	Email	12/10/14 1:42 PM	Galbraith, Kevin	Lathen, Jay		U.S. Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1116	Email	12/10/14 6:55 PM	Lathen, Jay	Galbraith, Kevin		RE: U.S. Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1117	Email with Attachment(s)	12/11/14 10:43 AM	Galbraith, Kevin	Lathen, Jay		Re: U.S. Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1118	Email	12/11/14 5:21 PM	Galbraith, Kevin	Lathen, Jay		GE Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1119	Email	12/11/14 5:29 PM	Lathen, Jay	Galbraith, Kevin		RE: GE Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1120	Email	12/11/14 5:55 PM	Lathen, Jay	Galbraith, Kevin		RE: U.S. Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1121	Email with Attachment(s)	12/11/14 5:59 PM	Galbraith, Kevin	Lathen, Jay		Re: U.S. Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1122	Email	12/11/14 6:05 PM	Lathen, Jay	Galbraith, Kevin		RE: U.S. Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1123	Email with Attachment(s)	12/11/14 8:19 PM	Galbraith, Kevin	Lathen, Jay		Re: U.S. Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1124	Email	12/12/14 8:54 AM	Lathen, Jay	Galbraith, Kevin		RE: U.S. Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1125	Email	12/12/14 12:12 PM	Galbraith, Kevin	Lathen, Jay		Re: U.S. Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1126	Email	12/12/14 12:18 PM	Lathen, Jay	Galbraith, Kevin		Re: U.S. Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1127	Email	12/15/14 3:04 PM	Galbraith, Kevin	Lathen, Jay		Suing Indenture Trustee for Damages	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1128	Email	12/15/14 3:40 PM	Lathen, Jay	Galbraith, Kevin		RE: Suing Indenture Trustee for Damages	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1129	Email	12/17/14 3:38 PM	Lathen, Jay	Galbraith, Kevin		Have you heard anything back from Muccia/Apar?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1130	Email	12/17/14 3:45 PM	Galbraith, Kevin	Lathen, Jay		Re: Have you heard anything back from Muccia/Apar?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1131	Email with Attachment(s)	12/17/14 5:11 PM	Lathen, Jay	Galbraith, Kevin		RE: Have you heard anything back from Muccia/Apar?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1132	Email with Attachment(s)	12/17/14 5:13 PM	Galbraith, Kevin	Lathen, Jay		Re: Have you heard anything back from Muccia/Apar?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1133	Email	12/18/14 9:46 AM	Galbraith, Kevin	Lathen, Jay		FW: NYSCEF Notification: New York - Tort - <STIPULATION> 156375/2014/PROSPECT CAPITAL CORPORATION - v. - DONALD LATHEN JR. et al)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1134	Email with Attachment(s)	12/18/14 1:52 PM	Lathen, Jay	Galbraith, Kevin		Prospect	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1135	Email	12/18/14 3:27 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1136	Email with Attachment(s)	12/18/14 5:34 PM	Lathen, Jay	Galbraith, Kevin		Legal cost reimbursement	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	CC	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1137	Email with Attachment(s)	12/18/14 5:40 PM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital v. Lathen: Settlement Proposal	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1138	Email with Attachment(s)	12/19/14 2:20 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital etc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1139	Email	12/19/14 3:36 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital etc.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1140	Email with Attachment(s)	12/19/14 3:40 PM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital etc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1141	Email	12/19/14 5:34 PM	Galbraith, Kevin	Lathen, Jay		Fee Proposal	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1142	Email with Attachment(s)	12/22/14 10:47 AM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital etc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1143	Email	12/24/14 9:03 PM	Lathen, Jay	Galbraith, Kevin		RE: Fee Proposal	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1144	Email	12/26/14 3:28 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital etc.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1145	Email with Attachment(s)	12/24/14 3:52 PM	Galbraith, Kevin	Lathen, Jay		Re: Fee Proposal	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1146	Email	12/24/14 5:33 PM	Roper, Eric	Lathen, Jay		Re: Eden Arc Capital Partners - November 2014 Performance Summary	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1147	Email	12/28/14 9:07 PM	Kane, Darren	Lathen, Jay		Inquiry	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1148	Email	12/28/14 11:24 PM	Lathen, Jay	Kane, Darren		Re: Inquiry	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1149	Email	12/29/14 6:27 AM	Kane, Darren	Lathen, Jay		RE: Inquiry	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1150	Email with Attachment(s)	12/30/14 9:51 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital etc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1151	Email	12/30/14 10:55 AM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Capital etc.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1152	Email	1/6/15 1:52 PM	Galbraith, Kevin	Lathen, Jay		Updates: Prospect and GE Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1153	Email	1/6/15 2:07 PM	Lathen, Jay	Galbraith, Kevin		RE: Updates: Prospect and GE Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1154	Email with Attachment(s)	1/6/15 2:16 PM	Galbraith, Kevin	Lathen, Jay		Re: Updates: Prospect and GE Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1155	Email with Attachment(s)	1/7/15 12:07 PM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital etc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1156	Email	1/7/15 2:13 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option (Question from GE counsel)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1157	Email	1/7/15 2:33 PM	Lathen, Jay	Galbraith, Kevin		RE: Survivor's Option (Question from GE counsel)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1158	Email with Attachment(s)	1/7/15 2:35 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	Fwd: GECC Rejection Letter CUSIP 36966TGY2 (Nonone)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1159	Email	1/7/15 2:38 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: GECC Rejection Letter CUSIP 36966TGY2 (Nonone)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1160	Email with Attachment(s)	1/7/15 5:25 PM	Galbraith, Kevin	Lathen, Jay		Bill for Fees through 1-7-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1161	Email with Attachment(s)	1/9/15 3:52 PM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1162	Email	1/9/15 4:06 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1163	Email with Attachment(s)	1/9/15 4:13 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1164	Email	1/9/15 9:08 PM	Hartman, David	Lathen, Jay		Do you have a business continuity plan?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1165	Email with Attachment(s)	1/11/15 11:57 PM	Hartman, David	Lathen, Jay		Call and Annual Review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1166	Email with Attachment(s)	1/11/15 2:19 PM	Hartman, David	Lathen, Jay		Draft Risk Assessment	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1167	Email	1/12/15 5:16 PM	Lathen, Jay	Hartman, David		RE: Call and Annual Review	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1168	Email	1/13/15 5:21 PM	Lathen, Jay	Hartman, David		RE: Do you have a business continuity plan?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1169	Email with Attachment(s)	1/13/15 3:29 PM	Kane, Darren	Lathen, Jay		FW: Invoices From Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1170	Email	1/14/15 10:26 AM	Lathen, Jay	Hartman, David	Kane, Darren	SEC Examination - Exit Interview	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1171	Email	1/14/15 11:06 AM	Hartman, David	Lathen, Jay	Kane, Darren	RE: SEC Examination - Exit Interview	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1172	Email	1/14/15 11:07 AM	Lathen, Jay	Hartman, David		RE: SEC Examination - Exit Interview	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1173	Email with Attachment(s)	1/15/15 10:04 AM	Kane, Darren	Lathen, Jay		QuickBooks	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1174	Email	1/16/15 2:48 PM	Lathen, Jay	Hartman, David		Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1175	Email	1/16/15 3:03 PM	Hartman, David	Lathen, Jay		RE: Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1176	Email	1/16/15 3:09 PM	Lathen, Jay	Hartman, David		RE: Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1177	Email	1/16/15 3:14 PM	Hartman, David	Lathen, Jay		RE: Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1178	Email	1/16/15 3:21 PM	Lathen, Jay	Hartman, David		RE: Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1179	Email	1/16/15 4:24 PM	Hartman, David	Lathen, Jay		RE: Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1180	Email	1/16/15 4:25 PM	Lathen, Jay	Hartman, David		RE: Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1181	Email with Attachment(s)	1/19/15 5:09 PM	Kane, Darren	Lathen, Jay	accounting@missioncriticalservices.com	FW: Invoices From Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1182	Email with Attachment(s)	1/20/15 4:21 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1183	Email with Attachment(s)	1/20/15 5:10 PM	Galbraith, Kevin	Lathen, Jay		FW: Eden Arc Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1184	Email	1/20/15 5:28 PM	Lathen, Jay	Galbraith, Kevin		RE: Eden Arc Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1185	Email with Attachment(s)	1/20/15 5:32 PM	Galbraith, Kevin	Lathen, Jay		Re: Eden Arc Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1186	Email	1/21/15 9:25 AM	Hartman, David	Lathen, Jay		RE: Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1187	Email with Attachment(s)	1/21/15 9:35 AM	Lathen, Jay	Hartman, David		RE: Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1188	Email with Attachment(s)	1/21/15 9:59 AM	Galbraith, Kevin	Lathen, Jay		Re: Eden Arc Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1189	Email with Attachment(s)	1/21/15 10:00 AM	Lathen, Jay	Galbraith, Kevin		RE: Eden Arc Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1190	Email	1/21/15 10:00 AM	Lathen, Jay	Galbraith, Kevin		RE: Eden Arc Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1191	Email	1/21/15 11:21 AM	Lathen, Jay	Kane, Darren		RE: Invoices From Mission Critical Services	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1192	Email	1/21/15 11:42 AM	Lathen, Jay	Kane, Darren	Robinson, Michael D.	RE: QuickBooks	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Full Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Date
1193	Email with Attachment(s)	1/21/15 12:06 PM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1194	Email	1/21/15 12:10 PM	Kane, Darren	Lathen, Jay		RE: Invoices from Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1195	Email	1/21/15 1:02 PM	Lathen, Jay	Hartman, David		RE: Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1196	Email	1/21/15 1:04 PM	Hartman, David	Lathen, Jay		RE: Compliance Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1197	Email	1/21/15 1:05 PM	Lathen, Jay	Hartman, David		Re: Compliance Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1198	Email	1/21/15 5:27 PM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1199	Email	1/21/15 5:33 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1200	Email	1/21/15 6:00 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1201	Email	1/21/15 6:06 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1202	Email	1/21/15 9:12 PM	Kane, Darren	Lathen, Jay		FW: FW: QuickBooks	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1203	Email	1/22/15 10:20 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1204	Email	1/22/15 12:32 PM	Galbraith, Kevin	Lathen, Jay		Propect Capital v. Lathen et al. -- Confidential SettlementCommunications	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1205	Email with Attachment(s)	1/22/15 1:43 PM	Lathen, Jay	Galbraith, Kevin		RE: Propect Capital v. Lathen et al. -- Confidential SettlementCommunications	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1206	Email with Attachment(s)	1/22/15 1:48 PM	Galbraith, Kevin	Lathen, Jay		Re: Propect Capital v. Lathen et al. -- Confidential SettlementCommunications	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1207	Email with Attachment(s)	1/22/15 1:57 PM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital v. Lathen et al. -- Confidential SettlementCommunication	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1208	Email	1/22/15 2:01 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital v. Lathen et al. -- Confidential SettlementCommunication	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1209	Email with Attachment(s)	1/22/15 2:02 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital v. Lathen et al. -- Confidential SettlementCommunication	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1210	Email	1/22/15 2:07 PM	Lathen, Jay	Galbraith, Kevin		RE: Propect Capital v. Lathen et al. -- Confidential SettlementCommunications	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1211	Email with Attachment(s)	1/22/15 2:11 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital v. Lathen et al. -- Confidential SettlementCommunications	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1212	Email	1/22/15 2:18 PM	Lathen, Jay	Galbraith, Kevin		RE: Propect Capital v. Lathen et al. -- Confidential SettlementCommunications	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1213	Email	1/23/15 11:29 AM	Lathen, Jay	Hartman, David		Our call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1214	Email	1/23/15 2:57 PM	Hartman, David	Lathen, Jay		RE: Our call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1215	Email	1/23/15 4:21 PM	Lathen, Jay	Hartman, David		Re: Our call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1216	Email with Attachment(s)	1/25/15 8:52 AM	Hartman, David	Lathen, Jay		Preparation for the ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1217	Email	1/26/15 3:58 PM	Hartman, David	Lathen, Jay		SEC letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1218	Email	1/26/15 4:23 PM	Lathen, Jay	Hartman, David		Re: SEC letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1219	Email	1/28/15 9:39 AM	Galbraith, Kevin	Robertson, Christopher	Lathen, Jay	Confirming 10 am call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1220	Email	1/28/15 10:04 AM	Galbraith, Kevin	Lathen, Jay		FW: Automatic reply: Confirming 10 am call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1221	Email with Attachment(s)	1/28/15 10:12 AM	Robertson, Christopher	Galbraith, Kevin	Lathen, Jay	Re: Confirming 10 am call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1222	Email	1/28/15 10:34 AM	Robertson, Christopher	Lathen, Jay		Automatic reply: Confirming 10 am call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1223	Email	1/28/15 10:44 AM	Lathen, Jay	Robertson, Christopher; Galbraith, Kevin		RE: Confirming 10 am call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1224	Email	1/28/15 10:43 AM	Galbraith, Kevin	Lathen, Jay; Robertson, Christopher		Re: Confirming 10 am call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1225	Email	1/28/15 10:44 AM	Robertson, Christopher	Galbraith, Kevin; Lathen, Jay		RE: Confirming 10 am call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1226	Email	1/28/15 10:26 AM	Galbraith, Kevin	Robertson, Christopher; Lathen, Jay		Re: Confirming 10 am call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1227	Email	1/28/15 10:44 AM	Lathen, Jay	Galbraith, Kevin	Robertson, Christopher	Re: Confirming 10 am call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1228	Email	1/28/15 10:47 AM	Galbraith, Kevin	Lathen, Jay	Robertson, Christopher	Re: Confirming 10 am call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1229	Email with Attachment(s)	1/28/15 11:48 AM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital v. Lathen et al. -- Confidential SettlementCommunication	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1230	Email	1/28/15 1:39 PM	Galbraith, Kevin	Lathen, Jay		Check for Legal Fee	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1231	Email	1/30/15 9:10 AM	Robertson, Christopher	Galbraith, Kevin; Lathen, Jay		Move call to 10:45?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1232	Email	1/30/15 9:25 AM	Lathen, Jay	Robertson, Christopher; Galbraith, Kevin		RE: Move call to 10:45?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1233	Email	1/30/15 1:22 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1234	Email with Attachment(s)	1/30/15 2:20 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1235	Email	1/30/15 2:43 PM	Galbraith, Kevin	Lathen, Jay		Prospect Meeting Proposal	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1236	Email	1/30/15 2:45 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Meeting Proposal	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1237	Email	1/30/15 2:48 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Meeting Proposal	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1238	Email with Attachment(s)	1/30/15 2:57 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Meeting Proposal	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1239	Email	2/1/15 11:28 AM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1240	Email	2/1/15 11:54 AM	Hartman, David	Lathen, Jay		Valuation for month end August 31, 2014	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1241	Email	2/2/15 12:04 PM	Galbraith, Kevin	Lathen, Jay		Prospect Settlement Discussions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1242	Email	2/2/15 12:35 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Settlement Discussions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1243	Email	2/3/15 11:14 AM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1244	Email with Attachment(s)	2/3/15 11:24 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1245	Email	2/3/15 1:18 PM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1246	Email	2/4/15 6:13 PM	Robertson, Christopher	Lathen, Jay; Galbraith, Kevin		One more Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1247	Email	2/4/15 6:24 PM	Lathen, Jay	Robertson, Christopher	Galbraith, Kevin	Re: One more Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1248	Email	2/4/15 6:38 PM	Robertson, Christopher	Lathen, Jay	Galbraith, Kevin	RE: One more Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1249	Email	2/9/15 10:40 AM	Hartman, David	Lathen, Jay		Valuation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1250	Email with Attachment(s)	2/9/15 3:33 PM	Lathen, Jay	Hartman, David		RE: Valuation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1251	Email	2/9/15 5:03 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1252	Email	2/9/15 5:04 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Settlement Discussions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1253	Email with Attachment(s)	2/9/15 5:07 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Settlement Discussions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1254	Email	2/9/15 5:07 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1255	Email with Attachment(s)	2/9/15 5:29 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1256	Email	2/9/15 5:40 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1257	Email	2/9/15 6:09 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1258	Email	2/10/15 9:13 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1259	Email	2/10/15 11:26 AM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1260	Email	2/10/15 11:27 AM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1261	Email	2/10/15 6:32 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1262	Email with Attachment(s)	2/10/15 6:33 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Settlement Discussions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1263	Email with Attachment(s)	2/11/15 11:52 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Settlement Discussions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1264	Email with Attachment(s)	2/11/15 12:02 PM	Hartman, David	Lathen, Jay		SEC Response letter for today's call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1265	Email	2/11/15 12:27 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1266	Email	2/11/15 12:53 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1267	Email with Attachment(s)	2/11/15 3:34 PM	Hartman, David	Lathen, Jay		custody policies and procedures	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1268	Email with Attachment(s)	2/12/15 1:36 PM	Lathen, Jay	Hartman, David		RE: SEC Response letter for today's call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1269	Email with Attachment(s)	2/13/15 11:04 AM	Hartman, David	Lathen, Jay		Updated version	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1270	Email with Attachment(s)	2/13/15 12:05 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Settlement Discussions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1271	Email with Attachment(s)	2/13/15 3:42 PM	Lathen, Jay	Hartman, David		Response to SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1272	Email with Attachment(s)	2/18/15 3:28 PM	Lathen, Jay	Hood, Bruce E.		RE:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1273	Email	2/18/15 5:29 PM	Lathen, Jay	Robertson, Christopher; Galbraith, Kevin		RE: Move call to 10:45?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1274	Email	2/18/15 5:39 PM	Robertson, Christopher	Lathen, Jay; Galbraith, Kevin		RE: Move call to 10:45?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1275	Email	2/18/15 5:41 PM	Lathen, Jay	Robertson, Christopher; Galbraith, Kevin		RE: Move call to 10:45?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1276	Email	2/18/15 8:29 PM	Lathen, Jay	Kane, Darren; Hartman, David		Fwd: UPS Update: Package Scheduled for Delivery Tomorrow	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1277	Email	2/19/15 10:55 AM	Galbraith, Kevin	Lathen, Jay		Prospect -- Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1278	Email	2/19/15 10:56 AM	Lathen, Jay	Galbraith, Kevin		RE: Prospect -- Motion to Dismiss	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1279	Email with Attachment(s)	2/19/15 10:58 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect -- Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1280	Email	2/20/15 9:42 AM	Galbraith, Kevin	Lathen, Jay		U.S. Bank and Prospect Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1281	Email	2/20/15 10:43 AM	Lathen, Jay	Galbraith, Kevin		RE: U.S. Bank and Prospect Updates	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1282	Email with Attachment(s)	2/20/15 10:45 AM	Galbraith, Kevin	Lathen, Jay		Re: U.S. Bank and Prospect Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1283	Email	2/20/15 10:50 AM	Lathen, Jay	Galbraith, Kevin		RE: U.S. Bank and Prospect Updates	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1284	Email	2/20/15 10:56 AM	Lathen, Jay	Kane, Darren; Hartman, David		SEC Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1285	Email with Attachment(s)	2/20/15 1:54 PM	Lathen, Jay	Galbraith, Kevin		SEC Exam Findings and Our response	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1286	Email with Attachment(s)	2/20/15 1:59 PM	Lathen, Jay	Galbraith, Kevin		FW: SEC Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1287	Email	2/20/15 2:07 PM	Galbraith, Kevin	Lathen, Jay		Re: SEC Docs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1288	Email with Attachment(s)	2/20/15 2:28 PM	Lathen, Jay	Kane, Darren		FW: SEC Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1289	Email	2/20/15 2:31 PM	Kane, Darren	Lathen, Jay; Hartman, David		RE: SEC Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1290	Email with Attachment(s)	2/20/15 2:34 PM	Lathen, Jay	Hartman, David		FW: SEC Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1291	Email	2/20/15 2:55 PM	Kane, Darren	Lathen, Jay		Enforcement Actions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1292	Email	2/20/15 3:07 PM	Kane, Darren	Lathen, Jay		Kaye Scholer LLP	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1293	Email	2/20/15 6:49 PM	Kane, Darren	Lathen, Jay		RE: SEC Docs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1294	Email	2/20/15 6:59 PM	Kane, Darren	Lathen, Jay		FW: Kaye Scholer LLP	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1295	Email	2/22/15 4:33 PM	Kane, Darren	Lathen, Jay		FW: Vertical Capital Complaint	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1296	Email	2/23/15 8:38 AM	Galbraith, Kevin	Lathen, Jay		Re: SEC Docs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1297	Email	2/23/15 9:29 AM	Lathen, Jay	Galbraith, Kevin		Re: SEC Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1298	Email	2/23/15 9:30 AM	Galbraith, Kevin	Lathen, Jay		Re: SEC Docs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1299	Email	2/23/15 9:52 AM	Lathen, Jay	Kane, Darren		RE: SEC Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1300	Email	2/23/15 10:25 AM	Kane, Darren	Lathen, Jay		RE: SEC Docs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1301	Email	2/23/15 10:25 AM	Lathen, Jay	Kane, Darren		RE: SEC Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1302	Email	2/23/15 10:54 AM	Lathen, Jay	Kane, Darren		RE: SEC Docs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1303	Email	2/23/15 11:03 AM	Kane, Darren	Lathen, Jay		RE: SEC Docs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1304	Email	2/23/15 11:05 AM	Lathen, Jay	Culhane, Stephen; Green, Jonathan		FW: Kaye Scholer LLP	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1305	Email	2/23/15 11:18 AM	Green, Jonathan	Lathen, Jay; Culhane, Stephen		RE: Kaye Scholer LLP	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1306	Email	2/23/15 11:21 AM	Lathen, Jay	Kane, Darren		RE: Vertical Capital Complaint	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1307	Email	2/23/15 11:23 AM	Lathen, Jay	Green, Jonathan; Culhane, Stephen		RE: Kaye Scholer LLP	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1308	Email	2/23/15 11:25 AM	Culhane, Stephen	Lathen, Jay; Green, Jonathan		RE: Kaye Scholer LLP	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1309	Email	2/23/15 11:42 AM	Culhane, Stephen	Lathen, Jay		Eden Arc / KS Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1310	Email	2/23/15 12:23 PM	Kane, Darren	Lathen, Jay		RE: Vertical Capital Complaint	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1311	Email	2/23/15 12:59 PM	Lathen, Jay	Galbraith, Kevin		FW: Kaye Scholer LLP	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1312	Email	2/23/15 7:02 PM	Lathen, Jay	Galbraith, Kevin		Letter to US Bank Counsel dated 11/5/14	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1313	Email with Attachment(s)	2/23/15 7:18 PM	Lathen, Jay	Green, Jonathan; Culhane, Stephen	Galbraith, Kevin	Eden Arc Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1314	Email	2/23/15 7:25 PM	Culhane, Stephen	Lathen, Jay; Green, Jonathan	Galbraith, Kevin	RE: Eden Arc Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1315	Email with Attachment(s)	2/23/15 9:54 PM	Galbraith, Kevin	Lathen, Jay		Re: Letter to US Bank Counsel dated 11/5/14	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Dates
1316	Email	2/24/15 10:28 AM	Galbraith, Kevin	Lathen, Jay		Checking In	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1317	Email with Attachment(s)	2/24/15 10:31 AM	Lathen, Jay	Cuthane, Stephen; Green, Jonathan	Galbraith, Kevin	RE: Eden Arc Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1318	Email	2/24/15 10:39 AM	Green, Jonathan	Lathen, Jay	Cuthane, Stephen; Galbraith, Kevin	Re: Eden Arc Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1319	Email with Attachment(s)	2/24/15 11:45 AM	Galbraith, Kevin	Lathen, Jay		Re: Checking In	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1320	Email	2/24/15 3:47 PM	Galbraith, Kevin	Lathen, Jay		Outreach to SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1321	Email with Attachment(s)	2/24/15 4:22 PM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin	Eden Arc Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1322	Email	2/24/15 4:27 PM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin	Re: Eden Arc Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1323	Email with Attachment(s)	2/24/15 5:25 PM	Lathen, Jay	Southwell, Alexander H.	Galbraith, Kevin	Eden Arc Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1324	Email with Attachment(s)	2/24/15 7:52 PM	Kane, Darren	Lathen, Jay		Enforcement Manual	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1325	Email	2/25/15 11:29 AM	Galbraith, Kevin	Lathen, Jay		Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1326	Email	2/25/15 1:19 PM	Galbraith, Kevin	Lathen, Jay		Staples Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1327	Email with Attachment(s)	2/25/15 4:28 PM	Lathen, Jay	Southwell, Alexander H.	Galbraith, Kevin	RE: Eden Arc Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1328	Email	2/25/15 7:09 PM	Lathen, Jay	Southwell, Alexander H.	Galbraith, Kevin	RE: Eden Arc Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1329	Email	2/25/15 8:52 PM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin	Re: Eden Arc Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1330	Email	2/25/15 9:38 PM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin	Re: Eden Arc Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1331	Email	2/26/15 3:27 AM	Kane, Darren	Lathen, Jay		FW: - Response to Subpoena	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1332	Email with Attachment(s)	2/26/15 6:51 AM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin	Re: Eden Arc Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1333	Email	2/26/15 9:31 AM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin	RE: Eden Arc Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1334	Email	2/26/15 9:49 AM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin	Re: Eden Arc Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1335	Email	2/26/15 11:43 AM	Lathen, Jay	Galbraith, Kevin; Protass, Harlan		RE: Eden Arc Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1336	Email	2/26/15 11:43 AM	Galbraith, Kevin	Protass, Harlan; Lathen, Jay		Re: Eden Arc Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1337	Email	2/26/15 6:52 PM	Galbraith, Kevin	Lathen, Jay		Items for Gibson Dunn & Contact with Weinstock	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1338	Email	2/26/15 8:25 PM	Lathen, Jay	Southwell, Alexander H.		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1339	Email	2/26/15 8:41 PM	Lathen, Jay	Southwell, Alexander H.		Re: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1340	Email	2/26/15 8:43 PM	Lathen, Jay	Southwell, Alexander H.		RE: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1341	Email with Attachment(s)	2/26/15 7:40 PM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin	Re: Eden Arc Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1342	Email with Attachment(s)	2/27/15 11:09 AM	Galbraith, Kevin	Lathen, Jay		Re: Eden Arc Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1343	Email	2/28/15 9:19 PM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin	SEC Investigation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1344	Email with Attachment(s)	3/1/15 10:52 AM	Hartman, David	Lathen, Jay		FW: Preparation for the ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1345	Email with Attachment(s)	3/1/15 7:44 PM	Protass, Harlan	Lathen, Jay; Galbraith, Kevin		Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1346	Email	3/1/15 9:09 PM	Galbraith, Kevin	Lathen, Jay		FW: Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1347	Email	3/1/15 9:56 PM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin	Re: Monday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1348	Email with Attachment(s)	3/2/15 12:11 AM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin	Re: Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1349	Email	3/2/15 12:34 AM	Galbraith, Kevin	Protass, Harlan; Lathen, Jay		Re: Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1350	Email	3/2/15 11:52 AM	Southwell, Alexander H.	Lathen, Jay		Checking In	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1351	Email with Attachment(s)	3/2/15 12:17 PM	Galbraith, Kevin	Protass, Harlan; Lathen, Jay		Re: Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1352	Email	3/2/15 1:02 PM	Protass, Harlan	Galbraith, Kevin	Lathen, Jay	Re: Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1353	Email with Attachment(s)	3/2/15 1:37 PM	Lathen, Jay	Southwell, Alexander H.		RE: Checking In	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1354	Email	3/2/15 4:41 PM	Protass, Harlan	Lathen, Jay; Galbraith, Kevin			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1355	Email	3/2/15 5:25 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: Fwd: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1356	Email with Attachment(s)	3/2/15 5:27 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: RE: Account Opening Documentation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1357	Email	3/2/15 5:27 PM	Galbraith, Kevin	Robinson, Michael D.		Re: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1358	Email	3/2/15 6:23 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Gibson Dunne Scope of Work	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1359	Email	3/2/15 6:32 PM	Galbraith, Kevin	Lathen, Jay		Re: Gibson Dunne Scope of Work	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1360	Email	3/2/15 10:31 PM	Southwell, Alexander H.	Lathen, Jay		Re: Checking In	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1361	Email	3/3/15 7:39 AM	Lathen, Jay	Southwell, Alexander H.		Re: Checking In	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1362	Email	3/3/15 8:48 AM	Galbraith, Kevin	Lathen, Jay		Re: Gibson Dunne Scope of Work	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1363	Email	3/3/15 5:07 PM	Lathen, Jay	Southwell, Alexander H.		RE: Checking In	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1364	Email	3/3/15 5:19 PM	Lathen, Jay	Hartman, David		RE: Preparation for the ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1365	Email	3/3/15 5:56 PM	Hartman, David	Lathen, Jay		RE: Preparation for the ADV Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1366	Email	3/3/15 6:01 PM	Lathen, Jay	Hartman, David		RE: Preparation for the ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1367	Email with Attachment(s)	3/3/15 6:33 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1368	Email with Attachment(s)	3/3/15 6:17 PM	Galbraith, Kevin	Lathen, Jay		FW: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1369	Email	3/4/15 8:44 AM	Lathen, Jay	Galbraith, Kevin		RE: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1370	Email with Attachment(s)	3/4/15 10:37 AM	Galbraith, Kevin	Lathen, Jay		FW: Prospect Capital - Eden Arc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1371	Email with Attachment(s)	3/4/15 11:55 AM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1372	Email	3/4/15 12:47 PM	Southwell, Alexander H.	Lathen, Jay		Re: Checking In	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1373	Email	3/4/15 12:57 PM	Lathen, Jay	Southwell, Alexander H.		Re: Checking In	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1374	Email	3/4/15 2:48 PM	Southwell, Alexander H.	Lathen, Jay		Re: Checking In	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Dates
1375	Email	3/4/15 2:49 PM	Lathen, Jay	Southwell, Alexander H.		RE: Checking In	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1376	Email	3/4/15 3:58 PM	Lathen, Jay	Southwell, Alexander H.		Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1377	Email	3/5/15 2:28 PM	Kang, Darren	Lathen, Jay		Inquiry	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1378	Email with Attachment(s)	3/6/15 4:06 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1379	Email	3/6/15 7:15 PM	Lathen, Jay	Galbraith, Kevin		RE: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1380	Email	3/6/15 9:26 AM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1381	Email	3/6/15 10:04 AM	Lathen, Jay	Galbraith, Kevin		Re: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1382	Email	3/6/15 10:17 AM	Lathen, Jay	Southwell, Alexander H.		RE: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1383	Email	3/6/15 10:50 AM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1384	Email with Attachment(s)	3/6/15 11:33 AM	Lathen, Jay	Galbraith, Kevin		RE: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1385	Email with Attachment(s)	3/6/15 11:41 AM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1386	Email with Attachment(s)	3/6/15 3:40 PM	Lathen, Jay	Hartman, David; Kang, Darren		SEC Formal Order	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1387	Email	3/6/15 3:51 PM	Kang, Darren	Lathen, Jay		Call: 212-229-2229	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1388	Email	3/6/15 4:05 PM	Lathen, Jay	Kang, Darren		RE: Call: 212-229-2229	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1389	Email	3/6/15 4:09 PM	Lathen, Jay	Kang, Darren		RE: Call: 212-229-2229	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1390	Email	3/6/15 4:09 PM	Kang, Darren	Lathen, Jay		RE: Call: 212-229-2229	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1391	Email with Attachment(s)	3/7/15 9:13 AM	Galbraith, Kevin	Lathen, Jay		Prospect: Amended Complaint	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1392	Email	3/7/15 10:42 AM	Lathen, Jay	Galbraith, Kevin		Re: Prospect: Amended Complaint	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1393	Email	3/7/15 11:16 AM	Southwell, Alexander H.	Lathen, Jay		RE: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1394	Email	3/7/15 11:52 AM	Lathen, Jay	Southwell, Alexander H.		Re: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1395	Email	3/7/15 10:20 PM	Lathen, Jay	Southwell, Alexander H.		Re: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1396	Email	3/8/15 10:57 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect: Amended Complaint	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1397	Email	3/8/15 4:18 PM	Southwell, Alexander H.	Lathen, Jay		RE: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1398	Email	3/8/15 4:26 PM	Lathen, Jay	Southwell, Alexander H.		Re: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1399	Email	3/8/15 9:26 PM	Southwell, Alexander H.	Lathen, Jay		Re: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1400	Email	3/8/15 9:28 PM	Lathen, Jay	Southwell, Alexander H.		Re: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1401	Email	3/9/15 10:04 AM	Galbraith, Kevin	Lathen, Jay		SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1402	Email	3/9/15 10:07 AM	Lathen, Jay	Galbraith, Kevin		RE: SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1403	Email	3/9/15 10:50 AM	Galbraith, Kevin	Lathen, Jay		FW: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1404	Email	3/9/15 11:02 AM	Lathen, Jay	Galbraith, Kevin		RE: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1405	Email with Attachment(s)	3/9/15 11:44 AM	Galbraith, Kevin	Lathen, Jay		FW: Donald Lathen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1406	Email with Attachment(s)	3/9/15 12:01 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: CIT BANK DEATH PUT REJECTS 8-22-14	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1407	Email	3/9/15 12:06 PM	Galbraith, Kevin	Robinson, Michael D.		Re: CIT BANK DEATH PUT REJECTS 8-22-14	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1408	Email with Attachment(s)	3/9/15 12:19 PM	Robinson, Michael D.	Galbraith, Kevin		Re: CIT BANK DEATH PUT REJECTS 8-22-14	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1409	Email	3/9/15 12:20 PM	Galbraith, Kevin	Robinson, Michael D.		Re: CIT BANK DEATH PUT REJECTS 8-22-14	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1410	Email	3/9/15 12:22 PM	Lathen, Jay	Galbraith, Kevin		RE: Donald Lathen	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1411	Email with Attachment(s)	3/9/15 12:33 PM	Galbraith, Kevin	Lathen, Jay		Re: Donald Lathen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1412	Email with Attachment(s)	3/9/15 12:59 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		FW: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1413	Email	3/9/15 1:04 PM	Lathen, Jay	Galbraith, Kevin; Robinson, Michael D.		RE: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1414	Email with Attachment(s)	3/9/15 2:10 PM	Lathen, Jay	Galbraith, Kevin		FW: CD Disclosure Statement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1415	Email with Attachment(s)	3/9/15 2:41 PM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Re: FW: Preparation for the ADV Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1416	Email	3/9/15 3:57 PM	Lathen, Jay	Galbraith, Kevin		RE: Donald Lathen	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1417	Email with Attachment(s)	3/9/15 4:58 PM	Galbraith, Kevin	Lathen, Jay		Re: Donald Lathen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1418	Email	3/9/15 4:30 PM	Galbraith, Kevin	Lathen, Jay		Re: CD Disclosure Statement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1419	Email	3/9/15 4:31 PM	Lathen, Jay	Galbraith, Kevin		Re: CD Disclosure Statement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1420	Email with Attachment(s)	3/9/15 4:44 PM	Galbraith, Kevin	Lathen, Jay		FW: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1421	Email	3/10/15 9:35 AM	Robinson, Michael D.	Galbraith, Kevin		Quick Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1422	Email	3/10/15 10:43 AM	Galbraith, Kevin	Robinson, Michael D.		Re: Quick Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1423	Email	3/10/15 10:53 AM	Robinson, Michael D.	Galbraith, Kevin		Re: Quick Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1424	Email	3/10/15 11:01 AM	Lathen, Jay	Southwell, Alexander H.		RE: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1425	Email	3/10/15 11:23 AM	Lathen, Jay	Galbraith, Kevin		Counsel Decision	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1426	Email	3/10/15 11:25 AM	Galbraith, Kevin	Lathen, Jay		Re: Counsel Decision	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1427	Email	3/10/15 11:30 AM	Lathen, Jay	Galbraith, Kevin		RE: Counsel Decision	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1428	Email	3/10/15 11:32 AM	Protass, Harlan	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1429	Email	3/10/15 11:32 AM	Lathen, Jay	Protass, Harlan		RE:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1430	Email	3/10/15 11:40 AM	Protass, Harlan	Lathen, Jay		Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1431	Email	3/10/15 12:01 PM	Protass, Harlan	Lathen, Jay		Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1432	Email	3/10/15 12:03 PM	Lathen, Jay	Protass, Harlan		RE: Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1433	Email	3/10/15 12:04 PM	Lathen, Jay	Protass, Harlan		RE: Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1434	Email with Attachment(s)	3/10/15 12:17 PM	Galbraith, Kevin	Protass, Harlan	Lathen, Jay	FW: Donald Lathen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1435	Email	3/10/15 12:48 PM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin	RE: Donald Lathen	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1436	Email	3/10/15 1:02 PM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin	Re: Donald Lathen	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1437	Email with Attachment(s)	3/10/15 3:16 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1438	Email with Attachment(s)	3/10/15 4:17 PM	Galbraith, Kevin	Lathen, Jay		Bill through 3-10-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1439	Email	3/10/15 4:25 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1440	Email with Attachment(s)	3/10/15 4:27 PM	Protass, Harlan	Lathen, Jay		Eden Arc / SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1441	Email	3/10/15 4:28 PM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Dropbox Folder for Compliance Review Memo	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1442	Email with Attachment(s)	3/10/15 4:31 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1443	Email with Attachment(s)	3/10/15 4:37 PM	Lathen, Jay	Lathen, Kathy		FW: Eden Arc / SEC	Attorney Client Privilege/Work Product	Communication reflecting legal advice of Harlan Protass.		
1444	Email with Attachment(s)	3/10/15 4:51 PM	Lathen, Jay	Protass, Harlan		RE: Eden Arc / SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1445	Email	3/10/15 5:05 PM	Protass, Harlan	Lathen, Jay		Re: Eden Arc / SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1446	Email	3/10/15 5:18 PM	Lathen, Jay	Protass, Harlan	Robinson, Michael D.	RE: Eden Arc / SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1447	Email	3/10/15 5:21 PM	Protass, Harlan	Lathen, Jay		Re: Eden Arc / SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1448	Email	3/10/15 5:25 PM	Lathen, Jay	Protass, Harlan		RE: Eden Arc / SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1449	Email with Attachment(s)	3/10/15 5:56 PM	Lathen, Kathy	Lathen, Jay		Re: Eden Arc / SEC	Attorney Client Privilege/Work Product	Communication reflecting legal advice of Harlan Protass.		
1450	Email	3/10/15 5:58 PM	Protass, Harlan	Lathen, Jay		Re: Eden Arc / SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1451	Email	3/10/15 6:00 PM	Lathen, Jay	Lathen, Kathy		RE: Eden Arc / SEC	Attorney Client Privilege/Work Product	Communication reflecting legal advice of Harlan Protass.		
1452	Email with Attachment(s)	3/10/15 6:01 PM	Lathen, Jay	Protass, Harlan		FW: Eden Arc / SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1453	Email with Attachment(s)	3/10/15 10:25 PM	Protass, Harlan	Lathen, Jay		Re: Eden Arc / SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1454	Email	3/11/15 12:31 PM	Robinson, Michael D.	Galbraith, Kevin; Lathen, Jay		Prospect Redemption Database	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1455	Email	3/11/15 12:32 PM	Galbraith, Kevin	Robinson, Michael D.; Lathen, Jay		Re: Prospect Redemption Database	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1456	Email	3/11/15 12:33 PM	Robinson, Michael D.	Hartman, David		Fwd: Dropbox Folder for Compliance Review Memo	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1457	Email	3/11/15 12:40 PM	Robinson, Michael D.	Galbraith, Kevin		Re: Prospect Redemption Database	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1458	Email	3/11/15 12:47 PM	Galbraith, Kevin	Robinson, Michael D.		Re: Prospect Redemption Database	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1459	Email	3/11/15 12:57 PM	Robinson, Michael D.	Galbraith, Kevin		Re: Prospect Redemption Database	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1460	Email	3/11/15 1:38 PM	Lathen, Jay	Galbraith, Kevin; Robinson, Michael D.		RE: Prospect Redemption Database	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1461	Email with Attachment(s)	3/11/15 2:09 PM	Lathen, Jay	Protass, Harlan		RE: Eden Arc / SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1462	Email with Attachment(s)	3/11/15 2:37 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Re: Prospect Redemption Database	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1463	Email with Attachment(s)	3/11/15 2:59 PM	Galbraith, Kevin	Lathen, Jay		FW: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1464	Email	3/11/15 6:26 PM	Lathen, Jay	Galbraith, Kevin		RE: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1465	Email with Attachment(s)	3/11/15 8:40 PM	Lathen, Jay	Protass, Harlan		Aumbauer executed retainer	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1466	Email	3/11/15 8:42 PM	Lathen, Jay	Southwell, Alexander H.		Re: Eden Arc - Gibson Dunne Scope of Work	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1467	Email with Attachment(s)	3/12/15 6:39 AM	Protass, Harlan	Lathen, Jay		Re: Aumbauer executed retainer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1468	Email	3/12/15 7:22 AM	Hartman, David	Robinson, Michael D.	Lathen, Jay	RE: ADV info IARD sign in	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1469	Email with Attachment(s)	3/12/15 7:59 AM	Robinson, Michael D.	Hartman, David		IARD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1470	Email	3/12/15 10:13 AM	Galbraith, Kevin	Lathen, Jay		Re: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1471	Email	3/12/15 10:24 AM	Lathen, Jay	Galbraith, Kevin		Re: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1472	Email	3/12/15 10:48 AM	Protass, Harlan	Lathen, Jay		EngDocs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1473	Email	3/12/15 10:50 AM	Protass, Harlan	Lathen, Jay		SEC Document Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1474	Email	3/12/15 12:56 PM	Lathen, Jay	Protass, Harlan		RE: EngDocs	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1475	Email	3/12/15 1:29 PM	Lathen, Jay	Protass, Harlan	Robinson, Michael D.	RE: SEC Document Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1476	Email with Attachment(s)	3/12/15 1:31 PM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.	Re: SEC Document Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1477	Email with Attachment(s)	3/12/15 1:32 PM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.	Re: SEC Document Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1478	Email with Attachment(s)	3/12/15 2:21 PM	Hartman, David	Lathen, Jay		example	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1479	Email	3/12/15 4:18 PM	Galbraith, Kevin	Robinson, Michael D.		Re: Michael Robinson wants to share "Prospect Project-XX" with you	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1480	Email	3/12/15 4:35 PM	Lathen, Jay	Protass, Harlan		Retainer	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1481	Email	3/12/15 4:38 PM	Protass, Harlan	Lathen, Jay		Re: Retainer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1482	Email	3/12/15 4:43 PM	Robinson, Michael D.	Galbraith, Kevin		Re: Michael Robinson wants to share "Prospect Project-XX" with you	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1483	Email	3/12/15 4:51 PM	Galbraith, Kevin	Robinson, Michael D.		Re: Michael Robinson wants to share "Prospect Project-XX" with you	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1484	Email	3/12/15 5:20 PM	Robinson, Michael D.	Khambata, Iesh		Document Process	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1485	Email with Attachment(s)	3/12/15 5:26 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1486	Email	3/13/15 12:23 PM	Hartman, David	Robinson, Michael D.	Lathen, Jay	RE: IARD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1487	Email	3/13/15 2:04 PM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Re: IARD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1488	Email	3/13/15 3:02 PM	Protass, Harlan	Lathen, Jay		Quick Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1489	Email	3/13/15 3:05 PM	Protass, Harlan	Lathen, Jay		Also, can you send me the letter you first received from the SECExamination staff?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1490	Email with Attachment(s)	3/13/15 3:17 PM	Lathen, Jay	Protass, Harlan		RE: Quick Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1491	Email with Attachment(s)	3/13/15 3:22 PM	Lathen, Jay	Protass, Harlan		RE: Also, can you send me the letter you first received from theSEC Examination staff?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1492	Email	3/13/15 3:28 PM	Protass, Harlan	Lathen, Jay		Re: Also, can you send me the letter you first received from the SECExamination staff?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1493	Email	3/13/15 3:28 PM	Protass, Harlan	Lathen, Jay		Re: Quick Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1494	Email	3/16/15 1:05 PM	Robinson, Michael D.	Protass, Harlan; Khambata, Leah		DropBox Folder Invitations	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1495	Email	3/16/15 1:20 PM	Protass, Harlan	Robinson, Michael D.	Khambata, Leah	Re: DropBox Folder Invitations	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1496	Email	3/16/15 1:31 PM	Robinson, Michael D.	Protass, Harlan		Re: DropBox Folder Invitations	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1497	Email	3/16/15 2:28 PM	Protass, Harlan	Robinson, Michael D.		Re: DropBox Folder Invitations	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1498	Email	3/17/15 1:56 PM	Galbraith, Kevin	Lathen, Jay		Out of the office through 3/24	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1499	Email with Attachment(s)	3/19/15 12:29 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1500	Email	3/19/15 3:19 PM	Lathen, Jay	Galbraith, Kevin		Re: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1501	Email	3/19/15 3:39 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay	Documents for Production to SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1502	Email	3/19/15 4:03 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	RE: Documents for Production to SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1503	Email	3/19/15 4:19 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay	Re: Documents for Production to SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1504	Email	3/19/15 4:26 PM	Robinson, Michael D.	Protass, Harlan		Re: Documents for Production to SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1505	Email	3/19/15 4:27 PM	Protass, Harlan	Robinson, Michael D.		Re: Documents for Production to SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1506	Email	3/19/15 6:10 PM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1507	Email	3/19/15 6:23 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	Re: Documents for Production to SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1508	Email	3/19/15 9:38 AM	Protass, Harlan	Robinson, Michael D.		Re: Documents for Production to SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1509	Email	3/19/15 9:52 AM	Robinson, Michael D.	Protass, Harlan		Re: Documents for Production to SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1510	Email	3/19/15 6:28 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.		SEC Document Production Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1511	Email	3/20/15 10:59 AM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Re: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1512	Email	3/20/15 6:15 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.		SEC Production Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1513	Email	3/20/15 6:31 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	Re: SEC Production Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1514	Email	3/21/15 3:06 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1515	Email	3/21/15 8:33 AM	Hartman, David	Robinson, Michael D.	Lathen, Jay	IARD Fee for ADV filing	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1516	Email	3/21/15 5:42 PM	Robinson, Michael D.	Hartman, David		Re: IARD Fee for ADV filing	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1517	Email	3/23/15 11:17 AM	Kane, Darren	Lathen, Jay		Inquiry	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1518	Email with Attachment(s)	3/23/15 11:22 AM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Re: IARD Fee for ADV filing	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1519	Email	3/23/15 11:25 AM	Hartman, David	Robinson, Michael D.	Lathen, Jay	RE: IARD Fee for ADV filing	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1520	Email	3/23/15 11:29 AM	Robinson, Michael D.	Hartman, David		Re: IARD Fee for ADV filing	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1521	Email	3/23/15 11:42 AM	Lathen, Jay	Kane, Darren		Re: Inquiry	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1522	Email	3/23/15 12:02 PM	Kane, Darren	Lathen, Jay	accounting@missioncriticalservices.com	RE: Inquiry	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1523	Email	3/23/15 12:15 PM	Protass, Harlan	Lathen, Jay		Did you go to the Hoover Dam yet?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1524	Email	3/23/15 12:16 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay	Re: SEC Production Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1525	Email	3/23/15 12:17 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	Re: SEC Production Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1526	Email	3/23/15 12:50 PM	Lathen, Jay	Protass, Harlan		Re: Did you go to the Hoover Dam yet?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1527	Email with Attachment(s)	3/23/15 3:45 PM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Re: IARD Fee for ADV filing	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1528	Email	3/23/15 3:55 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	Re: SEC Production Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1529	Email	3/23/15 4:06 PM	Protass, Harlan	Robinson, Michael D.		Re: SEC Production Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1530	Email with Attachment(s)	3/23/15 4:34 PM	Protass, Harlan	Robinson, Michael D.		Pages 398-408	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1531	Email	3/23/15 5:59 PM	Robinson, Michael D.	Protass, Harlan		Re: Pages 398-408	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1532	Email with Attachment(s)	3/23/15 6:01 PM	Protass, Harlan	Robinson, Michael D.			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1533	Email with Attachment(s)	3/24/15 11:59 AM	Robinson, Michael D.	Protass, Harlan		Jay Lathen Memorandum 6-19-12	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1534	Email	3/24/15 4:43 PM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Re: IARD Fee for ADV filing	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1535	Email	3/25/15 8:46 AM	Galbraith, Kevin	Robinson, Michael D.		Voicemail	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1536	Email	3/25/15 11:19 AM	Robinson, Michael D.	Galbraith, Kevin		Re: Voicemail	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1537	Email with Attachment(s)	3/25/15 5:05 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1538	Email with Attachment(s)	3/26/15 11:32 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1539	Email	3/26/15 11:55 AM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Re: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1540	Email	3/26/15 1:50 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.		SEC Document Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1541	Email with Attachment(s)	3/29/15 3:41 PM	Hartman, David	Lathen, Jay		ADV 2A and	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1542	Email	3/30/15 4:32 PM	Lathen, Jay	Hartman, David		RE: ADV 2A and	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1543	Email	3/30/15 6:29 PM	Hartman, David	Lathen, Jay		RE: ADV 2A and	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1544	Email	3/30/15 6:29 PM	Lathen, Jay	Hartman, David		Re: ADV 2A and	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1545	Email	3/30/15 6:32 PM	Hartman, David	Lathen, Jay		RE: ADV 2A and	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1546	Email with Attachment(s)	3/31/15 11:10 AM	Hartman, David	Lathen, Jay		ADV for Filing Approval	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1547	Email	3/31/15 1:07 PM	Lathen, Jay	Hartman, David		RE: ADV for Filing Approval	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1548	Email with Attachment(s)	3/31/15 1:39 PM	Hartman, David	Lathen, Jay	Kane, Darren	ADV Filed	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1549	Email with Attachment(s)	4/1/15 9:24 AM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1550	Email	4/1/15 5:37 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.		Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1551	Email	4/2/15 7:37 PM	Lathen, Jay	Protass, Harlan; Robinson, Michael D.		RE: Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1552	Email	4/3/15 2:23 PM	Kane, Darren	Lathen, Jay		Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1553	Email	4/3/15 3:56 PM	Lathen, Jay	Kane, Darren		Re: Your Availability	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1554	Email	4/3/15 4:19 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1555	Email	4/6/15 9:55 AM	Galbraith, Kevin	Lathen, Jay		Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1556	Email with Attachment(s)	4/8/15 9:21 AM	Kane, Darren	Lathen, Jay		False Statement in WestEnd's Form ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1557	Email with Attachment(s)	4/9/15 5:40 AM	Hartman, David	Lathen, Jay		Questions on annual review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1558	Email with Attachment(s)	4/9/15 8:55 AM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.	Re: Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1559	Email with Attachment(s)	4/9/15 8:55 AM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.	Re: Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1560	Email	4/9/15 9:14 AM	Lathen, Jay	Protass, Harlan	Robinson, Michael D.	Re: Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1561	Email	4/9/15 9:39 AM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.	Re: Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1562	Email	4/9/15 10:12 AM	Lathen, Jay	Protass, Harlan	Robinson, Michael D.	RE: Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1563	Email	4/9/15 10:14 AM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.	Re: Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1564	Email	4/9/15 10:35 AM	Hartman, David	Lathen, Jay; Robinson, Michael D.		Do you have a word version of the LPA?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1565	Email with Attachment(s)	4/9/15 11:03 AM	Robinson, Michael D.	Hartman, David; Lathen, Jay		Re: Do you have a word version of the LPA?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1566	Email with Attachment(s)	4/10/15 2:57 PM	Hartman, David	Lathen, Jay	Kane, Darren	Draft Documents for the SEC Response Due Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1567	Email	4/10/15 5:17 PM	Galbraith, Kevin	Lathen, Jay		Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1568	Email with Attachment(s)	4/13/15 9:23 AM	Protass, Harlan	Lathen, Jay		Running about 10 mins late. Sorry.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1569	Email	4/13/15 9:25 AM	Lathen, Jay	Protass, Harlan		Re: Running about 10 mins late. Sorry.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1570	Email	4/13/15 2:20 PM	Lathen, Jay	Hartman, David	Kane, Darren	RE: Draft Documents for the SEC Response Due Monday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1571	Email with Attachment(s)	4/13/15 3:05 PM	Hartman, David	Lathen, Jay	Kane, Darren	RE: Draft Documents for the SEC Response Due Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1572	Email	4/13/15 3:32 PM	Protass, Harlan	Lathen, Jay		WSJ	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1573	Email with Attachment(s)	4/13/15 4:37 PM	Hartman, David	Lathen, Jay		updated annual review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1574	Email with Attachment(s)	4/13/15 4:40 PM	Hartman, David	Lathen, Jay		Blue Sand Broker Check 1 9 2014	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1575	Email	4/13/15 4:44 PM	Hartman, David	Lathen, Jay		OFAC list link	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1576	Email with Attachment(s)	4/13/15 5:06 PM	Hartman, David	Lathen, Jay	Kane, Darren	Privacy Policy	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1577	Email	4/13/15 5:14 PM	Lathen, Jay	Protass, Harlan		RE: WSJ	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1578	Email	4/13/15 5:18 PM	Protass, Harlan	Lathen, Jay		Re: WSJ	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1579	Email with Attachment(s)	4/13/15 6:29 PM	Lathen, Jay	Hartman, David		Revised LPA with New Valuation Language	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1580	Email	4/14/15 8:44 AM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	Fwd: Re: Smarsh Services: Questions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1581	Email	4/14/15 2:15 PM	Lathen, Jay	Galbraith, Kevin		RE: Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1582	Email with Attachment(s)	4/14/15 2:41 PM	Galbraith, Kevin	Lathen, Jay		Re: Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1583	Email with Attachment(s)	4/14/15 6:12 PM	Galbraith, Kevin	Lathen, Jay		Re: Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1584	Email	4/14/15 6:15 PM	Lathen, Jay	Galbraith, Kevin		RE: Updates	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1585	Email	4/14/15 6:17 PM	Galbraith, Kevin	Lathen, Jay		Re: Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1586	Email with Attachment(s)	4/15/15 9:15 AM	Galbraith, Kevin	Lathen, Jay		Current Bill	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1587	Email with Attachment(s)	4/15/15 12:13 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	E-mail Data	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1588	Email with Attachment(s)	4/15/15 4:15 PM	Galbraith, Kevin	Doshi, Vinit	Lathen, Jay; Muscarnera, Matthew	Re: Eden Arc Capital Partners Audit Confirm	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1589	Email with Attachment(s)	4/15/15 5:23 PM	Galbraith, Kevin	Lathen, Jay		Draft Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1590	Email with Attachment(s)	4/16/15 3:29 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1591	Email	4/16/15 3:43 PM	Lathen, Jay	Galbraith, Kevin		RE: Draft Motion to Dismiss	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1592	Email with Attachment(s)	4/16/15 3:44 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1593	Email with Attachment(s)	4/20/15 12:15 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1594	Email	4/20/15 1:13 PM	Lathen, Jay	Galbraith, Kevin		Re: Draft Motion to Dismiss	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1595	Email	4/20/15 1:19 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1596	Email with Attachment(s)	4/20/15 1:26 PM	Galbraith, Kevin	Lathen, Jay		FW: Eden Arc Capital Partners Audit Confirm	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1597	Email with Attachment(s)	4/20/15 6:08 PM	Lathen, Jay	Robinson, Michael D.		FW: Draft Motion to Dismiss	Attorney Client Privilege/Work Product	Communication reflecting legal advice of Kevin Galbraith.		
1598	Email	4/21/15 4:45 AM	Hartman, David	Lathen, Jay		Quick Books	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1599	Email	4/21/15 3:08 PM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara	Updated SEC Information -- E-mails	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1600	Email	4/21/15 3:31 PM	Robinson, Michael D.	Sampoli, Sara		Fwd: Updated SEC Information -- E-mails	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1601	Email	4/21/15 3:34 PM	Robinson, Michael D.	Sampoli, Sara		Fwd: Updated SEC Information -- E-mails	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1602	Email with Attachment(s)	4/21/15 4:32 PM	Galbraith, Kevin	Lathen, Jay		Re: Eden Arc Capital Partners Audit Confirm	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1603	Email	4/21/15 4:43 PM	Lathen, Jay	Galbraith, Kevin		RE: Eden Arc Capital Partners Audit Confirm	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1604	Email with Attachment(s)	4/21/15 4:51 PM	Galbraith, Kevin	Doshi, Vinit	Lathen, Jay; Muscarnera, Matthew	Re: Eden Arc Capital Partners Audit Confirm	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1605	Email	4/22/15 10:52 AM	Galbraith, Kevin	Lathen, Jay		Re: Draft Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1606	Email	4/22/15 1:21 PM	Lathen, Jay	Galbraith, Kevin		RE: Draft Motion to Dismiss	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1607	Email with Attachment(s)	4/22/15 1:22 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1608	Email with Attachment(s)	4/22/15 9:54 PM	Lathen, Jay	Galbraith, Kevin		RE: Draft Motion to Dismiss	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1609	Email with Attachment(s)	4/23/15 10:58 AM	Galbraith, Kevin	Lathen, Jay		Re: Draft Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1610	Email with Attachment(s)	4/23/15 1:54 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1611	Email with Attachment(s)	4/24/15 10:34 AM	Lathen, Jay	Galbraith, Kevin		Prospect MOD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1612	Email with Attachment(s)	4/24/15 10:35 AM	Galbraith, Kevin	Lathen, Jay		FW: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1613	Email	4/24/15 11:00 AM	Lathen, Jay	Galbraith, Kevin		RE: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1614	Email	4/24/15 11:37 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect MOD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1615	Email	4/24/15 11:51 AM	Lathen, Jay	Galbraith, Kevin		RE: Prospect MOD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1616	Email	4/24/15 1:15 PM	Galbraith, Kevin	Lathen, Jay		FW: NYSCEF Notification: New York - Tort - <NOTICE OF MOTION>156375/2014 (PROSPECT CAPITAL CORPORATION - v. - DONALD LATHEN JR. et al)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1617	Email	4/24/15 1:17 PM	Lathen, Jay	Galbraith, Kevin		RE: NYSCEF Notification: New York - Tort - <NOTICE OF MOTION>156375/2014 (PROSPECT CAPITAL CORPORATION - v. - DONALD LATHEN JR. et al)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1618	Email with Attachment(s)	4/24/15 1:29 PM	Galbraith, Kevin	Lathen, Jay		Re: NYSCEF Notification: New York - Tort - <NOTICE OF MOTION>156375/2014 (PROSPECT CAPITAL CORPORATION - v. - DONALD LATHEN JR. et al)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1619	Email with Attachment(s)	4/24/15 1:41 PM	Galbraith, Kevin	Lathen, Jay		Re: NYSCEF Notification: New York - Tort - <NOTICE OF MOTION>156375/2014 (PROSPECT CAPITAL CORPORATION - v. - DONALD LATHEN JR. et al)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1620	Email with Attachment(s)	4/24/15 2:10 PM	Lathen, Jay	Galbraith, Kevin		RE: NYSCEF Notification: New York - Tort - <NOTICE OF MOTION>156375/2014 (PROSPECT CAPITAL CORPORATION - v. - DONALD LATHEN JR. et al)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1621	Email with Attachment(s)	4/24/15 2:13 PM	Galbraith, Kevin	Lathen, Jay		Re: NYSCEF Notification: New York - Tort - <NOTICE OF MOTION>156375/2014 (PROSPECT CAPITAL CORPORATION - v. - DONALD LATHEN JR. et al)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1622	Email with Attachment(s)	4/24/15 3:23 PM	Lathen, Jay	Protass, Marian	Galbraith, Kevin	Prospect Case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1623	Email	4/24/15 3:55 PM	Protass, Marian	Lathen, Jay	Galbraith, Kevin	Re: Prospect Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1624	Email	4/25/15 11:24 AM	Protass, Marian	Lathen, Jay	Galbraith, Kevin	Re: Prospect Case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1625	Email with Attachment(s)	4/27/15 4:29 PM	Galbraith, Kevin	Lathen, Jay		Flat Fee for Prospect MTD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1626	Email	4/27/15 5:03 PM	Lathen, Jay	Galbraith, Kevin		RE: Flat Fee for Prospect MTD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1627	Email with Attachment(s)	4/27/15 5:08 PM	Galbraith, Kevin	Lathen, Jay		Re: Flat Fee for Prospect MTD	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1628	Email	4/27/15 5:09 PM	Lathen, Jay	Galbraith, Kevin		RE: Flat Fee for Prospect MTD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1629	Email	4/28/15 2:35 PM	Robinson, Michael D.	Galbraith, Kevin		CIT - Related Participant Agreements	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1630	Email	4/28/15 2:38 PM	Galbraith, Kevin	Robinson, Michael D.		Re: CIT - Related Participant Agreements	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1631	Email	4/28/15 4:40 PM	Galbraith, Kevin	Lathen, Jay		CIT	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1632	Email	4/28/15 4:55 PM	Lathen, Jay	Galbraith, Kevin		RE: CIT	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1633	Email	4/29/15 12:25 PM	Galbraith, Kevin	Robinson, Michael D.		Re: CIT - Related Participant Agreements	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1634	Email	4/29/15 12:48 PM	Galbraith, Kevin	Lathen, Jay		Draft Response to CIT	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1635	Email	4/29/15 1:45 PM	Robinson, Michael D.	Galbraith, Kevin		Re: CIT - Related Participant Agreements	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1636	Email	4/29/15 1:48 PM	Galbraith, Kevin	Robinson, Michael D.		Re: CIT - Related Participant Agreements	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1637	Email with Attachment(s)	4/29/15 1:53 PM	Robinson, Michael D.	Galbraith, Kevin		Re: CIT - Related Participant Agreements	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1638	Email	4/29/15 1:56 PM	Galbraith, Kevin	Robinson, Michael D.		Re: CIT - Related Participant Agreements	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1639	Email	4/29/15 2:50 PM	Protass, Marian	Robinson, Michael D.	Stampoli, Sara	Re: Updated SEC Information -- E-mails	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1640	Email	4/30/15 10:48 AM	Lathen, Jay	Galbraith, Kevin		RE: Draft Response to CIT	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1641	Email	4/30/15 11:21 AM	Lathen, Jay	Galbraith, Kevin		FW: Lawsuit from Prospect	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1642	Email	4/30/15 12:36 PM	Galbraith, Kevin	Lathen, Jay		Re: Lawsuit from Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1643	Email	4/30/15 12:41 PM	Lathen, Jay	Galbraith, Kevin		Re: Lawsuit from Prospect	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1644	Email	4/30/15 12:45 PM	Galbraith, Kevin	Lathen, Jay		Re: Lawsuit from Prospect	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1645	Email with Attachment(s)	4/30/15 12:46 PM	Galbraith, Kevin	Lathen, Jay		FW: CIT Bank CD Redemption Refusals	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1646	Email with Attachment(s)	4/30/15 4:09 PM	Lathen, Jay	Galbraith, Kevin		Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1647	Email	4/30/15 4:25 PM	Protass, Marian	Lathen, Jay		Kathy's Documents	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1648	Email	4/30/15 4:42 PM	Galbraith, Kevin	Lathen, Jay		Re: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1649	Email with Attachment(s)	4/30/15 5:01 PM	Lathen, Jay	Galbraith, Kevin		RE: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1650	Email with Attachment(s)	4/30/15 5:07 PM	Galbraith, Kevin	Lathen, Jay		Re: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1651	Email	4/30/15 5:07 PM	Lathen, Jay	Galbraith, Kevin		RE: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1652	Email with Attachment(s)	4/30/15 5:09 PM	Galbraith, Kevin	Lathen, Jay		Re: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1653	Email	4/30/15 5:10 PM	Lathen, Jay	Galbraith, Kevin		RE: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1654	Email with Attachment(s)	5/4/15 11:46 AM	Galbraith, Kevin	Lathen, Jay		Re: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1655	Email	5/4/15 11:48 AM	Lathen, Jay	Galbraith, Kevin		Re: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1656	Email	5/5/15 2:27 PM	Lathen, Jay	Lathen, Kathy		SEC Matter	Attorney Work Product	Communication containing privileged work product.		
1657	Email	5/5/15 2:33 PM	Lathen, Jay	Protass, Marian		RE: Kathy's Documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1658	Email	5/5/15 2:39 PM	Lathen, Jay	Protass, Marian		David Jungbauer Meeting	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1659	Email	5/5/15 9:39 PM	Lathen, Jay	Galbraith, Kevin		RE: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Date(s)
1660	Email with Attachment(s)	5/5/15 5:44 PM	Galbraith, Kevin	Lethen, Jay		Re: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1661	Email with Attachment(s)	5/6/15 1:25 PM	Galbraith, Kevin	Lethen, Jay		Re: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1662	Email	5/6/15 1:28 PM	Lethen, Jay	Galbraith, Kevin		RE: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1663	Email with Attachment(s)	5/6/15 1:37 PM	Lethen, Jay	Protass, Harlan		Tax returns	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1664	Email with Attachment(s)	5/6/15 1:40 PM	Lethen, Jay	Protass, Harlan		FW: Per:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1665	Email with Attachment(s)	5/6/15 1:40 PM	Lethen, Jay	Protass, Harlan		FW: Brochure - REVORSTD	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1666	Email	5/6/15 1:40 PM	Lethen, Jay	Protass, Harlan		FW: Charitable Giving Program	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1667	Email	5/6/15 1:40 PM	Lethen, Jay	Protass, Harlan		FW: Welcome to Web Hosting Hub - Your Account Info	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1668	Email	5/6/15 1:40 PM	Lethen, Jay	Protass, Harlan		FW: Web Hosting Hub, Inc - Receipt HUB-315-241018 - 1	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1669	Email	5/6/15 1:41 PM	Lethen, Jay	Protass, Harlan		FW: Receipt for Your Payment to GoDaddy.com, Inc.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1670	Email	5/6/15 1:41 PM	Lethen, Jay	Protass, Harlan		FW: Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1671	Email	5/6/15 1:41 PM	Lethen, Jay	Protass, Harlan		FW: RE:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1672	Email	5/6/15 1:41 PM	Lethen, Jay	Protass, Harlan		FW:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1673	Email	5/6/15 1:41 PM	Lethen, Jay	Protass, Harlan		FW: Order receipt from Google Apps ($10.00)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1674	Email	5/6/15 1:41 PM	Lethen, Jay	Protass, Harlan		FW: Web Hosting Hub - Account Confirmation Required	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1675	Email	5/6/15 1:49 PM	Protass, Harlan	Lethen, Jay		Re: FW: Receipt for Your Payment to GoDaddy.com, Inc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1676	Email	5/6/15 1:50 PM	Lethen, Jay	Protass, Harlan		RE: FW: Receipt for Your Payment to GoDaddy.com, Inc.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1677	Email	5/6/15 1:54 PM	Protass, Harlan	Lethen, Jay		Re: FW: Receipt for Your Payment to GoDaddy.com, Inc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1678	Email	5/12/15 12:02 PM	Galbraith, Kevin	Lethen, Jay		CIT and U.S. Bank Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1679	Email	5/12/15 12:07 PM	Protass, Harlan	Lethen, Jay; Robinson, Michael D.		E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1680	Email	5/12/15 12:20 PM	Robinson, Michael D.	Protass, Harlan; Lethen, Jay		Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1681	Email	5/12/15 1:01 PM	Lethen, Jay	Galbraith, Kevin		RE: CIT and U.S. Bank Updates	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1682	Email with Attachment(s)	5/12/15 1:03 PM	Galbraith, Kevin	Lethen, Jay		Re: CIT and U.S. Bank Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1683	Email	5/12/15 4:09 PM	Lethen, Jay	Protass, Harlan; Robinson, Michael D.		RE: E-Mail Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1684	Email with Attachment(s)	5/12/15 6:08 PM	Galbraith, Kevin	Lethen, Jay		Re: Citibank CD Disclosure Statement - New Version	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1685	Email	5/12/15 10:02 PM	Protass, Harlan	Lethen, Jay	Robinson, Michael D.	Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1686	Email	5/12/15 11:44 AM	Robinson, Michael D.	Protass, Harlan	Lethen, Jay; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1687	Email	5/12/15 11:55 AM	Robinson, Michael D.	Sampoll, Sara		Fwd: Re: E-Mail Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1688	Email with Attachment(s)	5/12/15 12:08 PM	Lethen, Jay	Galbraith, Kevin		Eden Arc LPA	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1689	Email	5/12/15 12:11 PM	Robinson, Michael D.	Sampoll, Sara		Fwd: Re: E-Mail Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1690	Email with Attachment(s)	5/12/15 12:33 PM	Galbraith, Kevin	Lethen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1691	Email	5/12/15 12:35 PM	Galbraith, Kevin	Lethen, Jay		Re: Eden Arc LPA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1692	Email	5/12/15 1:37 PM	Galbraith, Kevin	Lethen, Jay		Re: Eden Arc LPA	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1693	Email with Attachment(s)	5/13/15 2:53 PM	Galbraith, Kevin	Lethen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1694	Email	5/13/15 3:54 PM	Lethen, Jay	Galbraith, Kevin		RE: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1695	Email	5/15/15 1:25 PM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1696	Email	5/15/15 2:42 PM	Lethen, Jay	Protass, Harlan; Robinson, Michael D.	Sampoll, Sara	RE: E-Mail Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1697	Email	5/15/15 3:01 PM	Protass, Harlan	Lethen, Jay	Robinson, Michael D.; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1698	Email with Attachment(s)	5/15/15 4:19 PM	Galbraith, Kevin	Lethen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1699	Email	5/15/15 6:06 PM	Lethen, Jay	Galbraith, Kevin		Re: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1700	Email	5/15/15 12:59 AM	Robinson, Michael D.	Protass, Harlan	Lethen, Jay; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1701	Email	5/16/15 1:06 AM	Robinson, Michael D.	Sampoll, Sara		Fwd: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1702	Email with Attachment(s)	5/16/15 1:07 PM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1703	Email with Attachment(s)	5/17/15 9:49 PM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1704	Email with Attachment(s)	5/17/15 9:50 PM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1705	Email	5/17/15 11:09 PM	Robinson, Michael D.	Protass, Harlan	Lethen, Jay; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1706	Email with Attachment(s)	5/18/15 12:02 AM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1707	Email with Attachment(s)	5/18/15 12:02 AM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay; Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1708	Email	5/18/15 10:05 AM	Galbraith, Kevin	Lethen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1709	Email	5/18/15 10:06 AM	Lethen, Jay	Galbraith, Kevin		Re: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1710	Email	5/18/15 10:13 AM	Galbraith, Kevin	Lethen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1711	Email	5/18/15 10:49 AM	Robinson, Michael D.	Protass, Harlan	Sampoll, Sara	Re: E-Mail Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1712	Email	5/18/15 12:34 PM	Lethen, Jay	Galbraith, Kevin		Re: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1713	Email	5/18/15 12:41 PM	Galbraith, Kevin	Lethen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1714	Email	5/18/15 1:30 PM	Protass, Harlan	Robinson, Michael D.	Sampoll, Sara	Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1715	Email	5/18/15 2:38 PM	Robinson, Michael D.	Protass, Harlan	Sampoll, Sara	Re: Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1716	Email	5/18/15 3:12 PM	Protass, Harlan	Robinson, Michael D.	Sampoll, Sara	Re: Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1717	Email with Attachment(s)	5/18/15 3:37 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1718	Email	5/18/15 3:39 PM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara	Re: Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1719	Email with Attachment(s)	5/18/15 3:44 PM	Protass, Harlan	Robinson, Michael D.	Sampoli, Sara	Re: Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1720	Email	5/18/15 7:02 PM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara	Re: Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1721	Email	5/19/15 10:17 AM	Protass, Harlan	Robinson, Michael D.	Sampoli, Sara	Re: Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1722	Email	5/19/15 11:09 AM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara	Re: Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1723	Email	5/19/15 11:10 AM	Protass, Harlan	Robinson, Michael D.	Sampoli, Sara	Re: Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1724	Email	5/19/15 11:47 AM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara	Re: Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1725	Email	5/19/15 11:51 AM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara	Re: Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1726	Email	5/19/15 11:53 AM	Protass, Harlan	Robinson, Michael D.	Sampoli, Sara	Re: Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1727	Email	5/19/15 1:29 PM	Protass, Harlan	Robinson, Michael D.		Is anything else fully loaded yet?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1728	Email	5/19/15 1:34 PM	Protass, Harlan	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1729	Email	5/19/15 3:05 PM	Protass, Harlan	Robinson, Michael D.		What is now available for me to give to the SEC?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1730	Email	5/19/15 4:55 PM	Robinson, Michael D.	Protass, Harlan		Re: What is now available for me to give to the SEC?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1731	Email	5/19/15 4:57 PM	Robinson, Michael D.	Protass, Harlan		Fwd: ATTENTION: BRETT [Case #00853096] [ref:_00D301FgxH._50013oG1bM:ref]	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1732	Email with Attachment(s)	5/19/15 5:02 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1733	Email	5/19/15 7:48 PM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara; Lathen, Jay	Re: What is now available for me to give to the SEC?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1734	Email	5/19/15 8:18 PM	Protass, Harlan	Lathen, Jay		Judy	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1735	Email	5/20/15 6:31 AM	Protass, Harlan	Robinson, Michael D.	Sampoli, Sara; Lathen, Jay	Re: What is now available for me to give to the SEC?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1736	Email	5/20/15 10:27 AM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara; Lathen, Jay	Re: What is now available for me to give to the SEC?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1737	Email	5/20/15 10:27 AM	Robinson, Michael D.	Dean, Dave	Lathen, Jay; Protass, Harlan	Re: Place to place the statements you requested.	Attorney Work Product	Communication containing privileged work product.		
1738	Email	5/20/15 10:49 AM	Protass, Harlan	Robinson, Michael D.	Dean, Dave; Lathen, Jay	Re: Place to place the statements you requested.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1739	Email	5/20/15 12:04 PM	Protass, Harlan	Robinson, Michael D.	Sampoli, Sara; Lathen, Jay	Re: What is now available for me to give to the SEC?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1740	Email	5/20/15 3:50 PM	Robinson, Michael D.	Protass, Harlan		Re: What is now available for me to give to the SEC?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1741	Email	5/20/15 4:15 PM	Lathen, Jay	Protass, Harlan		Dave Jungbauer - SEC testimony on June 15th	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1742	Email	5/20/15 5:38 PM	Protass, Harlan	Dean, Dave	Robinson, Michael D.; Sayeem, Mohammad; Beck, Rafael	Re: Broker statements requested for Eden Arc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1743	Email	5/20/15 5:39 PM	Protass, Harlan	Lathen, Jay		Re: Dave Jungbauer - SEC testimony on June 15th	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1744	Email	5/20/15 5:40 PM	Lathen, Jay	Protass, Harlan		RE: Dave Jungbauer - SEC testimony on June 15th	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1745	Email	5/20/15 5:41 PM	Protass, Harlan	Lathen, Jay		Re: Dave Jungbauer - SEC testimony on June 15th	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1746	Email	5/20/15 5:52 PM	Protass, Harlan	Dean, Dave	Sayeem, Mohammad; Beck, Rafael; Robinson, Michael D.	Re: Broker statements requested for Eden Arc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1747	Email	5/20/15 8:53 PM	Robinson, Michael D.	Protass, Harlan; Sampoli, Sara		Michael-Jay and Participants	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1748	Email	5/21/15 9:20 AM	Protass, Harlan	Lathen, Jay		Voicemail	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1749	Email	5/21/15 9:49 AM	Protass, Harlan	Robinson, Michael D.	Sampoli, Sara	Re: Michael-Jay and Participants	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1750	Email	5/21/15 1:24 PM	Protass, Harlan	Robinson, Michael D.		Harlan Protass wants to share "SEC Eden Arc Email Production" with you	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1751	Email	5/21/15 2:20 PM	Galbraith, Kevin	Lathen, Jay		FW: NYSCEF Notification: New York - Tort - <PROPOSED ORDER TO SHOW CAUSE> 156375/2014 (PROSPECT CAPITAL CORPORATION - v. - DONALD LATHEN JR. et al)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1752	Email with Attachment(s)	5/21/15 3:19 PM	Galbraith, Kevin	Lathen, Jay		FW: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1753	Email with Attachment(s)	5/21/15 5:09 PM	Lathen, Jay	Protass, Harlan		Email exchange we discussed	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1754	Email	5/21/15 7:12 PM	Protass, Harlan	Lathen, Jay		Re: Email exchange we discussed	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1755	Email	5/22/15 12:04 PM	Protass, Harlan	Lathen, Jay		Re: Email exchange we discussed	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1756	Email	5/22/15 1:47 PM	Sayeem, Mohammad	Protass, Harlan	Lathen, Jay	RE: Eden arc Broker Statements you requested.	Attorney Work Product	Communication containing privileged work product.		
1757	Email	5/22/15 1:48 PM	Protass, Harlan	Sayeem, Mohammad	Lathen, Jay	Re: Eden arc Broker Statements you requested.	Attorney Work Product	Communication containing privileged work product.		
1758	Email	5/22/15 1:50 PM	Sayeem, Mohammad	Lathen, Jay	Protass, Harlan	RE: Eden arc Broker Statements you requested.	Attorney Work Product	Communication containing privileged work product.		
1759	Email	5/22/15 1:51 PM	Protass, Harlan	Lathen, Jay	Sayeem, Mohammad	Re: Eden arc Broker Statements you requested.	Attorney Work Product	Communication containing privileged work product.		
1760	Email	5/22/15 1:51 PM	Sayeem, Mohammad	Protass, Harlan	Lathen, Jay	RE: Eden arc Broker Statements you requested.	Attorney Work Product	Communication containing privileged work product.		
1761	Email	5/22/15 1:51 PM	Hartman, David	Lathen, Jay		Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1762	Email	5/22/15 1:52 PM	Protass, Harlan	Sayeem, Mohammad	Lathen, Jay	Re: Eden arc Broker Statements you requested.	Attorney Work Product	Communication containing privileged work product.		
1763	Email	5/26/15 2:55 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Sampoli, Sara	Email Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1764	Email	5/26/15 4:23 PM	Protass, Harlan	Lathen, Jay		Testimony Dates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1765	Email	5/26/15 4:35 PM	Lathen, Jay	Lathen, Kathy		FW: Testimony Dates	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
1766	Email	5/26/15 4:41 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Sampoli, Sara	Re: Email Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1767	Email	5/26/15 4:54 PM	Lathen, Jay	Robinson, Michael D.; Protass, Harlan	Sampoli, Sara	RE: Email Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1768	Email	5/26/15 5:04 PM	Lathen, Jay	Lathen, Kathy		RE: Testimony Dates	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
1769	Email	5/26/15 5:16 PM	Lathen, Jay	Lathen, Kathy		RE: Testimony Dates	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
1770	Email	5/26/15 5:23 PM	Lathen, Jay	Protass, Harlan		RE: Testimony Dates	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1771	Email with Attachment(s)	5/27/15 1:12 PM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1772	Email	5/27/15 1:42 PM	Lathen, Jay	Galbraith, Kevin		RE: Survivor's Option Notes	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1773	Email with Attachment(s)	5/27/15 1:43 PM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1774	Email	5/27/15 4:37 PM	Protass, Harlan	Lathen, Jay		Re: Testimony Dates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1775	Email	5/27/15 5:16 PM	Lethen, Jay	Lethen, Kathy		FW: Testimony Dates	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
1776	Email with Attachment(s)	5/28/15 12:42 PM	Galbraith, Kevin	Lethen, Jay		Re: Survivor's Option Notes	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1777	Email with Attachment(s)	5/28/15 5:28 PM	Galbraith, Kevin	Lethen, Jay		FW: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1778	Email with Attachment(s)	5/28/15 9:27 PM	Fone, Darren	Lethen, Jay		FW: Outstanding Invoices From Mission Critical Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1779	Email	5/29/15 12:18 PM	Protass, Harlan	Lethen, Jay		Are we confirmed for Kathy's testimony on July 15?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1780	Email	6/2/15 10:31 AM	Protass, Harlan	Lethen, Jay		Are we confirmed for Kathy's testimony on July 15?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1781	Email	6/2/15 10:36 AM	Lethen, Jay	Lethen, Kathy		FW: Are we confirmed for Kathy's testimony on July 15?	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
1782	Email	6/2/15 11:18 AM	Lethen, Kathy	Lethen, Jay		Re: Are we confirmed for Kathy's testimony on July 15?	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
1783	Email	6/2/15 11:22 AM	Lethen, Jay	Protass, Harlan		RE: Are we confirmed for Kathy's testimony on July 15?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1784	Email	6/2/15 1:31 PM	Protass, Harlan	Lethen, Jay		David Jungbauer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1785	Email	6/2/15 2:21 PM	Galbraith, Kevin	Lethen, Jay		Status Update (Prospect, CIT and Fee)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1786	Email	6/2/15 3:02 PM	Lethen, Jay	Protass, Harlan	Robinson, Michael D.	RE: David Jungbauer	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1787	Email with Attachment(s)	6/2/15 6:41 PM	Robinson, Michael D.	Lethen, Jay; Protass, Harlan		Re: David Jungbauer	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1788	Email	6/2/15 8:12 PM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay	Re: David Jungbauer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1789	Email with Attachment(s)	6/3/15 9:57 AM	Robinson, Michael D.	Protass, Harlan	Lethen, Jay	Re: David Jungbauer	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1790	Email	6/3/15 11:18 AM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay	Re: David Jungbauer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1791	Email	6/3/15 12:15 PM	Lethen, Jay	Protass, Harlan	Robinson, Michael D.	Re: David Jungbauer	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1792	Email	6/3/15 12:16 PM	Protass, Harlan	Lethen, Jay		Re: David Jungbauer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1793	Email	6/3/15 12:29 PM	Lethen, Jay	Protass, Harlan		Re: David Jungbauer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1794	Email	6/4/15 11:54 AM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara; Lethen, Jay	Smarsh Archive Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1795	Email	6/4/15 11:55 AM	Robinson, Michael D.	Protass, Harlan	Sampoli, Sara	Fwd: Smarsh Import Case 00852225 and 00858349 are Complete [ref: 00030lFgxH_50013ogv8zxf]	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1796	Email	6/4/15 2:54 PM	Protass, Harlan	Lethen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1797	Email	6/4/15 3:05 PM	Lethen, Jay	Protass, Harlan		Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1798	Email	6/4/15 3:40 PM	Protass, Harlan	Lethen, Jay		Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1799	Email	6/5/15 3:43 PM	Protass, Harlan	Lethen, Jay		Do you have a resume or CV with your work and education background? Or can you just shoot me an email with that info?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1800	Email	6/5/15 4:45 PM	Protass, Harlan	Lethen, Jay		Fwd: Eden Arc Capital estimate	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1801	Email	6/5/15 5:32 PM	Lethen, Jay	Protass, Harlan		Re: Eden Arc Capital estimate	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1802	Email	6/7/15 9:58 AM	Lethen, Jay	Galbraith, Kevin		RE: Status Update (Prospect, CIT and Fee)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1803	Email	6/7/15 3:45 PM	Protass, Harlan	Lethen, Jay		Re: Eden Arc Capital estimate	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1804	Email	6/7/15 3:47 PM	Galbraith, Kevin	Lethen, Jay		Re: Status Update (Prospect, CIT and Fee)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1805	Email	6/8/15 1:08 PM	Protass, Harlan	Robinson, Michael D.		Re: Smarsh Archive Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1806	Email	6/8/15 6:24 PM	Lethen, Jay	Protass, Harlan		RE: Eden Arc Capital estimate	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1807	Email	6/8/15 6:25 PM	Protass, Harlan	Lethen, Jay		Re: Eden Arc Capital estimate	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1808	Email	6/10/15 2:55 PM	Protass, Harlan	Lethen, Jay		Separate Counsel for Michael	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1809	Email	6/10/15 6:39 PM	Protass, Harlan	Lethen, Jay		Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1810	Email	6/10/15 10:32 PM	Protass, Harlan	Lethen, Jay		Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1811	Email	6/11/15 7:20 AM	Lethen, Jay	Protass, Harlan		Re: Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1812	Email	6/11/15 10:58 AM	Lethen, Jay	Protass, Harlan		RE: Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1813	Email	6/11/15 11:20 AM	Protass, Harlan	Lethen, Jay		Re: Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1814	Email	6/11/15 11:33 AM	Protass, Harlan	Robinson, Michael D.		Quick Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1815	Email	6/11/15 11:50 AM	Robinson, Michael D.	Protass, Harlan	Lethen, Jay	Re: Quick Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1816	Email	6/11/15 11:55 AM	Lethen, Jay	Protass, Harlan		Re: Follow-Up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1817	Email	6/11/15 12:16 PM	Protass, Harlan	Lethen, Jay	Robinson, Michael D.	Re: Quick Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1818	Email	6/11/15 1:04 PM	Protass, Harlan	Lethen, Jay		Re: Follow-Up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1819	Email with Attachment(s)	6/11/15 2:12 PM	Galbraith, Kevin	Lethen, Jay		Re: Status Update (Prospect, CIT and Fee)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1820	Email with Attachment(s)	6/11/15 4:27 PM	Galbraith, Kevin	Lethen, Jay		Re: Status Update (Prospect, CIT and Fee)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1821	Email with Attachment(s)	6/12/15 12:58 PM	Robinson, Michael D.	Galbraith, Kevin	Lethen, Jay	Notarized Document	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1822	Email	6/12/15 1:10 PM	Lethen, Jay	Protass, Harlan		Fwd: Eden Arc Capital Partners	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1823	Email	6/12/15 1:14 PM	Protass, Harlan	Lethen, Jay		Re: Eden Arc Capital Partners	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1824	Email	6/12/15 1:15 PM	Lethen, Jay	Protass, Harlan		Fwd: Eden Arc Capital Partners	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1825	Email	6/12/15 1:17 PM	Lethen, Jay	Protass, Harlan		Re: Eden Arc Capital Partners	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1826	Email	6/12/15 1:20 PM	Protass, Harlan	Lethen, Jay		Re: Eden Arc Capital Partners	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1827	Email	6/12/15 1:22 PM	Lethen, Jay	Protass, Harlan		Re: Eden Arc Capital Partners	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1828	Email	6/12/15 2:47 PM	Protass, Harlan	Lethen, Jay		Judy	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1829	Email	6/12/15 3:18 PM	Galbraith, Kevin	Robinson, Michael D.	Lethen, Jay	Re: Notarized Document	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1830	Email	6/12/15 3:27 PM	Protass, Harlan	Lethen, Jay; Robinson, Michael D.		Quick Questions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1831	Email	6/12/15 3:28 PM	Protass, Harlan	Lethen, Jay		Re: Eden Arc Capital Partners	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1832	Email with Attachment(s)	6/12/15 3:31 PM	Robinson, Michael D.	Galbraith, Kevin	Lethen, Jay	National Rural & Fed Farm Credit	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1833	Email	6/12/15 3:34 PM	Robinson, Michael D.	Protass, Harlan; Lethen, Jay		Re: Quick Questions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1834	Email	6/12/15 3:38 PM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay	Re: Quick Questions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1835	Email	6/12/15 3:59 PM	Protass, Harlan	Robinson, Michael D.		Re: Quick Questions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1836	Email with Attachment(s)	6/12/15 4:07 PM	Robinson, Michael D.	Protass, Harlan	Lethen, Jay	Re: Quick Questions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1837	Email	6/12/15 4:10 PM	Protass, Harlan	Robinson, Michael D.	Lethen, Jay	Re: Quick Questions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
1838	Email	6/12/15 4:59 PM	Protass, Harlan	Green, Adam S.	Weinstock, Judith	In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1839	Email	6/12/15 5:04 PM	Protass, Harlan	Lathen, Jay		Communications with the SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1840	Email	6/12/15 5:58 PM	Lathen, Jay	Protass, Harlan		Re: Communications with the SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1841	Email	6/13/15 2:04 AM	Protass, Harlan	Lathen, Jay		Re: Communications with the SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1842	Email	6/15/15 8:42 AM	Galbraith, Kevin	Lathen, Jay		Voicemail	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1843	Email	6/15/15 11:44 AM	Lathen, Jay	Galbraith, Kevin		Re: Voicemail	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1844	Email	6/15/15 12:02 PM	Galbraith, Kevin	Lathen, Jay		Re: Voicemail	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1845	Email with Attachment(s)	6/15/15 12:38 PM	Galbraith, Kevin	Lathen, Jay		FW: National Rural and Federal Farm Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1846	Email	6/15/15 1:16 PM	Protass, Harlan	Lathen, Jay		Update -- David Ringbauer and SEC Contacts with Investors	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1847	Email with Attachment(s)	6/15/15 3:12 PM	Robinson, Michael D.	Protass, Harlan		This Week	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1848	Email	6/15/15 3:32 PM	Protass, Harlan	Robinson, Michael D.		Re: This Week	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1849	Email	6/15/15 3:42 PM	Protass, Harlan	Lathen, Jay		Have any other investors contacted you to say they'd been contacted by the SEC?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1850	Email	6/15/15 3:52 PM	Lathen, Jay	Protass, Harlan		Re: Have any other investors contacted you to say they'd been contacted by the SEC?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1851	Email	6/15/15 5:15 PM	Robinson, Michael D.	Protass, Harlan		Re: This Week	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1852	Email	6/16/15 2:14 PM	Galbraith, Kevin	Lathen, Jay		Prospect Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1853	Email	6/16/15 3:05 PM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1854	Email	6/16/15 3:10 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1855	Email with Attachment(s)	6/17/15 1:15 PM	Robinson, Michael D.	Protass, Harlan			Attorney Client Privilege	Communication requesting legal advice of counsel.		
1856	Email with Attachment(s)	6/17/15 5:51 PM	Robinson, Michael D.	Protass, Harlan		Robinsons' 2014 Tax Return	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1857	Email	6/18/15 1:53 PM	Lathen, Jay	Protass, Harlan		Fwd: Eden Arc Capital Partners	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1858	Email	6/18/15 3:19 PM	Protass, Harlan	Lathen, Jay		Re: Eden Arc Capital Partners	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1859	Email	6/19/15 3:20 PM	Protass, Harlan	Robinson, Michael D.		Friday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1860	Email	6/19/15 3:36 PM	Robinson, Michael D.	Protass, Harlan		Re: Friday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1861	Email	6/19/15 5:19 PM	Protass, Harlan	Robinson, Michael D.		Re: Friday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1862	Email	6/19/15 10:15 AM	Galbraith, Kevin	Lathen, Jay		CIT: Good News	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1863	Email with Attachment(s)	6/19/15 10:52 AM	Galbraith, Kevin	Lathen, Jay		Bill 6-19-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1864	Email	6/19/15 10:58 AM	Lathen, Jay	Galbraith, Kevin		Re: CIT: Good News	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1865	Email	6/19/15 1:11 PM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.	Re: CIT: Good News	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1866	Email	6/19/15 9:12 PM	Protass, Harlan	Lathen, Jay		Report on Testimony	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1867	Email	6/20/15 1:10 PM	Lathen, Jay	Protass, Harlan		Re: Report on Testimony	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1868	Email	6/21/15 6:51 AM	Protass, Harlan	Lathen, Jay		Re: Report on Testimony	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1869	Email with Attachment(s)	6/21/15 3:30 PM	Galbraith, Kevin	Lathen, Jay		Prospect: Opposition to Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1870	Email with Attachment(s)	6/21/15 3:32 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	FW: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1871	Email	6/22/15 8:53 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: CIT Bank CD Death Puts	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1872	Email	6/25/15 1:42 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	FW: National Rural and Federal Farm Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1873	Email	6/26/15 11:21 AM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.	Knauer, Jorja	Preparing to Prepare Kathy for Testimony	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1874	Email	6/29/15 7:58 AM	Robinson, Michael D.	Protass, Harlan		Discussing SEC Testimony	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1875	Email	6/29/15 8:02 AM	Protass, Harlan	Robinson, Michael D.		Re: Discussing SEC Testimony	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1876	Email	6/29/15 8:56 AM	Robinson, Michael D.	Protass, Harlan		Re: Discussing SEC Testimony	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1877	Email with Attachment(s)	6/29/15 11:35 AM	Galbraith, Kevin	Lathen, Jay		Call today	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1878	Email	6/29/15 11:35 AM	Lathen, Jay	Galbraith, Kevin		RE: Call today	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1879	Email with Attachment(s)	6/29/15 11:51 AM	Galbraith, Kevin	Lathen, Jay		Re: Call today	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1880	Email	6/30/15 1:16 PM	Protass, Harlan	Lathen, Jay		Are you available to talk at 2:00 or 2:30?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1881	Email	6/30/15 1:37 PM	Lathen, Jay	Protass, Harlan		RE: Are you available to talk at 2:00 or 2:30?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1882	Email	6/30/15 1:43 PM	Protass, Harlan	Lathen, Jay		Re: Are you available to talk at 2:00 or 2:30?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1883	Email	7/1/15 12:24 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.	Knauer, Jorja	Re: Preparing to Prepare Kathy for Testimony	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1884	Email	7/1/15 1:23 PM	Lathen, Jay	Protass, Harlan; Robinson, Michael D.	Knauer, Jorja	RE: Preparing to Prepare Kathy for Testimony	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1885	Email	7/1/15 3:23 PM	Galbraith, Kevin	Lathen, Jay		Automatic reply: National Rural and Federal Farm Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1886	Email	7/1/15 3:23 PM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.; Knauer, Jorja	Re: Preparing to Prepare Kathy for Testimony	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1887	Email	7/2/15 3:34 PM	Protass, Harlan	Lathen, Jay		Fwd: Telephone Message	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1888	Email	7/2/15 3:48 PM	Lathen, Jay	Protass, Harlan		Re: Telephone Message	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1889	Email	7/2/15 9:30 PM	Protass, Harlan	Lathen, Jay		Re: Telephone Message	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1890	Email	7/2/15 10:01 PM	Lathen, Jay	Protass, Harlan		Re: Telephone Message	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1891	Email with Attachment(s)	7/6/15 11:52 AM	Galbraith, Kevin	Lathen, Jay		Re: National Rural and Federal Farm Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1892	Email	7/6/15 6:06 PM	Lathen, Jay	Galbraith, Kevin		RE: National Rural and Federal Farm Holdings	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1893	Email with Attachment(s)	7/6/15 6:11 PM	Galbraith, Kevin	Lathen, Jay		Re: National Rural and Federal Farm Holdings	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1894	Email	7/7/15 1:35 PM	Galbraith, Kevin	Lathen, Jay		Prospect Docket & CIT Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1895	Email with Attachment(s)	7/8/15 1:47 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Docket & CIT Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1896	Email	7/8/15 2:21 PM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Docket & CIT Updates	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1897	Email	7/8/15 2:24 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Docket & CIT Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1898	Email with Attachment(s)	7/10/15 2:43 PM	Galbraith, Kevin	Lathen, Jay		Reply Brief & Affidavit	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1899	Email	7/10/15 5:09 PM	Kang, Darren	Lathen, Jay	Kang, Darren	VeriFirst Introduction	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1900	Email with Attachment(s)	7/11/15 12:47 PM	Galbraith, Kevin	Lathen, Jay		Re: Reply Brief & Affidavit	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Date
1901	Email with Attachment(s)	7/13/15 4:07 PM	Galbraith, Kevin	Lethen, Jay		FW: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1902	Email	7/13/15 4:26 PM	Lethen, Jay	Galbraith, Kevin		RE: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1903	Email with Attachment(s)	7/13/15 4:29 PM	Galbraith, Kevin	Lethen, Jay		Re: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1904	Email	7/13/15 5:23 PM	Lethen, Kathy	Lethen, Jay		Re: Tomorrow prep session with Harlan	Attorney Work Product	Communication containing privileged work product.		
1905	Email with Attachment(s)	7/13/15 5:31 PM	Galbraith, Kevin	Lethen, Jay		Re: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1906	Email with Attachment(s)	7/14/15 10:40 AM	Galbraith, Kevin	Lethen, Jay		FW: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1907	Email with Attachment(s)	7/14/15 10:41 AM	Galbraith, Kevin	Lethen, Jay		Re: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1908	Email with Attachment(s)	7/14/15 10:46 AM	Galbraith, Kevin	Lethen, Jay		Re: Reply Brief & Affidavit	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1909	Email	7/14/15 10:55 AM	Lethen, Jay	Galbraith, Kevin		Re: Reply Brief & Affidavit	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1910	Email	7/14/15 11:23 AM	Galbraith, Kevin	Robinson, Michael D.	Lethen, Jay	DTC Interface with CIT	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1911	Email	7/14/15 11:47 AM	Robinson, Michael D.	Galbraith, Kevin		Re: DTC Interface with CIT	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1912	Email	7/14/15 11:49 AM	Galbraith, Kevin	Robinson, Michael D.		Re: DTC Interface with CIT	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1913	Email with Attachment(s)	7/14/15 2:49 PM	Galbraith, Kevin	Robinson, Michael D.		Re: DTC Interface with CIT	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1914	Email	7/14/15 4:08 PM	Robinson, Michael D.	Galbraith, Kevin		Re: DTC Interface with CIT	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1915	Email with Attachment(s)	7/15/15 9:50 AM	Galbraith, Kevin	Robinson, Michael D.		Re: DTC Interface with CIT	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1916	Email	7/15/15 11:09 AM	Robinson, Michael D.	Galbraith, Kevin	Lethen, Jay	Fwd: FW: Returned Death Redemption Request(s)/Request for Additional Documentation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1917	Email	7/15/15 11:14 AM	Galbraith, Kevin	Lethen, Jay		Re: Reply Brief & Affidavit	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1918	Email	7/15/15 11:42 AM	Lethen, Jay	Galbraith, Kevin		RE: Reply Brief & Affidavit	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1919	Email with Attachment(s)	7/15/15 11:43 AM	Galbraith, Kevin	Lethen, Jay		Re: Reply Brief & Affidavit	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1920	Email with Attachment(s)	7/15/15 11:57 AM	Galbraith, Kevin	Lethen, Jay		Re: Reply Brief & Affidavit	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1921	Email with Attachment(s)	7/15/15 12:02 PM	Galbraith, Kevin	Robinson, Michael D.		FW: Returned Death Redemption Request(s)/Request for Additional Documentation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1922	Email with Attachment(s)	7/15/15 3:25 PM	Galbraith, Kevin	Robinson, Michael D.		FW: CIT Bank CD Redemption Refusals (3 of 3)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1923	Email	7/15/15 4:25 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: Fwd: FW: Returned Death Redemption Request(s)/Request for Additional Documentation	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1924	Email	7/15/15 4:31 PM	Galbraith, Kevin	Robinson, Michael D.		Re: Returned Death Redemption Request(s)/Request for Additional Documentation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1925	Email with Attachment(s)	7/15/15 7:29 PM	Lethen, Jay	Galbraith, Kevin		RE: Reply Brief & Affidavit	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1926	Email	7/15/15 7:49 PM	Lethen, Jay	Galbraith, Kevin		RE: Reply Brief & Affidavit	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1927	Email with Attachment(s)	7/15/15 8:11 PM	Lethen, Jay	Galbraith, Kevin		RE: Reply Brief & Affidavit	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1928	Email with Attachment(s)	7/16/15 9:22 AM	Galbraith, Kevin	Lethen, Jay		Re: Reply Brief & Affidavit	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1929	Email with Attachment(s)	7/16/15 10:48 AM	Galbraith, Kevin	Lethen, Jay		Re: Reply Brief & Affidavit	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1930	Email with Attachment(s)	7/16/15 11:16 AM	Robinson, Michael D.	Galbraith, Kevin	Lethen, Jay	Notarized Page	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1931	Email with Attachment(s)	7/16/15 1:08 PM	Lethen, Jay	Galbraith, Kevin		RE: Reply Brief & Affidavit	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1932	Email	7/16/15 2:32 PM	Galbraith, Kevin	Robinson, Michael D.		Re: Notarized Page	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1933	Email with Attachment(s)	7/16/15 3:11 PM	Galbraith, Kevin	Lethen, Jay		Reply Brief and Affidavit in Support of Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1934	Email with Attachment(s)	7/16/15 3:13 PM	Galbraith, Kevin	Lethen, Jay		Legal Fees	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1935	Email	7/16/15 5:18 PM	Lethen, Jay	Galbraith, Kevin		RE: Reply Brief and Affidavit in Support of Motion to Dismiss	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1936	Email with Attachment(s)	7/16/15 5:53 PM	Galbraith, Kevin	Lethen, Jay		Re: Reply Brief and Affidavit in Support of Motion to Dismiss	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1937	Email with Attachment(s)	7/17/15 11:41 AM	Protass, Harlan	Lethen, Jay		Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1938	Email	7/17/15 12:20 PM	Lethen, Kathy	Lethen, Jay		Fwd: Would August 5 or 6 for testimony work for you?	Attorney Client Privilege/Work Product	Communication reflecting legal advice of Harlan Protass.		
1939	Email with Attachment(s)	7/17/15 7:28 PM	Lethen, Jay	Protass, Harlan		RE: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1940	Email	7/18/15 9:38 AM	Protass, Harlan	Lethen, Jay		Fwd: Docket Update: United States Securities and Exchange Commission v. Staples et al	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1941	Email	7/20/15 11:50 AM	Protass, Harlan	Lethen, Jay	Gosnell, Wayne	Prep Session	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1942	Email	7/20/15 11:55 AM	Lethen, Jay	Protass, Harlan	Gosnell, Wayne	Re: Prep Session	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1943	Email	7/20/15 12:00 PM	Protass, Harlan	Lethen, Jay	Gosnell, Wayne	Re: Prep Session	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1944	Email	7/20/15 12:22 PM	Lethen, Jay	Protass, Harlan	Gosnell, Wayne	Re: Prep Session	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1945	Email	7/20/15 12:25 PM	Protass, Harlan	Lethen, Jay		Re: Prep Session	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1948	Email with Attachment(s)	7/20/15 4:55 PM	Protass, Harlan	Lethen, Jay	Gosnell, Wayne	Revised Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1947	Email with Attachment(s)	7/20/15 6:45 PM	Lethen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Revised Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1948	Email	7/21/15 11:54 AM	Protass, Harlan	Lethen, Jay		Re: Revised Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1949	Email	7/21/15 11:54 AM	Lethen, Jay	Protass, Harlan		RE: Revised Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1950	Email with Attachment(s)	7/21/15 3:59 PM	Robinson, Michael D.	Protass, Harlan	Lethen, Jay	EACP 2014 Audited Financials	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Notes
1951	Email	7/21/15 7:04 PM	Protass, Harlan	Lathen, Jay		Forgot to mention; no French cuffs, no fancy watches	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1952	Email	7/21/15 7:08 PM	Lathen, Jay	Protass, Harlan		RE: Forgot to mention; no French cuffs, no fancy watches	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1953	Email	7/21/15 8:12 PM	Protass, Harlan	Lathen, Jay		Re: Forgot to mention; no French cuffs, no fancy watches	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1954	Email	7/22/15 1:09 PM	Galbraith, Kevin	Lathen, Jay		Status Updates: Prospect and U.S. Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1955	Email	7/22/15 2:12 PM	Gosnell, Wayne	Robinson, Michael D.	Protass, Harlan; Knauer, Jorja	Document Production Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1956	Email	7/22/15 3:50 PM	Robinson, Michael D.	Gosnell, Wayne	Protass, Harlan; Knauer, Jorja	Re: Document Production Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1957	Email	7/22/15 3:56 PM	Protass, Harlan	Robinson, Michael D.	Gosnell, Wayne; Knauer, Jorja	Re: Document Production Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1958	Email	7/22/15 5:29 PM	Robinson, Michael D.	Protass, Harlan	Gosnell, Wayne; Knauer, Jorja	Re: Document Production Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1959	Email	7/22/15 5:40 PM	Protass, Harlan	Knauer, Jorja	Robinson, Michael D.; Gosnell, Wayne	Re: Document Production Request	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1960	Email with Attachment(s)	7/22/15 6:04 PM	Robinson, Michael D.	Protass, Harlan; Knauer, Jorja	Gosnell, Wayne	Re: Document Production Request	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1961	Email	7/22/15 6:05 PM	Robinson, Michael D.	Protass, Harlan		Kotten e-mails	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1962	Email with Attachment(s)	7/22/15 9:10 PM	Protass, Harlan	Lathen, Jay		Fwd: Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1963	Email with Attachment(s)	7/22/15 9:11 PM	Protass, Harlan	Lathen, Jay		Fwd: Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1964	Email	7/23/15 11:30 AM	Protass, Harlan	Robinson, Michael D.		Please copy me on anything you send to Jay	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1965	Email	7/23/15 11:55 AM	Robinson, Michael D.	Protass, Harlan		Re: Please copy me on anything you send to Jay	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1966	Email	7/23/15 11:56 AM	Robinson, Michael D.	Protass, Harlan		Fwd: Re: Law firm	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1967	Email with Attachment(s)	7/23/15 11:57 AM	Robinson, Michael D.	Protass, Harlan		Fwd: Re: EndCare brochure	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1968	Email	7/23/15 1:55 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Gosnell, Wayne		Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1969	Email	7/23/15 2:05 PM	Robinson, Michael D.	Protass, Harlan		Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1970	Email with Attachment(s)	7/23/15 2:37 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1971	Email	7/23/15 2:45 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Gosnell, Wayne	Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1972	Email	7/23/15 2:51 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1973	Email	7/23/15 2:54 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1974	Email	7/23/15 3:06 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Gosnell, Wayne	Re:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1975	Email	7/23/15 4:27 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1976	Email	7/24/15 9:55 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Transcript	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1977	Email	7/24/15 10:01 AM	Protass, Harlan	Lathen, Jay	Ortiz, Clara	Outstanding Balance	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1978	Email	7/24/15 12:20 PM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Transcript	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1979	Email	7/24/15 1:30 PM	Lathen, Jay	Protass, Harlan	Ortiz, Clara	RE: Outstanding Balance	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1980	Email	7/24/15 1:32 PM	Protass, Harlan	Lathen, Jay	Ortiz, Clara	Re: Outstanding Balance	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1981	Email	7/24/15 1:34 PM	Lathen, Jay	Protass, Harlan	Ortiz, Clara	RE: Outstanding Balance	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1982	Email	7/24/15 1:37 PM	Protass, Harlan	Lathen, Jay	Ortiz, Clara	Re: Outstanding Balance	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1983	Email	7/27/15 9:17 AM	Protass, Harlan	Robinson, Michael D.		PPM	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1984	Email	7/27/15 10:19 AM	Robinson, Michael D.	Protass, Harlan		Michael Robinson has shared a file with you using Dropbox	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1985	Email with Attachment(s)	7/27/15 10:21 AM	Robinson, Michael D.	Protass, Harlan		PPM 2021	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1986	Email	7/27/15 10:22 AM	Robinson, Michael D.	Protass, Harlan		Re: PPM	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1987	Email	7/27/15 10:25 AM	Robinson, Michael D.	Protass, Harlan		Files	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1988	Email	7/27/15 11:01 AM	Protass, Harlan	Robinson, Michael D.		Next Question -- When you get back to the office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1989	Email	7/27/15 11:18 AM	Protass, Harlan	Robinson, Michael D.		Re: Files	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1990	Email	7/27/15 11:49 AM	Robinson, Michael D.	Protass, Harlan		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1991	Email	7/27/15 11:52 AM	Protass, Harlan	Robinson, Michael D.		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1992	Email	7/27/15 2:43 PM	Robinson, Michael D.	Protass, Harlan		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1993	Email	7/27/15 2:59 PM	Protass, Harlan	Robinson, Michael D.		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1994	Email	7/27/15 3:08 PM	Robinson, Michael D.	Protass, Harlan		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1995	Email	7/27/15 3:16 PM	Protass, Harlan	Robinson, Michael D.		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1996	Email with Attachment(s)	7/27/15 4:54 PM	Robinson, Michael D.	Protass, Harlan		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication requesting legal advice of counsel.		
1997	Email	7/28/15 9:43 AM	Protass, Harlan	Robinson, Michael D.		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1998	Email	7/28/15 9:53 AM	Galbraith, Kevin	Lathen, Jay		FW: Federal Farm Applications Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
1999	Email	7/28/15 11:01 AM	Lathen, Jay	Galbraith, Kevin		Re: Federal Farm Applications Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2000	Email	7/28/15 1:49 PM	Robinson, Michael D.	Protass, Harlan		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2001	Email	7/28/15 2:07 PM	Protass, Harlan	Robinson, Michael D.		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2002	Email	7/28/15 2:57 PM	Robinson, Michael D.	Protass, Harlan		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2003	Email	7/28/15 8:49 PM	Protass, Harlan	Robinson, Michael D.		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2004	Email	7/28/15 9:07 PM	Robinson, Michael D.	Protass, Harlan		Re: Next Question -- When you get back to the office	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2005	Email	7/29/15 10:03 AM	Galbraith, Kevin	Lathen, Jay		Re: Federal Farm Applications Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2006	Email	7/29/15 1:40 PM	Protass, Harlan	Robinson, Michael D.		Tax Returns	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2007	Email	7/29/15 2:07 PM	Robinson, Michael D.	Protass, Harlan		Re: Tax Returns	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2008	Email	7/29/15 2:50 PM	Protass, Harlan	Lathen, Jay		Tax Returns	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2009	Email	7/29/15 3:04 PM	Lathen, Jay	Protass, Harlan		Re: Tax Returns	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Dates
2010	Email	7/30/15 1:02 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	Brochure Research and E-mails	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2011	Email	7/30/15 1:23 PM	Lathen, Jay	Robinson, Michael D.	Protass, Harlan	Re: Brochure Research and E-mails	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2012	Email	7/30/15 1:30 PM	Robinson, Michael D.	Lathen, Jay	Protass, Harlan	Re: Brochure Research and E-mails	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2013	Email	7/30/15 2:28 PM	Robinson, Michael D.	Lathen, Jay	Protass, Harlan	Re: Brochure Research and E-mails	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2014	Email	7/30/15 4:28 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay	Re: Brochure Research and E-mails	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2015	Email	7/30/15 4:56 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	Re: Brochure Research and E-mails	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2016	Email	7/31/15 10:28 AM	Galbraith, Kevin	Lathen, Jay		Re: Federal Farm Applications Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2017	Email	7/31/15 10:27 AM	Protass, Harlan	Lathen, Jay		Transcript of Your Testimony	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2018	Email	7/31/15 10:40 AM	Lathen, Jay	Galbraith, Kevin		Re: Federal Farm Applications Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2019	Email	7/31/15 10:53 AM	Lathen, Jay	Protass, Harlan		Re: Transcript of Your Testimony	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2020	Email	7/31/15 12:39 PM	Galbraith, Kevin	Lathen, Jay		Re: Federal Farm Applications Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2021	Email	7/31/15 1:13 PM	Lathen, Jay	Galbraith, Kevin		Re: Federal Farm Applications Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2022	Email	7/31/15 2:58 PM	Protass, Harlan	Lathen, Jay		Wednesday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2023	Email	7/31/15 4:29 PM	Lathen, Jay	Protass, Harlan		Re: Wednesday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2024	Email	8/3/15 9:55 AM	Galbraith, Kevin	Lathen, Jay		Re: Federal Farm Applications Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2025	Email	8/3/15 8:49 AM	Protass, Harlan	Lathen, Jay		Re: Wednesday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2026	Email	8/3/15 12:44 PM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	Fwd: RE: CD Redemption Rejections	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2027	Email	8/3/15 12:59 PM	Lathen, Jay	Protass, Harlan		RE: Wednesday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2028	Email	8/3/15 1:16 PM	Robinson, Michael D.	Galbraith, Kevin		CIT Puts	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2029	Email	8/3/15 1:20 PM	Galbraith, Kevin	Robinson, Michael D.		Re: CIT Puts	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2030	Email with Attachment(s)	8/3/15 1:33 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: CD Redemption Rejections	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2031	Email	8/3/15 1:33 PM	Robinson, Michael D.	Galbraith, Kevin		Re: CIT Puts	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2032	Email	8/3/15 2:13 PM	Galbraith, Kevin	Lathen, Jay		Status Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2033	Email	8/3/15 2:34 PM	Lathen, Jay	Galbraith, Kevin		RE: Status Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2034	Email	8/3/15 4:22 PM	Protass, Harlan	Lathen, Jay		Re: Wednesday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2035	Email	8/3/15 4:51 PM	Lathen, Jay	Protass, Harlan		RE: Wednesday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2036	Email with Attachment(s)	8/3/15 4:53 PM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	EndCare Brochures	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2037	Email with Attachment(s)	8/3/15 5:05 PM	Protass, Harlan	Lathen, Jay		Question from Judy Weinstock	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2038	Email with Attachment(s)	8/3/15 5:17 PM	Protass, Harlan	Lathen, Jay		Fwd: Question from Judy Weinstock	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2039	Email	8/3/15 5:24 PM	Protass, Harlan	Lathen, Jay		Re: Wednesday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2040	Email	8/3/15 5:34 PM	Protass, Harlan	Lathen, Jay		Did you get the transcript I dropped at your apt last Friday?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2041	Email	8/3/15 6:55 PM	Lathen, Jay	Protass, Harlan		Re: Did you get the transcript I dropped at your apt last Friday?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2042	Email with Attachment(s)	8/3/15 7:42 PM	Lathen, Jay	Protass, Harlan		RE: Question from Judy Weinstock	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2043	Email	8/3/15 8:25 PM	Lathen, Jay	Protass, Harlan		RE: Question from Judy Weinstock	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2044	Email with Attachment(s)	8/4/15 12:10 PM	Galbraith, Kevin	Lathen, Jay		Re: Status Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2045	Email with Attachment(s)	8/4/15 12:10 PM	Galbraith, Kevin	Lathen, Jay		Re: Status Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2046	Email	8/5/15 12:17 PM	Lathen, Jay	Protass, Harlan		RE: Wednesday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2047	Email	8/5/15 12:33 PM	Protass, Harlan	Lathen, Jay; Gosnell, Wayne		Re: Wednesday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2048	Email	8/5/15 12:36 PM	Lathen, Jay	Protass, Harlan; Gosnell, Wayne		RE: Wednesday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2049	Email	8/6/15 8:49 AM	Protass, Harlan	Robinson, Michael D.	Gosnell, Wayne	Email Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2050	Email	8/6/15 8:55 AM	Robinson, Michael D.	Protass, Harlan	Gosnell, Wayne	Re: Email Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2051	Email	8/6/15 8:56 AM	Robinson, Michael D.	Protass, Harlan	Gosnell, Wayne	Re: Email Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2052	Email	8/6/15 8:59 AM	Protass, Harlan	Robinson, Michael D.	Gosnell, Wayne	Re: Email Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2053	Email	8/6/15 3:30 PM	Galbraith, Kevin	Lathen, Jay	Galbraith, Kevin	SEC Testimony	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2054	Email	8/6/15 9:19 PM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	Fwd: FW: death put for GE and Synchrony Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2055	Email	8/6/15 8:34 PM	Lathen, Jay	Robinson, Michael D.	Galbraith, Kevin	Re: death put for GE and Synchrony Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2056	Email	8/6/15 9:33 PM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	Re: death put for GE and Synchrony Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2057	Email	8/7/15 11:34 PM	Galbraith, Kevin	Robinson, Michael D.; Lathen, Jay	Galbraith, Kevin	Re: death put for GE and Synchrony Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2058	Email	8/7/15 4:43 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.	Gosnell, Wayne	Email Issue	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2059	Email	8/9/15 4:58 PM	Kane, Darren	Lathen, Jay	Hartman, David	Your Availability	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2060	Email	8/11/15 11:46 AM	Robinson, Michael D.	Protass, Harlan; Lathen, Jay	Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2061	Email	8/11/15 2:18 PM	Robinson, Michael D.	Protass, Harlan; Lathen, Jay	Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2062	Email with Attachment(s)	8/11/15 2:55 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2063	Email	8/11/15 3:23 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2064	Email with Attachment(s)	8/11/15 4:41 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2065	Email	8/11/15 5:42 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Fwd: Sinarsh Import Case 00896567 [ref_ 000301Fgrl4_ 50013pckYMref]	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2066	Email	8/12/15 10:35 AM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2067	Email	8/12/15 11:26 AM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Gosnell, Wayne	Re: Sinarsh Import Case 00896567 [ref_ 000301Fgrl4_ 50013pckYMref]	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2068	Email with Attachment(s)	8/12/15 11:09 AM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2069	Email	8/12/15 12:22 PM	Robinson, Michael D.	Protass, Harlan		Analyst Question	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2070	Email	8/12/15 1:49 PM	Galbraith, Kevin	Lathen, Jay	Galbraith, Kevin	DRAFT Email to Federal Farm Credit Counsel	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2071	Email	8/12/15 2:19 PM	Galbraith, Kevin	Robinson, Michael D.		Gifts Material	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2072	Email	8/12/15 3:18 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: DRAFT Email to Federal Farm Credit Counsel	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2073	Email	8/12/15 3:21 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.; Galbraith, Kevin	Re: DRAFT Email to Federal Farm Credit Counsel	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2074	Email with Attachment(s)	8/12/15 3:25 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: DRAFT Email to Federal Farm Credit Counsel	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2075	Email with Attachment(s)	8/12/15 3:52 PM	Galbraith, Kevin	Lathen, Jay		Fw: Lathen Survivor's Option Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
2076	Email	8/12/15 4:04 PM	Protass, Harlan	Robinson, Michael D.		Re: Analyst Question	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2077	Email	8/13/15 10:33 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2078	Email	8/13/15 6:37 AM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2079	Email with Attachment(s)	8/13/15 3:25 PM	Galbraith, Kevin	Lathen, Jay		Draft letter to Muzia	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2080	Email	8/13/15 4:10 PM	Lathen, Jay	Galbraith, Kevin		Re: Draft letter to Muzia	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2081	Email	8/13/15 4:11 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft letter to Muzia	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2082	Email	8/13/15 8:36 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2083	Email	8/13/15 9:01 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2084	Email	8/13/15 9:42 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re: Email Issue	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2085	Email	8/24/15 7:02 AM	Protass, Harlan	Lathen, Jay; Lathen, Kathy			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2086	Email	8/18/15 11:09 AM	Robinson, Michael D.	Protass, Harlan	Gosnell, Wayne; Lathen, Jay	E-mail Count	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2087	Email	8/19/15 1:17 PM	Galbraith, Kevin	Lathen, Jay		CIT Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2088	Email	8/19/15 3:59 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: CIT Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2089	Email with Attachment(s)	8/19/15 8:07 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.		Draft Letter to the SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2090	Email	8/19/15 8:30 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	Re: Draft Letter to the SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2091	Email with Attachment(s)	8/19/15 11:42 AM	Lathen, Jay	Protass, Harlan; Robinson, Michael D.		RE: Draft Letter to the SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2092	Email	8/19/15 11:50 AM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.	Re: Draft Letter to the SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2093	Email	8/19/15 12:12 PM	Lathen, Jay	Protass, Harlan	Robinson, Michael D.	RE: Draft Letter to the SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2094	Email with Attachment(s)	8/19/15 3:48 PM	Protass, Harlan	Lathen, Jay		Fwd: Telephone Messages	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2095	Email	8/19/15 4:03 PM	Protass, Harlan	Lathen, Jay		Fwd: NACDL White Collar : Securities Fraud / Survivor option	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2096	Email	8/19/15 4:20 PM	Lathen, Jay	Protass, Harlan		RE: NACDL White Collar : Securities Fraud / Survivor option	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2097	Email	8/19/15 4:54 PM	Protass, Harlan	Lathen, Jay		Re: NACDL White Collar : Securities Fraud / Survivor option	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2098	Email with Attachment(s)	8/19/15 4:55 PM	Protass, Harlan	Lathen, Jay		Fwd: Favorites	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2099	Email	8/19/15 5:17 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	GE/Synchrony Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2100	Email	8/19/15 5:31 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: GE/Synchrony Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2101	Email	8/19/15 5:41 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	Re: GE/Synchrony Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2102	Email	8/19/15 5:47 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: GE/Synchrony Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2103	Email	8/19/15 5:49 PM	Lathen, Jay	Protass, Harlan		RE: Favorites	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2104	Email	8/19/15 6:01 PM	Lathen, Jay	Galbraith, Kevin; Robinson, Michael D.		RE: GE/Synchrony Bank	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2105	Email with Attachment(s)	8/19/15 6:44 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Re: GE/Synchrony Bank	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2106	Email	8/20/15 10:32 AM	Protass, Harlan	Lathen, Jay		Re: Favorites	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2107	Email with Attachment(s)	8/20/15 11:12 AM	Protass, Harlan	Lathen, Jay		SEC letter attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2108	Email with Attachment(s)	8/20/15 11:41 AM	Protass, Harlan	Lathen, Jay		Your Day 3 Testimony Attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2109	Email	8/21/15 1:07 AM	Protass, Harlan	Lathen, Jay		Fwd: Docket Update: United States Securities and Exchange Commission v. Stapleton et al	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2110	Email with Attachment(s)	8/21/15 9:45 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Stapleton' Expert Witness	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2111	Email with Attachment(s)	8/21/15 10:40 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Response from the SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2112	Email	8/21/15 12:04 PM	Protass, Harlan	Lathen, Jay		CDs	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2113	Email with Attachment(s)	8/21/15 12:49 PM	Protass, Harlan	Lathen, Jay		Here's the final letter sent to the SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2114	Email	8/21/15 2:02 PM	Galbraith, Kevin	Lathen, Jay		GE Capital Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2115	Email with Attachment(s)	8/21/15 2:04 PM	Galbraith, Kevin	Lathen, Jay		Prospect Motion	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2116	Email	8/21/15 4:25 PM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Stapleton' Expert Witness	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2117	Email	8/21/15 5:28 PM	Protass, Harlan	Lathen, Jay		Re: Stapleton' Expert Witness	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2118	Email	8/21/15 4:48 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Motion	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2119	Email with Attachment(s)	8/24/15 11:33 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Motion	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2120	Email	8/24/15 12:19 PM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Motion	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2121	Email	8/24/15 2:34 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Motion	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2122	Email	8/24/15 2:40 PM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Motion	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2123	Email	8/24/15 2:47 PM	Galbraith, Kevin	Lathen, Jay		RE: Prospect Motion	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2124	Email	8/24/15 2:54 PM	Lathen, Jay	Galbraith, Kevin		Re: Prospect Motion	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2125	Email	8/24/15 3:04 PM	Protass, Harlan	Lathen, Jay		Just left you a (vm). Please call when you can.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2126	Email	8/24/15 3:10 PM	Lathen, Jay	Galbraith, Kevin		RE: GE Capital Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2127	Email with Attachment(s)	8/24/15 3:43 PM	Galbraith, Kevin	Lathen, Jay		Re: GE Capital Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2128	Email with Attachment(s)	8/24/15 4:04 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	Fwd: FW: CIT BANK PUT CUSIP#17284A3N5 AND 17284C024	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2129	Email	8/24/15 4:44 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Johnson and Shelley participant agreements	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2130	Email with Attachment(s)	8/24/15 5:05 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	Re: Johnson and Shelley participant agreements	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2131	Email	8/25/15 10:08 AM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: CIT BANK PUT CUSIP#17284A3N5 AND 17284C024	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2132	Email with Attachment(s)	8/25/15 12:06 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2133	Email with Attachment(s)	8/25/15 12:18 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
2134	Email	8/25/15 2:48 PM	Galbraith, Kevin	Lathen, Jay		Prospect: Procedural Route	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2135	Email with Attachment(s)	8/25/15 3:10 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: CIT BANK PUT CUSIP#17284A3N6 AND 17284CD24	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2136	Email	8/26/15 4:15 PM	Galbraith, Kevin	Lathen, Jay		Status Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2137	Email	8/26/15 4:26 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Status Updates	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2138	Email with Attachment(s)	8/26/15 4:31 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: Status Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2139	Email with Attachment(s)	8/27/15 12:10 PM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	SunTrust Rejection	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2140	Email	8/27/15 12:33 PM	Lathen, Jay	Robinson, Michael D.	Galbraith, Kevin	RE: SunTrust Rejection	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2141	Email	8/27/15 12:44 PM	Robinson, Michael D.	Lathen, Jay		Re: SunTrust Rejection	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.	Yes	EA00033609
2142	Email with Attachment(s)	8/27/15 1:44 PM	Lathen, Jay	Robinson, Michael D.		RE: SunTrust Rejection	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.	Yes	EA00033611
2143	Email	8/27/15 3:08 PM	Lathen, Jay	Protass, Harlan		White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2144	Email	8/27/15 3:15 PM	Protass, Harlan	Lathen, Jay		Re: White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2145	Email	8/27/15 3:31 PM	Xene, Darren	Lathen, Jay		Client Alert – Anti-money Laundering Rule	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2146	Email	8/27/15 3:31 PM	Xene, Darren	Robinson, Michael D.		Client Alert – Anti-money Laundering Rule	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2147	Email	8/27/15 3:39 PM	Lathen, Jay	Protass, Harlan		RE: White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2148	Email	8/27/15 3:45 PM	Robinson, Michael D.	Lathen, Jay		Re: SunTrust Rejection	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.	Yes	EA00033653
2149	Email	8/27/15 3:48 PM	Lathen, Jay	Robinson, Michael D.		RE: SunTrust Rejection	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.	Yes	EA00033656
2150	Email	8/27/15 4:07 PM	Robinson, Michael D.	Lathen, Jay		Re: SunTrust Rejection	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.	Yes	EA00033659
2151	Email	8/27/15 4:08 PM	Lathen, Jay	Robinson, Michael D.		RE: SunTrust Rejection	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.	Yes	EA00033663
2152	Email	8/27/15 4:48 PM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	BMO/Harris Rejections	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2153	Email	8/27/15 4:53 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: BMO/Harris Rejections	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2154	Email with Attachment(s)	8/27/15 6:28 PM	Robinson, Michael D.	Lathen, Jay; Galbraith, Kevin		Re: Status Updates	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2155	Email with Attachment(s)	8/28/15 11:37 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	FW: Caterpillar Submission	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2156	Email	8/28/15 12:01 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Caterpillar Submission	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2157	Email	8/28/15 12:04 PM	Lathen, Jay	Galbraith, Kevin		RE: Caterpillar Submission	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2158	Email with Attachment(s)	8/28/15 12:08 PM	Galbraith, Kevin	Lathen, Jay		Re: Caterpillar Submission	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2159	Email	8/28/15 1:14 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Offering Documents Language	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2160	Email	8/29/15 2:34 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.	Gosnell, Wayne	Email Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2161	Email with Attachment(s)	8/29/15 8:27 PM	Protass, Harlan	Lathen, Jay		IMPORTANT – Staples Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2162	Email	8/29/15 8:41 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	Re: Email Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2163	Email	8/29/15 8:52 PM	Protass, Harlan	Robinson, Michael D.	Lathen, Jay; Gosnell, Wayne	Re: Email Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2164	Email	8/31/15 10:44 AM	Lathen, Jay	Protass, Harlan; Robinson, Michael D.	Gosnell, Wayne	RE: Email Production	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2165	Email	8/31/15 10:48 AM	Lathen, Jay	Protass, Harlan		RE: IMPORTANT – Staples Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2166	Email	8/31/15 11:05 AM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.; Gosnell, Wayne	Re: Email Production	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2167	Email	8/31/15 11:06 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Re: IMPORTANT – Staples Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2168	Email with Attachment(s)	8/31/15 1:56 PM	Galbraith, Kevin	Robinson, Michael D.		FW: Caterpillar Submission	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2169	Email with Attachment(s)	8/31/15 4:20 PM	Galbraith, Kevin	Lathen, Jay		Draft Summary Judgment Papers	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2170	Email with Attachment(s)	8/31/15 5:18 PM	Lathen, Jay	Galbraith, Kevin		RE: Draft Summary Judgment Papers	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2171	Email with Attachment(s)	8/31/15 5:45 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft Summary Judgment Papers	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2172	Email with Attachment(s)	9/1/15 5:14 PM	Robinson, Michael D.	Galbraith, Kevin		Re: FW: Caterpillar Submission	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2173	Email with Attachment(s)	9/2/15 5:57 PM	Robinson, Michael D.	Galbraith, Kevin		RE: Caterpillar Submission	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2174	Email	9/1/15 8:12 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.		Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2175	Email	9/1/15 8:23 PM	Lathen, Jay	Protass, Harlan		Re: Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2176	Email	9/1/15 8:59 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay	Re: Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2177	Email	9/2/15 8:55 AM	Galbraith, Kevin	Robinson, Michael D.		Re: Caterpillar Submission	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2178	Email with Attachment(s)	9/2/15 8:59 AM	Galbraith, Kevin	Lathen, Jay		FW: Caterpillar Submission	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2179	Email	9/2/15 9:39 AM	Galbraith, Kevin	Robinson, Michael D.		Call Yesterday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2180	Email	9/2/15 1:47 PM	Protass, Harlan	Lathen, Jay		White Paper and Emails	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2181	Email	9/2/15 11:03 PM	Galbraith, Kevin	Lathen, Jay		Brief Revisions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2182	Email	9/3/15 8:44 AM	Hartman, David	Lathen, Jay	Xene, Darren	White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2183	Email with Attachment(s)	9/3/15 12:42 PM	Lathen, Jay	Galbraith, Kevin		RE: Draft Summary Judgment Papers	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2184	Email with Attachment(s)	9/3/15 12:44 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft Summary Judgment Papers	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2185	Email	9/3/15 12:46 PM	Lathen, Jay	Galbraith, Kevin		RE: Draft Summary Judgment Papers	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2186	Email with Attachment(s)	9/3/15 12:55 PM	Galbraith, Kevin	Lathen, Jay		Re: Draft Summary Judgment Papers	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2187	Email with Attachment(s)	9/3/15 1:34 PM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2188	Email with Attachment(s)	9/3/15 1:37 PM	Lathen, Jay	Galbraith, Kevin		RE: Draft Summary Judgment Papers	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2189	Email with Attachment(s)	9/3/15 3:37 PM	Galbraith, Kevin	Lathen, Jay		Filed Versions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or Document Name	Privilege Type	Privilege Description	Redacted	Production Bates
2190	Email	9/3/15 3:54 PM	Lathen, Jay	Galbraith, Kevin		RE: Filed Versions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2191	Email with Attachment(s)	9/4/15 9:07 AM	Galbraith, Kevin	Lathen, Jay		Re: Filed Versions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2192	Email	9/4/15 10:15 AM	Lathen, Jay	Galbraith, Kevin		Re: Filed Versions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2193	Email	9/4/15 10:17 AM	Galbraith, Kevin	Lathen, Jay		Re: Filed Versions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2194	Email with Attachment(s)	9/4/15 1:35 PM	Galbraith, Kevin	Lathen, Jay		Bill and Status Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2195	Email	9/5/15 10:51 AM	Kane, Darren	Lathen, Jay		Draft SEC Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2196	Email with Attachment(s)	9/5/15 11:43 AM	Lathen, Jay	Kane, Darren		Fwd: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2197	Email with Attachment(s)	9/5/15 11:25 AM	Kane, Darren	Lathen, Jay		RE: Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2198	Email	9/8/15 10:11 AM	Lathen, Jay	Kane, Darren		RE: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2199	Email	9/8/15 10:18 AM	Kane, Darren	Lathen, Jay		RE: Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2200	Email	9/8/15 10:38 AM	Lathen, Jay	Kane, Darren		RE: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2201	Email	9/8/15 11:58 AM	Kane, Darren	Lathen, Jay		RE: Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2202	Email	9/8/15 12:52 PM	Lathen, Jay	Kane, Darren		RE: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2203	Email	9/8/15 1:43 PM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2204	Email	9/8/15 1:44 PM	Protass, Harlan	Lathen, Jay		Re: Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2205	Email	9/8/15 1:45 PM	Lathen, Jay	Protass, Harlan		RE: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2206	Email	9/8/15 1:45 PM	Protass, Harlan	Lathen, Jay		Re: Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2207	Email	9/8/15 2:15 PM	Lathen, Jay	Kane, Darren		RE: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2208	Email	9/8/15 3:16 PM	Lathen, Jay	Protass, Harlan		RE: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2209	Email	9/8/15 3:25 PM	Protass, Harlan	Lathen, Jay		Re: Draft White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2210	Email with Attachment(s)	9/8/15 5:35 PM	Lathen, Jay	Protass, Harlan		RE: Draft White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2211	Email with Attachment(s)	9/10/15 9:06 AM	Galbraith, Kevin	Lathen, Jay		Prospect Reply Brief	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2212	Email	9/10/15 9:45 AM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Reply Brief	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2213	Email with Attachment(s)	9/10/15 9:50 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Reply Brief	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2214	Email	9/10/15 9:57 AM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Reply Brief	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2215	Email with Attachment(s)	9/10/15 9:59 AM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Reply Brief	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2216	Email with Attachment(s)	9/10/15 11:23 AM	Protass, Harlan	Lathen, Jay		White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2217	Email	9/10/15 12:52 PM	Lathen, Jay	Galbraith, Kevin		RE: Prospect Reply Brief	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2218	Email with Attachment(s)	9/10/15 12:56 PM	Galbraith, Kevin	Lathen, Jay		Re: Prospect Reply Brief	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2219	Email	9/10/15 1:20 PM	Protass, Harlan	Lathen, Jay; Robinson, Michael D.		Where are we on the emails?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2220	Email	9/10/15 1:21 PM	Lathen, Jay	Protass, Harlan; Robinson, Michael D.		RE: Where are we on the emails?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2221	Email with Attachment(s)	9/10/15 2:02 PM	Lathen, Jay	Protass, Harlan		RE: White Paper	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2222	Email with Attachment(s)	9/10/15 4:11 PM	Protass, Harlan	Lathen, Jay		Have a look at the attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2223	Email	9/10/15 4:14 PM	Protass, Harlan	Lathen, Jay		Three Needed Exhibits	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2224	Email with Attachment(s)	9/10/15 4:44 PM	Lathen, Jay	Protass, Harlan		RE: Three Needed Exhibits	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2225	Email	9/10/15 4:53 PM	Protass, Harlan	Lathen, Jay		Re: Three Needed Exhibits	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2226	Email with Attachment(s)	9/10/15 5:54 PM	Lathen, Jay	Protass, Harlan		RE: Have a look at the attached	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2227	Email	9/10/15 5:57 PM	Protass, Harlan	Lathen, Jay		Re: Have a look at the attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2228	Email	9/10/15 5:59 PM	Lathen, Jay	Protass, Harlan		RE: Have a look at the attached	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2229	Email	9/10/15 6:14 PM	Lathen, Jay	Protass, Harlan		RE: Have a look at the attached	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2230	Email	9/10/15 6:23 PM	Protass, Harlan	Lathen, Jay		Re: Have a look at the attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2231	Email	9/10/15 6:23 PM	Lathen, Jay	Protass, Harlan		RE: Have a look at the attached	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2232	Email with Attachment(s)	9/10/15 6:32 PM	Lathen, Jay	Kane, Darren		Close to final draft of SEC "White Paper"	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2233	Email	9/10/15 6:35 PM	Lathen, Jay	Protass, Harlan		Re: Have a look at the attached	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2234	Email with Attachment(s)	9/10/15 10:19 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: Close to final draft of SEC "White Paper"	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2235	Email with Attachment(s)	9/11/15 5:45 AM	Protass, Harlan	Lathen, Jay		White Paper	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2236	Email	9/11/15 8:47 AM	Kane, Darren	Lathen, Jay		RE: Close to final draft of SEC "White Paper"	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2237	Email	9/11/15 9:27 AM	Lathen, Jay	Kane, Darren		RE: Close to final draft of SEC "White Paper"	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2238	Email	9/11/15 10:50 AM	Protass, Harlan	Lathen, Jay		Did you get my draft early this morning – something like 5:45 am?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2239	Email	9/11/15 10:52 AM	Lathen, Jay	Protass, Harlan		RE: Did you get my draft early this morning – something like 5:45 am?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2240	Email with Attachment(s)	9/11/15 11:38 AM	Lathen, Jay	Protass, Harlan		RE: Did you get my draft early this morning – something like 5:45 am?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2241	Email	9/11/15 11:39 AM	Protass, Harlan	Lathen, Jay		Re: Did you get my draft early this morning – something like 5:45 am?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2242	Email with Attachment(s)	9/11/15 12:21 PM	Protass, Harlan	Lathen, Jay		Here it is. I'll drop a hard copy at your apartment on the way home tonight.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2243	Email	9/11/15 12:25 PM	Lathen, Jay	Protass, Harlan		RE: Here it is. I'll drop a hard copy at your apartment on the way home tonight.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2244	Email	9/11/15 12:28 PM	Protass, Harlan	Lathen, Jay		Re: Here it is. I'll drop a hard copy at your apartment on the way home tonight.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2245	Email with Attachment(s)	9/11/15 5:26 PM	Galbraith, Kevin	Lathen, Jay		U.S. Bank Response re: Gilks (Caterpillar)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2246	Email	9/11/15 6:19 PM	Lathen, Jay	Galbraith, Kevin		RE: U.S. Bank Response re: Gilks (Caterpillar)	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
2247	Email with Attachment(s)	9/14/15 2:35 PM	Galbraith, Kevin	Lathen, Jay		Re: U.S. Bank Response re: Gifts (Caterpillar)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2248	Email	9/14/15 3:22 PM	Lathen, Jay	Galbraith, Kevin		Re: U.S. Bank Response re: Gifts (Caterpillar)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2249	Email	9/14/15 3:24 PM	Galbraith, Kevin	Lathen, Jay		Re: U.S. Bank Response re: Gifts (Caterpillar)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2250	Email	9/14/15 5:19 PM	Lathen, Jay	Galbraith, Kevin		Re: U.S. Bank Response re: Gifts (Caterpillar)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2251	Email with Attachment(s)	9/15/15 11:37 AM	Galbraith, Kevin	Lathen, Jay		FW: Caterpillar Submission	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2252	Email	9/15/15 12:16 PM	Lathen, Jay	Galbraith, Kevin		RE: Caterpillar Submission	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2253	Email	9/15/15 11:29 AM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		CIT Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2254	Email	9/15/15 11:45 AM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	RE: CIT Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2255	Email with Attachment(s)	9/16/15 12:47 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: CIT Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2256	Email	9/15/15 2:42 PM	Robinson, Michael D.	Protass, Harlan	Lathen, Jay; Gosnell, Wayne	E-mails -- Privileged	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2257	Email	9/15/15 2:58 PM	Lathen, Jay	Robinson, Michael D.; Protass, Harlan	Gosnell, Wayne	RE: E-mails -- Privileged	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2258	Email	9/16/15 4:02 PM	Protass, Harlan	Lathen, Jay	Robinson, Michael D.; Gosnell, Wayne	Re: E-mails -- Privileged	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2259	Email	9/16/15 4:44 PM	Lathen, Jay	Protass, Harlan	Robinson, Michael D.; Gosnell, Wayne	RE: E-mails -- Privileged	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2260	Email with Attachment(s)	9/17/15 9:15 AM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: CIT Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2261	Email	9/17/15 3:14 PM	Galbraith, Kevin	Lathen, Jay		Draft Email to CIT Counsel	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2262	Email	9/17/15 3:35 PM	Lathen, Jay	Galbraith, Kevin		RE: Draft Email to CIT Counsel	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2263	Email with Attachment(s)	9/21/15 9:10 AM	Galbraith, Kevin	Lathen, Jay		FW: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2264	Email with Attachment(s)	9/21/15 10:30 AM	Galbraith, Kevin	Lathen, Jay		FW: Prospect v. Lathen et al.; Oral Argument 10/7 9:30 am	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2265	Email with Attachment(s)	9/21/15 10:41 AM	Lathen, Jay	Robinson, Michael D.		FW: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.		
2266	Email with Attachment(s)	9/21/15 1:12 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: Documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2267	Email with Attachment(s)	9/21/15 1:17 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: Constance Lenno	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2268	Email	9/21/15 1:27 PM	Robinson, Michael D.	Galbraith, Kevin		Osika	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2269	Email with Attachment(s)	9/21/15 1:33 PM	Robinson, Michael D.	Galbraith, Kevin		Kerr	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2270	Email with Attachment(s)	9/21/15 2:15 PM	Robinson, Michael D.	Galbraith, Kevin		Johnson Signature Pages	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2271	Email	9/21/15 2:27 PM	Galbraith, Kevin	Robinson, Michael D.		Re: Osika	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2272	Email	9/21/15 2:45 PM	Galbraith, Kevin	Robinson, Michael D.		Johnson Isaac	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2273	Email with Attachment(s)	9/21/15 3:17 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: eFax message from "unknown" - 6 page(s), Caller-ID: 1-973-696-6976	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2274	Email with Attachment(s)	9/21/15 3:23 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: eFax message from "9737289664" - 8 page(s), Caller-ID: 1-973-728-9664	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2275	Email with Attachment(s)	9/21/15 3:24 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: eFax message from "5612763229" - 6 page(s), Caller-ID: 1-561-376-3229	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2276	Email	9/21/15 3:26 PM	Robinson, Michael D.	Galbraith, Kevin		Re: Osika et al.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2277	Email	9/21/15 3:37 PM	Galbraith, Kevin	Robinson, Michael D.		Re: Osika et al.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2278	Email	9/23/15 6:31 AM	Kane, Darren	Lathen, Jay		SEC Form D	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2279	Email	9/23/15 11:43 AM	Kane, Darren	Lathen, Jay		Client Alert -- First SEC Cybersecurity Enforcement Action	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2280	Email	9/23/15 11:43 AM	Kane, Darren	Robinson, Michael D.		Client Alert -- First SEC Cybersecurity Enforcement Action	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2281	Email with Attachment(s)	9/23/15 1:58 PM	Lathen, Jay	Galbraith, Kevin		FW: CD Redemption Rejections	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2282	Email	9/23/15 1:58 PM	Lathen, Jay	Galbraith, Kevin		RE: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2283	Email with Attachment(s)	9/23/15 2:08 PM	Galbraith, Kevin	Lathen, Jay		Re: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2284	Email	9/23/15 2:12 PM	Galbraith, Kevin	Lathen, Jay		Re: CD Redemption Rejections	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2285	Email	9/23/15 2:15 PM	Lathen, Jay	Galbraith, Kevin		RE: CD Redemption Rejections	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2286	Email	9/23/15 2:32 PM	Robinson, Michael D.	Lathen, Jay		Fwd: Client Alert -- First SEC Cybersecurity Enforcement Action	Attorney Client Privilege	Communication reflecting legal advice of Darren Kane.		
2287	Email	9/23/15 4:28 PM	Galbraith, Kevin	Robinson, Michael D.		Re: eFax message from "9737289564" - 8 page(s), Caller-ID: 1-973-728-9664	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2288	Email	9/23/15 4:29 PM	Galbraith, Kevin	Robinson, Michael D.		Re: eFax message from "unknown" - 6 page(s), Caller-ID: 1-973-696-6976	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2289	Email	9/23/15 5:05 PM	Robinson, Michael D.	Galbraith, Kevin		Re: eFax message from "unknown" - 6 page(s), Caller-ID: 1-973-696-6976	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2290	Email	9/23/15 5:13 PM	Galbraith, Kevin	Robinson, Michael D.		Re: eFax message from "unknown" - 6 page(s), Caller-ID: 1-973-696-6976	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2291	Email with Attachment(s)	9/23/15 6:32 PM	Galbraith, Kevin	Lathen, Jay		Re: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2292	Email	9/24/15 9:40 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Supplemental Letter?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2293	Email	9/24/15 10:00 AM	Robinson, Michael D.	Galbraith, Kevin		Re: eFax message from "unknown" - 6 page(s), Caller-ID: 1-973-696-6976	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2294	Email with Attachment(s)	9/24/15 10:38 AM	Robinson, Michael D.	Galbraith, Kevin		Fwd: eFax message from "9737289664" - 8 page(s), Caller-ID: 1-973-728-9664	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2295	Email with Attachment(s)	9/24/15 10:39 AM	Robinson, Michael D.	Galbraith, Kevin		Fwd: eFax message from "unknown" - 6 page(s), Caller-ID: 1-973-696-6976	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2296	Email	9/24/15 10:46 AM	Galbraith, Kevin	Robinson, Michael D.		Re: eFax message from "unknown" - 6 page(s), Caller-ID: 1-973-696-6976	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2297	Email with Attachment(s)	9/24/15 10:55 AM	Robinson, Michael D.	Galbraith, Kevin		Fwd: CUSIP 86789VMX0	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2298	Email	9/24/15 11:30 AM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Supplemental Letter?	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
2299	Email	9/24/15 11:46 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Re: Supplemental Letter?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2300	Email with Attachment(s)	9/24/15 11:49 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Re: Supplemental Letter?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2301	Email	9/24/15 12:08 PM	Protass, Harlan	Lathen, Jay		Note re: Authority to Withdraw	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2302	Email	9/24/15 12:10 PM	Galbraith, Kevin	Robinson, Michael D.		Gilka Participant Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2303	Email with Attachment(s)	9/24/15 12:33 PM	Robinson, Michael D.	Galbraith, Kevin		Re: Gilka Participant Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2304	Email	9/24/15 12:35 PM	Galbraith, Kevin	Robinson, Michael D.		Re: Gilka Participant Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2305	Email	9/24/15 2:05 PM	Lathen, Jay	Protass, Harlan		RE: Note re: Authority to Withdraw	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2306	Email	9/24/15 2:10 PM	Lathen, Jay	Robinson, Michael D.		Fwd: Supplemental Letter?	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
2307	Email	9/24/15 2:19 PM	Protass, Harlan	Lathen, Jay		Re: Note re: Authority to Withdraw	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2308	Email	9/24/15 5:27 PM	Robinson, Michael D.	Lathen, Jay		Re: Fwd: Supplemental Letter?	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
2309	Email	9/24/15 5:41 PM	Robinson, Michael D.	Caccimello		Contact Info	Attorney Client Privilege	Communication requesting legal advice of Clayman & Rosenberg LLP.		
2310	Email with Attachment(s)	9/24/15 5:45 PM	Galbraith, Kevin	Lathen, Jay		Re: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2311	Email	9/24/15 6:13 PM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	Fwd: FW: CUSIP 85789VM20 / ITWROS	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2312	Email	9/25/15 9:34 AM	Protass, Harlan	Robinson, Michael D.		Can I call you this morning on your mobile?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2313	Email	9/25/15 12:12 PM	Lathen, Jay	Robinson, Michael D.		RE: Fwd: Supplemental Letter?	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
2314	Email	9/25/15 12:18 PM	Protass, Harlan	Lathen, Jay		Status	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2315	Email	9/25/15 12:58 PM	Lathen, Jay	Robinson, Michael D.		RE: Fwd: Supplemental Letter?	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
2316	Email	9/25/15 2:35 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	GE Synchrony Discussion	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2317	Email	9/25/15 2:43 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Re: GE Synchrony Discussion	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2318	Email	9/25/15 2:47 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: GE Synchrony Discussion	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2319	Email	9/25/15 3:41 PM	Kane, Darren	Lathen, Jay		Form D Information	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2320	Email	9/25/15 7:34 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Re: GE Synchrony Discussion	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2321	Email	9/25/15 7:43 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	Re: GE Synchrony Discussion	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2322	Email	9/25/15 9:27 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: GE Synchrony Discussion	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2323	Email	9/26/15 6:54 AM	Lathen, Jay	Galbraith, Kevin		Re: GE Synchrony Discussion	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2324	Email with Attachment(s)	9/28/15 3:14 PM	Galbraith, Kevin	Lathen, Jay		CIT and Staples Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2325	Email	9/28/15 3:23 PM	Lathen, Jay	Galbraith, Kevin		Re: CIT and Staples Updates	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2326	Email	9/28/15 3:28 PM	Galbraith, Kevin	Lathen, Jay		Re: CIT and Staples Updates	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2327	Email with Attachment(s)	9/28/15 3:37 PM	Lathen, Jay	Robinson, Michael D.		Fwd: CIT and Staples Updates	Attorney Client Privilege/Work Product	Communication reflecting legal advice of Kevin Galbraith.		
2328	Email	9/29/15 3:54 PM	Protass, Harlan	Lathen, Jay		I left a message for Judy at about 11:00. Will let you know when she calls back.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2329	Email	9/29/15 6:10 PM	Protass, Harlan	Lathen, Jay		Fwd: got your message	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2330	Email	9/29/15 6:20 PM	Lathen, Jay	Protass, Harlan		RE: got your message	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2331	Email	9/30/15 6:21 AM	Protass, Harlan	Lathen, Jay		Re: got your message	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2332	Email	9/30/15 6:22 AM	Protass, Harlan	Lathen, Jay		Re: got your message	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2333	Email with Attachment(s)	9/30/15 11:10 AM	Hartman, David	Lathen, Jay	Kane, Darren	Form D Draft for additional information and review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2334	Email	9/30/15 1:58 PM	Galbraith, Kevin	Lathen, Jay		CIT Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2335	Email	10/1/15 10:40 AM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: CIT Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2336	Email with Attachment(s)	10/1/15 10:44 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: CIT Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2337	Email	10/1/15 10:54 AM	Robinson, Michael D.	Galbraith, Kevin; Lathen, Jay		Re: CIT Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2338	Email	10/1/15 11:00 AM	Galbraith, Kevin	Robinson, Michael D.		Re: CIT Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2339	Email with Attachment(s)	10/1/15 12:46 PM	Galbraith, Kevin	Lathen, Jay		Bills for Legal Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2340	Email with Attachment(s)	10/1/15 4:29 PM	Galbraith, Kevin	Lathen, Jay		FW: Caterpillar Submission	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2341	Email with Attachment(s)	10/1/15 4:29 PM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2342	Email	10/1/15 6:27 PM	Lathen, Jay	Protass, Harlan		RE: got your message	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2343	Email	10/1/15 8:37 PM	Protass, Harlan	Lathen, Jay		Re: got your message	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2344	Email with Attachment(s)	10/2/15 1:17 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Notary Affidavit (CIT)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2345	Email with Attachment(s)	10/2/15 1:22 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: Notary Affidavit (CIT)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2346	Email	10/2/15 4:14 PM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	Fwd: CUSIP 85789VM20 / ITWROS	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2347	Email	10/2/15 4:16 PM	Galbraith, Kevin	Robinson, Michael D.; Lathen, Jay		Re: CUSIP 85789VM20 / ITWROS	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2348	Email with Attachment(s)	10/2/15 5:09 PM	Galbraith, Kevin	Lathen, Jay		FW: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2349	Email	10/2/15 5:44 PM	Lathen, Jay	Robinson, Michael D.	Galbraith, Kevin	Re: CUSIP 85789VM20 / ITWROS	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2350	Email	10/2/15 6:55 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	Re: CUSIP 85789VM20 / ITWROS	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2351	Email	10/2/15 6:57 PM	Robinson, Michael D.	Galbraith, Kevin	Lathen, Jay	Re: Notary Affidavit (CIT)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2352	Email	10/5/15 9:39 AM	Protass, Harlan	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2353	Email with Attachment(s)	10/5/15 11:06 AM	Robinson, Michael D.	Galbraith, Kevin		Re: Notary Affidavit (CIT)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2354	Email	10/5/15 11:07 AM	Galbraith, Kevin	Robinson, Michael D.		Re: Notary Affidavit (CIT)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2355	Email	10/5/15 12:42 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	BMO Harris	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2356	Email	10/5/15 1:09 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: BMO Harris	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2357	Email with Attachment(s)	10/5/15 2:35 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: BMO Harris	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2358	Email with Attachment(s)	10/5/15 6:37 PM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	CIT Redemptions 10-5-15	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
2359	Email	10/5/15 1:45 PM	Galbraith, Kevin	Robinson, Michael D.	Lethen, Jay	Re: CIT Redemptions 10-5-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2360	Email	10/5/15 2:48 PM	Robinson, Michael D.	Galbraith, Kevin	Lethen, Jay	Re: CIT Redemptions 10-5-15	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2361	Email	10/5/15 4:42 PM	Galbraith, Kevin	Lethen, Jay		Oral Argument: 9:30 am, 111 Centre Street, Courtroom 1127B	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2362	Email	10/5/15 4:54 PM	Galbraith, Kevin	Robinson, Michael D.	Lethen, Jay	Re: CIT Redemptions 10-5-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2363	Email	10/5/15 5:06 PM	Robinson, Michael D.	Galbraith, Kevin	Lethen, Jay	Re: CIT Redemptions 10-5-15	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2364	Email	10/5/15 5:09 PM	Galbraith, Kevin	Robinson, Michael D.	Lethen, Jay	Re: CIT Redemptions 10-5-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2365	Email	10/5/15 5:31 PM	Lethen, Jay	Galbraith, Kevin		RE: Oral Argument: 9:30 am, 111 Centre Street, Courtroom 1127B	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2366	Email with Attachment(s)	10/5/15 5:12 PM	Galbraith, Kevin	Lethen, Jay		Re: Oral Argument: 9:30 am, 111 Centre Street, Courtroom 1127B	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2367	Email	10/5/15 7:40 PM	Lethen, Jay	Galbraith, Kevin		Re: Oral Argument: 9:30 am, 111 Centre Street, Courtroom 1127B	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2368	Email	10/6/15 8:09 PM	Galbraith, Kevin	Lethen, Jay		Re: Oral Argument: 9:30 am, 111 Centre Street, Courtroom 1127B	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2369	Email	10/8/15 1:43 PM	Protess, Harlan	Lethen, Jay		Tomorrow	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2370	Email	10/8/15 2:46 PM	Lethen, Jay	Galbraith, Kevin		RE: Bills for Legal Services	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2371	Email with Attachment(s)	10/8/15 2:50 PM	Galbraith, Kevin	Lethen, Jay		Re: Bills for Legal Services	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2372	Email	10/8/15 4:21 PM	Protess, Harlan	Lethen, Jay		FYI – I emailed Judy and Adam after our meeting about setting up a call but haven't heard back from them.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2373	Email	10/10/15 9:52 AM	Protess, Harlan	Lethen, Jay		Just set the call with Judy for Thursday at 11:00	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2374	Email	10/13/15 12:03 PM	Lethen, Jay	Protess, Harlan		RE: Just set the call with Judy for Thursday at 11:00	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2375	Email	10/13/15 12:08 PM	Protess, Harlan	Lethen, Jay		Re: Just set the call with Judy for Thursday at 11:00	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2376	Email	10/13/15 4:22 PM	Galbraith, Kevin	Lethen, Jay	Robinson, Michael D.	CIT Johnson Affidavit	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2377	Email	10/13/15 4:45 PM	Lethen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Johnson Affidavit	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2378	Email	10/14/15 2:45 PM	Protess, Harlan	Lethen, Jay		What time can you talk?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2379	Email	10/14/15 3:18 PM	Lethen, Jay	Protess, Harlan		Re: What time can you talk?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2380	Email	10/14/15 3:42 PM	Protess, Harlan	Lethen, Jay	Gosnell, Wayne	Re: What time can you talk?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2381	Email	10/14/15 3:44 PM	Lethen, Jay	Protess, Harlan		Re: What time can you talk?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2382	Email	10/14/15 6:28 PM	Lethen, Jay	Protess, Harlan		RE: What time can you talk?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2383	Email	10/14/15 7:30 PM	Protess, Harlan	Lethen, Jay		Re: What time can you talk?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2384	Email	10/14/15 7:50 PM	Lethen, Jay	Protess, Harlan		Re: What time can you talk?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2385	Email	10/16/15 9:17 AM	Protess, Harlan	Lethen, Jay	Gosnell, Wayne	Questions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2386	Email	10/16/15 11:51 AM	Protess, Harlan	Weinstock, Judith; Grace, Adam S.	Gosnell, Wayne	Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2387	Email	10/16/15 12:50 PM	Galbraith, Kevin	Lethen, Jay	Robinson, Michael D.	BMO Harris Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2388	Email	10/16/15 2:39 PM	Protess, Harlan	Lethen, Jay	Gosnell, Wayne	Fwd: Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2389	Email	10/16/15 2:41 PM	Lethen, Jay	Protess, Harlan	Gosnell, Wayne	RE: Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2390	Email	10/16/15 5:19 PM	Protess, Harlan	Lethen, Jay	Gosnell, Wayne	SEC Procedure	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2391	Email with Attachment(s)	10/16/15 5:50 PM	Lethen, Jay	Protess, Harlan	Gosnell, Wayne	RE: SEC Procedure	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2392	Email with Attachment(s)	10/16/15 6:01 PM	Galbraith, Kevin	Lethen, Jay		Re: BMO Harris Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2393	Email	10/16/15 6:56 PM	Lethen, Jay	Galbraith, Kevin		RE: BMO Harris Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2394	Email with Attachment(s)	10/16/15 8:10 PM	Galbraith, Kevin	Lethen, Jay		Re: BMO Harris Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2395	Email	10/16/15 9:40 PM	Lethen, Jay	Galbraith, Kevin		Re: BMO Harris Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2396	Email with Attachment(s)	10/16/15 10:15 PM	Galbraith, Kevin	Lethen, Jay		FW: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2397	Email	10/19/15 9:26 AM	Protess, Harlan	Lethen, Jay		Got a draft ready yet?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2398	Email	10/19/15 10:37 AM	Lethen, Jay	Protess, Harlan		RE: Got a draft ready yet?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2399	Email with Attachment(s)	10/19/15 10:53 AM	Protess, Harlan	Lethen, Jay		Re: Got a draft ready yet?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2400	Email with Attachment(s)	10/19/15 12:52 PM	Galbraith, Kevin	Lethen, Jay		Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2401	Email with Attachment(s)	10/19/15 1:16 PM	Lethen, Jay	Robinson, Michael D.		FW: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.		
2402	Email with Attachment(s)	10/19/15 8:55 PM	Lethen, Jay	Protess, Harlan		RE: Got a draft ready yet?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2403	Email	10/20/15 6:15 AM	Protess, Harlan	Lethen, Jay		Re: Got a draft ready yet?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2404	Email with Attachment(s)	10/20/15 12:15 PM	Protess, Harlan	Lethen, Jay	Gosnell, Wayne	Re: Got a draft ready yet?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2405	Email	10/20/15 1:05 PM	Lethen, Jay	Protess, Harlan	Gosnell, Wayne	RE: Got a draft ready yet?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2406	Email with Attachment(s)	10/20/15 1:07 PM	Protess, Harlan	Lethen, Jay		Fwd: WestlawNext - Fischedick v Heitmann	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2407	Email	10/20/15 1:22 PM	Lethen, Jay	Protess, Harlan		RE: WestlawNext - Fischedick v Heitmann	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2408	Email with Attachment(s)	10/20/15 1:25 PM	Protess, Harlan	Lethen, Jay		Fwd: WestlawNext - Matter of Grancaric	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2409	Email	10/20/15 1:25 PM	Protess, Harlan	Lethen, Jay		Re: WestlawNext - Fischedick v Heitmann	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2410	Email	10/20/15 1:29 PM	Lethen, Jay	Protess, Harlan		RE: WestlawNext - Fischedick v Heitmann	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2411	Email	10/20/15 1:30 PM	Protess, Harlan	Lethen, Jay		Re: WestlawNext - Fischedick v Heitmann	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2412	Email with Attachment(s)	10/20/15 4:26 PM	Galbraith, Kevin	Lethen, Jay		Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2413	Email with Attachment(s)	10/20/15 5:57 PM	Lethen, Jay	Protess, Harlan	Gosnell, Wayne	RE: Got a draft ready yet?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2414	Email	10/20/15 7:19 PM	Lethen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2415	Email with Attachment(s)	10/21/15 6:16 AM	Protess, Harlan	Lethen, Jay	Gosnell, Wayne	Re: Got a draft ready yet?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2416	Email with Attachment(s)	10/21/15 9:11 AM	Galbraith, Kevin	Lethen, Jay	Robinson, Michael D.	Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
2417	Email with Attachment(s)	10/21/15 9:40 AM	Galbraith, Kevin	Lathen, Jay		FW: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2418	Email with Attachment(s)	10/21/15 11:55 AM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Got a draft ready yet?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2419	Email with Attachment(s)	10/21/15 1:51 PM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Re: Got a draft ready yet?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2420	Email with Attachment(s)	10/21/15 2:33 PM	Robinson, Michael D.	Galbraith, Kevin; Lathen, Jay		Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2421	Email	10/21/15 2:37 PM	Galbraith, Kevin	Robinson, Michael D.; Lathen, Jay		Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2422	Email with Attachment(s)	10/21/15 3:57 PM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne		Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2423	Email	10/21/15 4:46 PM	Protass, Harlan	Lathen, Jay		I'm waiting on a couple sentences from you. Was there a miscommunication?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2424	Email	10/21/15 4:48 PM	Lathen, Jay	Protass, Harlan		RE: I'm waiting on a couple sentences from you. Was there a miscommunication?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2425	Email with Attachment(s)	10/21/15 5:38 PM	Lathen, Jay	Protass, Harlan		RE: I'm waiting on a couple sentences from you. Was there a miscommunication?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2426	Email	10/21/15 5:41 PM	Protass, Harlan	Lathen, Jay		Re: I'm waiting on a couple sentences from you. Was there a miscommunication?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2427	Email	10/21/15 5:43 PM	Lathen, Jay	Protass, Harlan		RE: I'm waiting on a couple sentences from you. Was there a miscommunication?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2428	Email	10/21/15 5:50 PM	Protass, Harlan	Lathen, Jay		Re: I'm waiting on a couple sentences from you. Was there a miscommunication?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2429	Email	10/21/15 5:54 PM	Lathen, Jay	Protass, Harlan		RE: I'm waiting on a couple sentences from you. Was there a miscommunication?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2430	Email	10/21/15 6:26 PM	Protass, Harlan	Lathen, Jay		Re: I'm waiting on a couple sentences from you. Was there a miscommunication?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2431	Email	10/21/15 6:53 PM	Lathen, Jay	Protass, Harlan		RE: I'm waiting on a couple sentences from you. Was there a miscommunication?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2432	Email with Attachment(s)	10/22/15 6:59 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne; Protass, Harlan	Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2433	Email with Attachment(s)	10/22/15 12:08 PM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2434	Email with Attachment(s)	10/22/15 2:02 PM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Final Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2435	Email	10/22/15 2:17 PM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Final Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2436	Email	10/22/15 2:18 PM	Protass, Harlan	Lathen, Jay		Re: Final Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2437	Email with Attachment(s)	10/22/15 3:33 PM	Protass, Harlan	Weinstock, Judith; Grace, Adam S.	Gosnell, Wayne	In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2438	Email	10/22/15 5:13 PM	Lathen, Jay	Hartman, David	Kane, Darren	RE: Form D Draft for additional information and review	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2439	Email	10/22/15 8:29 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: Form D Draft for additional information and review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2440	Email	10/23/15 9:08 AM	Hartman, David	Lathen, Jay	Kane, Darren	RE: Form D Draft for additional information and review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2441	Email with Attachment(s)	10/23/15 11:40 AM	Galbraith, Kevin	Lathen, Jay		FW: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2442	Email	10/23/15 12:25 PM	Lathen, Jay	Hartman, David	Kane, Darren	RE: Form D Draft for additional information and review	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2443	Email with Attachment(s)	10/23/15 12:35 PM	Hartman, David	Lathen, Jay	Kane, Darren	RE: Form D Draft for additional information and review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2444	Email	10/23/15 1:06 PM	Hartman, David	Lathen, Jay	Kane, Darren	CYBERSECURITY SEC RISK ALERTS AND GUIDANCE ON CYBERSECURITY	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2445	Email with Attachment(s)	10/23/15 1:14 PM	Hartman, David	Lathen, Jay		Cybersecurity	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2446	Email with Attachment(s)	10/23/15 9:46 PM	Hartman, David	Lathen, Jay	Kane, Darren	FW: Form D Draft for additional information and review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2447	Email with Attachment(s)	10/24/15 7:45 AM	Galbraith, Kevin	Lathen, Jay		FW: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2448	Email	10/24/15 8:45 AM	Lathen, Jay	Galbraith, Kevin		Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2449	Email	10/24/15 10:53 AM	Galbraith, Kevin	Lathen, Jay		Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2450	Email with Attachment(s)	10/24/15 11:18 AM	Lathen, Jay	Robinson, Michael D.		Fwd: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of Kevin Galbraith.		
2451	Email	10/24/15 11:20 AM	Lathen, Jay	Galbraith, Kevin		Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2452	Email	10/24/15 11:24 AM	Galbraith, Kevin	Lathen, Jay		Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2453	Email with Attachment(s)	10/26/15 10:32 AM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	FW: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2454	Email	10/26/15 11:01 AM	Lathen, Jay	Hartman, David	Kane, Darren	RE: Form D Draft for additional information and review	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2455	Email	10/26/15 12:06 PM	Lathen, Jay	Galbraith, Kevin		RE: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2456	Email with Attachment(s)	10/26/15 12:10 PM	Galbraith, Kevin	Lathen, Jay		Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2457	Email with Attachment(s)	10/26/15 2:23 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	FW: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2458	Email	10/26/15 2:59 PM	Lathen, Jay	Galbraith, Kevin	Robinson, Michael D.	RE: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2459	Email with Attachment(s)	10/26/15 3:09 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2460	Email with Attachment(s)	10/26/15 5:03 PM	Galbraith, Kevin	Lathen, Jay		FW: Eden Arc Capital CD Redemptions	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2461	Email with Attachment(s)	10/27/15 4:02 PM	Galbraith, Kevin	Lathen, Jay		Message from Christopher Robertson	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	CC	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Date(s)
2462	Email with Attachment(s)	10/27/15 4:10 PM	Galbraith, Kevin	Lathen, Jay	Robinson, Michael D.	Re: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2463	Email with Attachment(s)	10/27/15 4:32 PM	Robinson, Michael D.	Galbraith, Kevin; Lathen, Jay		Re: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2464	Email	10/27/15 4:33 PM	Galbraith, Kevin	Robinson, Michael D.; Lathen, Jay		Re: CONFIDENTIAL/FOR SETTLEMENT PURPOSES ONLY - RE: Pending Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2465	Email	10/27/15 4:52 PM	Lathen, Jay	Galbraith, Kevin		RE: Message from Christopher Robertson	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2466	Email with Attachment(s)	10/27/15 5:07 PM	Galbraith, Kevin	Lathen, Jay		Re: Message from Christopher Robertson	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2467	Email	10/27/15 5:09 PM	Lathen, Jay	Galbraith, Kevin		RE: Message from Christopher Robertson	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2468	Email	10/27/15 11:15 PM	Galbraith, Kevin	Lathen, Jay; Robertson, Christopher; Protass, Harlan		Conference Call 11:15 am Thursday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2469	Email	10/28/15 7:15 PM	Hartman, David	Lathen, Jay	Kane, Darren; Hartman, David	Fund ID	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2470	Email	10/29/15 10:59 AM	Galbraith, Kevin	Lathen, Jay; Protass, Harlan		FW: Can we move call to 11:45?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2471	Email	10/29/15 11:00 AM	Lathen, Jay	Galbraith, Kevin; Protass, Harlan		RE: Can we move call to 11:45?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2472	Email	10/29/15 11:02 AM	Protass, Harlan	Galbraith, Kevin	Lathen, Jay	Re: FW: Can we move call to 11:45?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2473	Email	10/29/15 11:03 AM	Galbraith, Kevin	Protass, Harlan	Lathen, Jay	Re: Can we move call to 11:45?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2474	Email with Attachment(s)	10/29/15 11:04 AM	Galbraith, Kevin	Lathen, Jay; Robertson, Christopher; Protass, Harlan		Re: Conference Call 11:45 am Thursday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2475	Email	10/29/15 11:07 AM	Protass, Harlan	Galbraith, Kevin	Lathen, Jay	Re: Can we move call to 11:45?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2476	Email with Attachment(s)	10/29/15 11:17 AM	Robertson, Christopher	Galbraith, Kevin	Lathen, Jay; Protass, Harlan	Re: Conference Call 11:45 am Thursday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2477	Email	10/29/15 11:32 AM	Lathen, Jay	Hartman, David	Kane, Darren	RE: Fund ID	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2478	Email with Attachment(s)	10/29/15 11:42 AM	Robertson, Christopher	Galbraith, Kevin	Lathen, Jay; Protass, Harlan	Re: Conference Call 11:45 am Thursday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2479	Email	10/29/15 11:43 AM	Protass, Harlan	Robertson, Christopher	Galbraith, Kevin; Lathen, Jay	Re: Conference Call 11:45 am Thursday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2480	Email	10/29/15 11:43 AM	Lathen, Jay	Protass, Harlan; Robertson, Christopher	Galbraith, Kevin	RE: Conference Call 11:45 am Thursday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2481	Email	10/29/15 11:47 AM	Robertson, Christopher	Lathen, Jay	Protass, Harlan; Galbraith, Kevin	Re: Conference Call 11:45 am Thursday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2482	Email	10/29/15 12:40 PM	Robertson, Christopher	Lathen, Jay; Protass, Harlan	Galbraith, Kevin	RE: Conference Call 11:45 am Thursday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2483	Email	10/29/15 12:41 PM	Galbraith, Kevin	Robertson, Christopher; Lathen, Jay; Protass, Harlan		Re: Conference Call 11:45 am Thursday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2484	Email	10/29/15 12:42 PM	Lathen, Jay	Robertson, Christopher; Protass, Harlan	Galbraith, Kevin	RE: Conference Call 11:45 am Thursday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2485	Email	10/29/15 3:41 PM	Protass, Harlan	Lathen, Jay		SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2486	Email	10/29/15 3:21 PM	Lathen, Jay	Protass, Harlan		RE: SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2487	Email	10/29/15 3:24 PM	Protass, Harlan	Lathen, Jay		Re: SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2488	Email with Attachment(s)	10/29/15 4:34 PM	Lathen, Jay	Protass, Harlan		RE: SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2489	Email	10/29/15 5:20 PM	Protass, Harlan	Lathen, Jay		Re: SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2490	Email	11/2/15 8:00 AM	Kane, Darren	Lathen, Jay		Form D Submission	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2491	Email	11/2/15 4:01 PM	Protass, Harlan	Lathen, Jay		No News	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2492	Email	11/2/15 4:10 PM	Lathen, Jay	Protass, Harlan		RE: No News	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2493	Email with Attachment(s)	11/2/15 5:07 PM	Galbraith, Kevin	Lathen, Jay		Bill through 11/2/15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2494	Email	11/5/15 6:23 PM	Lathen, Jay	Galbraith, Kevin		GE Capital	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2495	Email	11/5/15 10:59 PM	Galbraith, Kevin	Lathen, Jay		Re: GE Capital	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2496	Email with Attachment(s)	11/6/15 10:45 AM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2497	Email with Attachment(s)	11/6/15 10:47 AM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2498	Email	11/6/15 12:00 PM	Protass, Harlan	Lathen, Jay		Implica	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2499	Email	11/6/15 1:33 PM	Protass, Harlan	Lathen, Jay		Please give me a call.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2500	Email	11/6/15 4:05 PM	Lathen, Jay	Protass, Harlan		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2501	Email	11/6/15 4:08 PM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Re: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2502	Email	11/6/15 4:09 PM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2503	Email	11/6/15 4:30 PM	Kane, Darren	Lathen, Jay		Confidential	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2504	Email	11/6/15 4:35 PM	Protass, Harlan	Lathen, Jay		Re: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2505	Email with Attachment(s)	11/6/15 4:56 PM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin; Gosnell, Wayne	Memo of Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2506	Email	11/6/15 4:58 PM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin; Gosnell, Wayne	RE: Memo of Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2507	Email with Attachment(s)	11/6/15 5:00 PM	Lathen, Jay	Kane, Darren		FW: Memo of Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2508	Email	11/6/15 5:14 PM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin; Gosnell, Wayne	RE: Memo of Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2509	Email	11/6/15 5:24 PM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin; Gosnell, Wayne	Re: Memo of Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2510	Email	11/6/15 5:42 PM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin; Gosnell, Wayne	RE: Memo of Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2511	Email with Attachment(s)	11/6/15 5:52 PM	Lathen, Jay	Robinson, Michael D.		FW: Memo of Call	Attorney Client Privilege/Work Product	Communication reflecting legal advice of Harlan Protass.		
2512	Email	11/6/15 6:51 PM	Robinson, Michael D.	Lathen, Jay		Re: Memo of Call	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
2513	Email	11/6/15 9:13 PM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin; Gosnell, Wayne	Re: Memo of Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2514	Email	11/6/15 9:13 PM	Lathen, Jay	Robinson, Michael D.		Re: Memo of Call	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
2515	Email	11/7/15 7:45 AM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin; Gosnell, Wayne	Re: Memo of Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2516	Email	11/7/15 2:09 PM	Kane, Darren	Lathen, Jay		RE: FW: Memo of Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2517	Email with Attachment(s)	11/8/15 3:51 PM	Kane, Darren	Lathen, Jay		RE: Memo of Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2518	Email	11/9/15 2:33 PM	Protass, Harlan	Lathen, Jay; Galbraith, Kevin	Gosnell, Wayne		Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2519	Email	11/9/15 5:56 PM	Galbraith, Kevin	Lathen, Jay		Opinion Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2520	Email	11/10/15 9:54 AM	Protass, Harlan	Lathen, Jay; Galbraith, Kevin; Gosnell, Wayne		Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2521	Email	11/10/15 10:18 AM	Lathen, Jay	Protass, Harlan	Galbraith, Kevin; Gosnell, Wayne	Re: Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Notes
2522	Email	11/10/15 10:51 AM	Protass, Harlan	Lathen, Jay	Galbraith, Kevin; Gosnell, Wayne	Re: Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2523	Email with Attachment(s)	11/10/15 1:18 PM	Protass, Harlan	Lathen, Jay		See attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2524	Email	11/10/15 1:54 PM	Lathen, Jay	Protass, Harlan		RE: See attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2525	Email	11/10/15 2:10 PM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Re: See attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2526	Email with Attachment(s)	11/10/15 2:55 PM	Protass, Harlan	Lathen, Jay		See attached and call me	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2527	Email	11/10/15 3:38 PM	Lathen, Jay	Galbraith, Kevin		RE: Opinion Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2528	Email with Attachment(s)	11/10/15 3:53 PM	Galbraith, Kevin	Lathen, Jay		Re: Opinion Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2529	Email	11/10/15 4:37 PM	Lathen, Jay	Kane, Darren		RE: Memo of Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2530	Email with Attachment(s)	11/10/15 5:47 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		FW: Eden Arc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2531	Email	11/10/15 6:26 PM	Kane, Darren	Lathen, Jay		FYI	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2532	Email with Attachment(s)	11/10/15 7:52 PM	Auslander, Jay S.	Grundstein, Robert	Lathen, Jay	Re: Introduction	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2533	Email	11/10/15 10:31 PM	Kane, Darren	Lathen, Jay		RE: Memo of Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2534	Email	11/11/15 11:11 AM	Lathen, Jay	Auslander, Jay S.		RE: Introduction	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2535	Email	11/11/15 11:32 AM	Lathen, Jay	Southwell, Alexander H.		Eden Arc - SEC Matter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2536	Email	11/11/15 1:04 PM	Galbraith, Kevin	Lathen, Jay		Firms + Attorneys	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2537	Email	11/11/15 1:55 PM	Protass, Harlan	Lathen, Jay		Fwd: In re Eden Arc Capital Management, LLC, File No. NY-9197	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2538	Email with Attachment(s)	11/11/15 2:21 PM	Lathen, Jay	Auslander, Jay S.		RE: Introduction	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2539	Email	11/11/15 2:26 PM	Lathen, Jay	Galbraith, Kevin		Re: Firms + Attorneys	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2540	Email	11/11/15 2:34 PM	Southwell, Alexander H.	Lathen, Jay		RE: Eden Arc - SEC Matter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2541	Email	11/11/15 2:45 PM	Lathen, Jay	Galbraith, Kevin		Fwd: In re Eden Arc Capital Management, LLC, File No. NY-9197	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2542	Email	11/11/15 2:47 PM	Lathen, Jay	Southwell, Alexander H.		Re: Eden Arc - SEC Matter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2543	Email	11/11/15 2:48 PM	Galbraith, Kevin	Lathen, Jay		Re: In re Eden Arc Capital Management, LLC, File No. NY 9197	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2544	Email	11/11/15 2:59 PM	Lathen, Jay	Protass, Harlan		RE: In re Eden Arc Capital Management, LLC, File No. NY 9197	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2545	Email	11/11/15 3:04 PM	Galbraith, Kevin	Lathen, Jay		Re: Firms + Attorneys	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2546	Email	11/11/15 3:15 PM	Protass, Harlan	Lathen, Jay		Re: In re Eden Arc Capital Management, LLC, File No. NY 9197	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2547	Email	11/11/15 4:50 PM	Galbraith, Kevin	Lathen, Jay		DRAFT Message to Prospective Firms	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2548	Email with Attachment(s)	11/11/15 5:17 PM	Lathen, Jay	Galbraith, Kevin		FW: Introduction	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2549	Email	11/11/15 5:17 PM	Lathen, Jay	Galbraith, Kevin		RE: DRAFT Message to Prospective Firms	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2550	Email with Attachment(s)	11/11/15 5:49 PM	Galbraith, Kevin	Lathen, Jay		FW: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2551	Email	11/11/15 10:33 PM	Auslander, Jay S.	Lathen, Jay		Re: Introduction	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2552	Email with Attachment(s)	11/12/15 9:35 AM	Galbraith, Kevin	Lathen, Jay		Re: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2553	Email	11/12/15 9:52 AM	Lathen, Jay	Galbraith, Kevin		RE: Meeting with Prospective Client?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2554	Email with Attachment(s)	11/12/15 10:31 AM	Galbraith, Kevin	Lathen, Jay		Re: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2555	Email with Attachment(s)	11/12/15 10:38 AM	Galbraith, Kevin	Lathen, Jay		Re: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2556	Email	11/12/15 10:40 AM	Lathen, Jay	Galbraith, Kevin		RE: Meeting with Prospective Client?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2557	Email with Attachment(s)	11/12/15 10:42 AM	Galbraith, Kevin	Lathen, Jay		Re: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2558	Email	11/12/15 10:44 AM	Lathen, Jay	Galbraith, Kevin		RE: Meeting with Prospective Client?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2559	Email with Attachment(s)	11/12/15 11:32 AM	Galbraith, Kevin	Lathen, Jay		Re: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2560	Email with Attachment(s)	11/12/15 11:33 AM	Galbraith, Kevin	Lathen, Jay		Re: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2561	Email	11/12/15 12:02 PM	Lathen, Jay	Galbraith, Kevin		RE: Meeting with Prospective Client?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2562	Email with Attachment(s)	11/12/15 12:21 PM	Galbraith, Kevin	Lathen, Jay		Re: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2563	Email	11/12/15 2:17 PM	Galbraith, Kevin	Lathen, Jay		Arkin & O'Brien Meeting	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2564	Email	11/12/15 2:21 PM	Lathen, Jay	Galbraith, Kevin		RE: Arkin & O'Brien Meeting	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2565	Email with Attachment(s)	11/12/15 2:32 PM	Galbraith, Kevin	Lathen, Jay		Re: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2566	Email with Attachment(s)	11/12/15 2:49 PM	Lathen, Jay	Galbraith, Kevin		RE: Meeting with Prospective Client?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2567	Email with Attachment(s)	11/12/15 3:05 PM	Galbraith, Kevin	Lathen, Jay		Re: Meeting with Prospective Client?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2568	Email	11/12/15 3:41 PM	Protass, Harlan	Lathen, Jay		Links	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2569	Email	11/12/15 4:05 PM	Lathen, Jay	Protass, Harlan		RE: Links	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2570	Email	11/12/15 4:10 PM	Protass, Harlan	Lathen, Jay		Re: Links	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2571	Email	11/12/15 4:13 PM	Lathen, Jay	Protass, Harlan		RE: Links	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2572	Email	11/12/15 4:15 PM	Protass, Harlan	Lathen, Jay		Re: Links	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2573	Email	11/13/15 6:14 AM	Protass, Harlan	Lathen, Jay		Cozen O'Conner	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2574	Email with Attachment(s)	11/13/15 10:05 AM	Galbraith, Kevin	Lathen, Jay		Re: Arkin & O'Brien Meeting	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2575	Email	11/13/15 11:28 AM	Protass, Harlan	Lathen, Jay		Another Possible Name	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2576	Email	11/13/15 11:58 AM	Lathen, Jay	Galbraith, Kevin		Re: Arkin & O'Brien Meeting	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2577	Email	11/13/15 1:25 PM	Lathen, Jay	Protass, Harlan		RE: Another Possible Name	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2578	Email	11/13/15 1:28 PM	Protass, Harlan	Lathen, Jay		Re: Another Possible Name	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Beg #
2579	Email	11/13/15 4:01 PM	Lathen, Jay	Protass, Harlan		RE: Cozen O'Connor	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2580	Email	11/13/15 4:10 PM	Protass, Harlan	Lathen, Jay		Re: Cozen O'Connor	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2581	Email	11/13/15 4:17 PM	Protass, Harlan	Lathen, Jay		How'd it go with Stanley Arkin?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2582	Email	11/13/15 4:31 PM	Lathen, Jay	Protass, Harlan		Re: How'd it go with Stanley Arkin?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2583	Email	11/13/15 7:36 PM	Lathen, Jay	Protass, Harlan		Re: How'd it go with Stanley Arkin?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2584	Email	11/13/15 8:11 PM	Protass, Harlan	Lathen, Jay		Re: How'd it go with Stanley Arkin?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2585	Email	11/16/15 10:50 AM	Galbraith, Kevin	Lathen, Jay		SEC items	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2586	Email	11/16/15 12:00 PM	Lathen, Jay	Galbraith, Kevin		Re: SEC items	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2587	Email	11/16/15 12:41 PM	Galbraith, Kevin	Lathen, Jay		Paul Weiss Meeting Tues 11/17 @ 2 pm: 1285 Sixth Avenue	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2588	Email	11/16/15 1:17 PM	Lathen, Jay	Protass, Harlan; Gosnell, Wayne		One other thing	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2589	Email	11/16/15 3:26 PM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2590	Email	11/16/15 4:33 PM	Protass, Harlan	Lathen, Jay		Chris LaVigne	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2591	Email	11/16/15 5:38 PM	Lathen, Jay	Protass, Harlan		RE: Chris LaVigne	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2592	Email	11/16/15 5:40 PM	Protass, Harlan	Lathen, Jay		Re: Chris LaVigne	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2593	Email	11/17/15 8:42 AM	Southwell, Alexander H.	Lathen, Jay		Sorry missed connected	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2594	Email	11/17/15 9:16 AM	Lathen, Jay	Southwell, Alexander H.		Re: Sorry missed connected	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2595	Email with Attachment(s)	11/17/15 12:23 PM	Lathen, Jay	Hunter, Fraser; Platt, Charles C.	Galbraith, Kevin	Eden Arc follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2596	Email with Attachment(s)	11/17/15 1:05 PM	Lathen, Jay	Southwell, Alexander H.		RE: Sorry missed connected	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2597	Email	11/17/15 4:15 PM	Protass, Harlan	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2598	Email	11/17/15 5:11 PM	Galbraith, Kevin	Lathen, Jay		Susan Brune	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2599	Email	11/17/15 5:50 PM	Lathen, Jay	Galbraith, Kevin		RE: Susan Brune	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2600	Email with Attachment(s)	11/17/15 5:59 PM	Galbraith, Kevin	Lathen, Jay		Re: Susan Brune	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2601	Email	11/17/15 6:51 PM	Lathen, Jay	Protass, Harlan		Script with Judy	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2602	Email	11/18/15 7:28 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Re: Script with Judy	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2603	Email	11/18/15 8:55 AM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	Re: Script with Judy	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2604	Email	11/18/15 8:41 AM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	Re: Script with Judy	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2605	Email	11/18/15 9:31 AM	Protass, Harlan	Lathen, Jay	Gosnell, Wayne	Re: Script with Judy	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2606	Email	11/18/15 9:32 AM	Galbraith, Kevin	Lathen, Jay		Susan Brune	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2607	Email	11/18/15 10:40 AM	Galbraith, Kevin	Lathen, Jay		Fee Proposal for Wells Submission and Senior Enforcement Staff Meeting	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2608	Email	11/18/15 11:29 AM	Lathen, Jay	Galbraith, Kevin		Re: Susan Brune	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2609	Email	11/18/15 11:29 AM	Lathen, Jay	Galbraith, Kevin		Re: Susan Brune	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2610	Email	11/18/15 11:51 AM	Galbraith, Kevin	Lathen, Jay		Re: Susan Brune	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2611	Email	11/18/15 1:07 PM	Southwell, Alexander H.	Lathen, Jay		RE: Sorry missed connected	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2612	Email	11/18/15 1:13 PM	Lathen, Jay	Southwell, Alexander H.		RE: Sorry missed connected	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2613	Email	11/18/15 1:23 PM	Lathen, Jay	Protass, Harlan	Gosnell, Wayne	RE: Script with Judy	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2614	Email with Attachment(s)	11/18/15 2:09 PM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	BMO-Harris Redemptions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2615	Email	11/18/15 3:39 PM	Lathen, Jay	Galbraith, Kevin		GE follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2616	Email	11/18/15 4:06 PM	Galbraith, Kevin	Lathen, Jay		Re: GE follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2617	Email with Attachment(s)	11/18/15 4:22 PM	Protass, Harlan	Lathen, Jay		Wells Submission	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2618	Email with Attachment(s)	11/18/15 4:54 PM	Galbraith, Kevin	Lathen, Jay		Re: GE follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2619	Email	11/18/15 5:07 PM	Protass, Harlan	Lathen, Jay		Sean O'Shea	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2620	Email	11/18/15 5:12 PM	Protass, Harlan	Lathen, Jay		This sums up O'Shea	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2621	Email with Attachment(s)	11/18/15 6:21 PM	Galbraith, Kevin	Lathen, Jay		Re: Susan Brune	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2622	Email	11/18/15 6:23 PM	Lathen, Jay	Galbraith, Kevin		RE: Susan Brune	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2623	Email	11/19/15 11:10 AM	Hunter, Fraser	Lathen, Jay; Platt, Charles C.	Galbraith, Kevin	RE: Eden Arc follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2624	Email	11/19/15 3:12 PM	Lathen, Jay	Hunter, Fraser; Platt, Charles C.	Galbraith, Kevin	RE: Eden Arc follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2625	Email with Attachment(s)	11/19/15 4:09 PM	Lathen, Jay	O'Shea, Sean		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2626	Email	11/19/15 4:12 PM	O'Shea, Sean	Lathen, Jay		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2627	Email	11/19/15 6:25 PM	Lathen, Jay	O'Shea, Sean		RE: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2628	Email	11/20/15 9:28 AM	Lathen, Jay	Protass, Harlan		SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2629	Email	11/20/15 9:41 AM	Protass, Harlan	Lathen, Jay		Re: SEC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2630	Email	11/20/15 9:47 AM	Lathen, Jay	Protass, Harlan		Re: SEC	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2631	Email	11/20/15 10:27 AM	O'Shea, Sean	Lathen, Jay		RE: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2632	Email	11/20/15 12:01 PM	Lathen, Jay	O'Shea, Sean		Re: Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2633	Email	11/20/15 1:33 PM	Hunter, Fraser	Lathen, Jay; Platt, Charles C.	Galbraith, Kevin	RE: Eden Arc follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2634	Email	11/20/15 2:17 PM	Galbraith, Kevin	Lathen, Jay		FW: Eden Arc follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2635	Email	11/20/15 2:28 PM	Lathen, Jay	Galbraith, Kevin		RE: Eden Arc follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2636	Email	11/20/15 2:29 PM	Protass, Harlan	Lathen, Jay		When do you want to talk?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2637	Email with Attachment(s)	11/20/15 2:40 PM	Galbraith, Kevin	Lathen, Jay		Re: Eden Arc follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2638	Email	11/20/15 2:56 PM	Lathen, Jay	Southwell, Alexander H.		RE: Sorry missed connected	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2639	Email	11/20/15 3:20 PM	Southwell, Alexander H.	Lathen, Jay		RE: Sorry missed connected	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2640	Email	11/21/15 12:21 AM	Protass, Harlan	Lathen, Jay		Fwd: Docket Update: United States Securities and Exchange Commission v. Staples et al	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2641	Email	11/21/15 3:42 PM	Lathen, Jay	Protass, Harlan		Re: Docket Update: United States Securities and Exchange Commission v. Staples et al	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2642	Email	11/21/15 4:30 PM	Auslander, Jay S.	Lathen, Jay		Re: Introduction	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2643	Email	11/21/15 9:00 PM	Protass, Harlan	Lathen, Jay		Re: Docket Update: United States Securities and Exchange Commission v. Staples et al	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Notes
2644	Email	11/23/15 9:27 AM	Southwell, Alexander H.	Lathen, Jay		RE: Sorry missed connected	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2645	Email	11/23/15 11:24 AM	Protass, Harlan	Lathen, Jay		Fwd: following up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2646	Email	11/23/15 11:57 AM	Lathen, Jay	Protass, Harlan		Re: following up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2647	Email	11/23/15 1:27 PM	Protass, Harlan	Lathen, Jay		Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2648	Email	11/23/15 1:42 PM	Southwell, Alexander H.	Lathen, Jay		Obus trial info	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2649	Email	11/23/15 5:01 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2650	Email	11/23/15 5:08 PM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2651	Email	11/23/15 5:10 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2652	Email	11/23/15 5:16 PM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2653	Email	11/23/15 6:14 PM	Southwell, Alexander H.	Lathen, Jay		Can you talk at 10am Wednesday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2654	Email	11/23/15 6:14 PM	Lathen, Jay	Southwell, Alexander H.		RE: Can you talk at 10am Wednesday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2655	Email	11/23/15 6:44 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2656	Email	11/24/15 8:35 AM	Southwell, Alexander H.	Lathen, Jay; Schonfeld, Mark K.; Cohen, Joel M.		Call re case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2657	Email	11/24/15 9:51 AM	Protass, Harlan	Lathen, Jay		Sean would like to see your SEC testimony. OK with you if I send it to him?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2658	Email	11/24/15 10:00 AM	Lathen, Jay	Protass, Harlan		Re: Sean would like to see your SEC testimony. OK with you if I send it to him?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2659	Email	11/24/15 10:21 AM	Galbraith, Kevin	Lathen, Jay		GE / Synchrony etc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2660	Email with Attachment(s)	11/24/15 11:16 AM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2661	Email	11/24/15 1:53 PM	Southwell, Alexander H.	Lathen, Jay; Schonfeld, Mark K.; Cohen, Joel M.		Call re case	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2662	Email	11/24/15 1:54 PM	Lathen, Jay	Southwell, Alexander H.		Accepted: Call re case	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2663	Email with Attachment(s)	11/24/15 2:49 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2664	Email	11/24/15 2:55 PM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2665	Email	11/24/15 2:35 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2666	Email	11/24/15 3:57 PM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2667	Email	11/24/15 4:05 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2668	Email	11/24/15 4:24 PM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2669	Email	11/24/15 4:41 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2670	Email	11/24/15 4:43 PM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2671	Email	11/24/15 4:47 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2672	Email	11/24/15 4:48 PM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2673	Email with Attachment(s)	11/24/15 5:09 PM	Galbraith, Kevin	Lathen, Jay		Re: GE / Synchrony etc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2674	Email	11/24/15 5:16 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2675	Email with Attachment(s)	11/24/15 5:29 PM	Lathen, Jay	Galbraith, Kevin		RE: GE / Synchrony etc.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2676	Email	11/24/15 6:10 PM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2677	Email with Attachment(s)	11/24/15 6:24 PM	Galbraith, Kevin	Lathen, Jay		Re: GE / Synchrony etc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2678	Email	11/25/15 9:24 AM	O'Shea, Sean	Lathen, Jay	Petrella, Michael	SEC (NY-9197)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2679	Email with Attachment(s)	11/25/15 11:42 AM	Galbraith, Kevin	Lathen, Jay		FW: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2680	Email	11/25/15 11:49 AM	Lathen, Jay	Galbraith, Kevin		RE: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2681	Email with Attachment(s)	11/25/15 12:03 PM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2682	Email with Attachment(s)	11/25/15 2:29 PM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2683	Email with Attachment(s)	11/25/15 2:31 PM	Lathen, Jay	Robinson, Michael D.		FW: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of Harlan Protass.		
2684	Email	11/25/15 2:32 PM	Lathen, Jay	Galbraith, Kevin		RE: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2685	Email	11/25/15 2:34 PM	Lathen, Jay	Protass, Harlan		RE: Draft Email	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2686	Email with Attachment(s)	11/25/15 3:19 PM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2687	Email	11/25/15 3:22 PM	Lathen, Jay	Galbraith, Kevin		RE: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2688	Email with Attachment(s)	11/25/15 3:28 PM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2689	Email	11/25/15 3:34 PM	Protass, Harlan	Lathen, Jay		Re: Draft Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2690	Email with Attachment(s)	11/25/15 3:45 PM	Galbraith, Kevin	Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2691	Email	11/25/15 3:53 PM	Protass, Harlan	Lathen, Jay		We are good with Judy about getting back to her on Monday.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2692	Email with Attachment(s)	11/25/15 4:20 PM	Protass, Harlan	Lathen, Jay		Revised draft letter to Judy attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2693	Email	11/25/15 4:54 PM	Lathen, Jay	Protass, Harlan		Re: Revised draft letter to Judy attached	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2694	Email	11/25/15 4:58 PM	Protass, Harlan	Lathen, Jay		Re: Revised draft letter to Judy attached	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2695	Email with Attachment(s)	11/25/15 5:01 PM	Protass, Harlan	Lathen, Jay		Fwd: WestlawNext - Chiarella v. U. S.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2696	Email with Attachment(s)	11/29/15 9:38 AM	Robinson, Michael D.	Lathen, Jay	Galbraith, Kevin	Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2697	Email	11/30/15 8:46 AM	Galbraith, Kevin	Robinson, Michael D.; Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2698	Email	11/30/15 10:17 AM	Robinson, Michael D.	Galbraith, Kevin; Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2699	Email	11/30/15 10:45 AM	Galbraith, Kevin	Robinson, Michael D.; Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2700	Email with Attachment(s)	11/30/15 1:31 PM	Protass, Harlan	Lathen, Jay		Revised Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2701	Email	11/30/15 2:04 PM	Lathen, Jay	Protass, Harlan		RE: Revised Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Batch
2702	Email	11/30/15 2:05 PM	Protass, Harlan	Lathen, Jay		Re: Revised Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2703	Email with Attachment(s)	11/30/15 5:04 PM	Lathen, Jay	Protass, Harlan		RE: Revised Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2704	Email with Attachment(s)	11/30/15 5:26 PM	Protass, Harlan	Lathen, Jay		Re: Revised Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2705	Email	11/30/15 5:31 PM	Lathen, Jay	Galbraith, Kevin; Robinson, Michael D.		RE: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2706	Email with Attachment(s)	11/30/15 5:40 PM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2707	Email	11/30/15 5:44 PM	Lathen, Jay	Protass, Harlan		RE: Revised Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2708	Email	11/30/15 5:55 PM	Protass, Harlan	Lathen, Jay		Re: Revised Letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2709	Email	11/30/15 9:46 PM	Lathen, Jay	Protass, Harlan		RE: Revised Letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2710	Email with Attachment(s)	12/1/15 12:56 AM	Protass, Harlan	Weinstock, Judith; Grace, Adam S.	Gosnell, Wayne	In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2711	Email with Attachment(s)	12/1/15 2:07 PM	Lathen, Jay	Kane, Darren		FW: In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2712	Email	12/1/15 2:44 PM	Kane, Darren	Lathen, Jay		Office of Inspector General	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2713	Email	12/1/15 3:27 PM	Protass, Harlan	Lathen, Jay		Fwd: In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2714	Email	12/1/15 5:49 PM	Lathen, Jay	Protass, Harlan		RE: In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2715	Email with Attachment(s)	12/1/15 6:01 PM	Lathen, Jay	Auslander, Jay S.		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2716	Email	12/1/15 7:57 PM	Protass, Harlan	Lathen, Jay		Re: In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2717	Email	12/1/15 8:17 PM	Auslander, Jay S.	Lathen, Jay		Re: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2718	Email	12/1/15 8:21 PM	Lathen, Jay	Protass, Harlan		RE: In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2719	Email	12/1/15 8:26 PM	Protass, Harlan	Lathen, Jay		Re: In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2720	Email	12/1/15 8:30 PM	Lathen, Jay	Protass, Harlan		RE: In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2721	Email	12/1/15 9:02 PM	Protass, Harlan	Lathen, Jay		Re: In the Matter of Eden Arc Capital Management, LLC (NY-9197)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2722	Email	12/2/15 10:48 AM	O'Shea, Sean	Lathen, Jay	Petrella, Michael	RE: SEC (NY-9197)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2723	Email with Attachment(s)	12/2/15 2:02 PM	Lathen, Jay	Hunter, Fraser		RE: Eden Arc follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2724	Email with Attachment(s)	12/2/15 2:17 PM	Lathen, Jay	O'Shea, Sean	Petrella, Michael	RE: SEC (NY-9197)	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2725	Email with Attachment(s)	12/2/15 2:24 PM	Lathen, Jay	Brune, Susan		Eden Arc - follow up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2726	Email with Attachment(s)	12/2/15 2:32 PM	Lathen, Jay	Galbraith, Kevin		RE: GE / Synchrony etc.	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2727	Email with Attachment(s)	12/2/15 2:40 PM	Galbraith, Kevin	Lathen, Jay		Re: GE / Synchrony etc.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2728	Email	12/2/15 4:51 PM	Brune, Susan	Lathen, Jay		Re: Eden Arc - follow up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2729	Email	12/2/15 5:13 PM	Lathen, Jay	Brune, Susan		RE: Eden Arc - follow up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2730	Email	12/2/15 5:17 PM	Brune, Susan	Lathen, Jay		Re: Eden Arc - follow up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2731	Email with Attachment(s)	12/3/15 10:50 AM	Galbraith, Kevin	Lathen, Jay; Robinson, Michael D.		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2732	Email	12/3/15 10:59 AM	Protass, Harlan	Lathen, Jay		I will send you our proposal today.	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2733	Email	12/3/15 12:00 PM	Galbraith, Kevin	Lathen, Jay		Follow-Up to Discussion	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2734	Email with Attachment(s)	12/3/15 1:52 PM	Robinson, Michael D.	Galbraith, Kevin; Lathen, Jay		Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2735	Email	12/3/15 3:17 PM	Galbraith, Kevin	Robinson, Michael D.	Lathen, Jay	Re: Survivor's Option Redemption Requests	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2736	Email	12/3/15 5:13 PM	Protass, Harlan	Lathen, Jay		Proposal for Continued Representation	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2737	Email	12/4/15 7:16 AM	Brune, Susan	Lathen, Jay		RE: Eden Arc - follow up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2738	Email	12/4/15 9:28 AM	Lathen, Jay	Brune, Susan		RE: Eden Arc - follow up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2739	Email	12/4/15 9:29 AM	Brune, Susan	Lathen, Jay		RE: Eden Arc - follow up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2740	Email	12/4/15 9:30 AM	Lathen, Jay	Brune, Susan		RE: Eden Arc - follow up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2741	Email with Attachment(s)	12/4/15 1:13 PM	Galbraith, Kevin	Lathen, Jay		Legal Fee	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2742	Email	12/4/15 9:24 PM	Protass, Harlan	Lathen, Jay		Judy	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2743	Email	12/4/15 10:07 PM	Lathen, Jay	Protass, Harlan		Re: Judy	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2744	Email	12/5/15 10:50 AM	Protass, Harlan	Lathen, Jay		Re: Judy	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2745	Email	12/5/15 11:53 AM	Lathen, Jay	Protass, Harlan		Re: Judy	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2746	Email	12/5/15 12:49 PM	Auslander, Jay S.	Lathen, Jay		Re: Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2747	Email	12/5/15 1:10 PM	Protass, Harlan	Lathen, Jay		Re: Judy	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2748	Email	12/5/15 5:43 PM	Brune, Susan	Lathen, Jay	Kelly, Jacqueline	Engagement letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2749	Email with Attachment(s)	12/5/15 10:41 PM	Lathen, Jay	Brune, Susan	Kelly, Jacqueline	Re: Engagement letter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2750	Email	12/6/15 1:44 PM	Brune, Susan	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2751	Email	12/6/15 4:18 PM	Lathen, Jay	Brune, Susan		Jay Lathen has shared 'EACP LPA 06 26 2013.pdf' with you using Dropbox	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2752	Email	12/6/15 4:18 PM	Lathen, Jay	Brune, Susan		Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2753	Email	12/6/15 5:15 PM	Brune, Susan	Lathen, Jay		Re: Jay Lathen has shared 'EACP LPA 06 26 2013.pdf' with you using Dropbox	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2754	Email	12/7/15 9:19 AM	Lathen, Jay	Brune, Susan		Fwd: Judy	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2755	Email with Attachment(s)	12/7/15 12:35 PM	Brune, Susan	Lathen, Jay		Fwd:	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2756	Email	12/7/15 2:23 PM	Lathen, Jay	Brune, Susan		RE: Fwd:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2757	Email	12/8/15 9:44 AM	Galbraith, Kevin	Lathen, Jay		Status Check	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Notes
2758	Email	12/8/15 8:58 AM	Lathen, Jay	Galbraith, Kevin		RE: Status Check	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2759	Email	12/8/15 10:03 AM	Lathen, Jay	O'Shea, Sean; Petrella, Michael		SEC Matter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2760	Email with Attachment(s)	12/8/15 10:07 AM	Galbraith, Kevin	Lathen, Jay		Re: Status Check	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2761	Email	12/8/15 10:09 AM	Lathen, Jay	Auslander, Jay S.		Eden Arc - SEC Matter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2762	Email	12/8/15 10:14 AM	Lathen, Jay	Hunter, Fraser	Galbraith, Kevin	Eden Arc - SEC Matter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2763	Email	12/8/15 10:17 AM	Auslander, Jay S.	Lathen, Jay		Re: Eden Arc - SEC Matter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2764	Email with Attachment(s)	12/8/15 10:34 AM	Lathen, Jay	Brune, Susan		Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2765	Email	12/8/15 10:35 AM	O'Shea, Sean	Lathen, Jay; Petrella, Michael		RE: SEC Matter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2766	Email	12/8/15 10:39 AM	Hunter, Fraser	Lathen, Jay	Galbraith, Kevin	RE: Eden Arc - SEC Matter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2767	Email	12/8/15 11:00 AM	Lathen, Jay	Auslander, Jay S.		RE: Eden Arc - SEC Matter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2768	Email	12/8/15 11:17 AM	Lathen, Jay	Hunter, Fraser	Galbraith, Kevin	RE: Eden Arc - SEC Matter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2769	Email	12/8/15 12:11 PM	Protess, Marian	Lathen, Jay		Fwd: Eden Arc / Lathen / Wells Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2770	Email	12/8/15 12:29 PM	Lathen, Jay	Brune, Susan		Fwd: Eden Arc / Lathen / Wells Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2771	Email	12/8/15 12:58 PM	Lathen, Jay	Protess, Marian		RE: Eden Arc / Lathen / Wells Call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2772	Email	12/8/15 3:45 PM	Protess, Marian	Lathen, Jay			Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2773	Email	12/8/15 5:53 PM	Lathen, Jay	Roper, Eric		Eden Arc - SEC Matter	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2774	Email	12/9/15 2:29 AM	Brune, Susan	Lathen, Jay		Re: Eden Arc / Lathen / Wells Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2775	Email	12/9/15 8:57 AM	Kane, Darren	Lathen, Jay		Introduction	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2776	Email	12/9/15 9:03 AM	Lathen, Jay	Kane, Darren		RE: Introduction	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2777	Email	12/9/15 9:20 AM	Kane, Darren	Lathen, Jay		RE: Introduction	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2778	Email	12/9/15 12:04 PM	Kane, Darren	Lathen, Jay	Hartman, David	Reminder	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2779	Email	12/9/15 4:32 PM	Robinson, Michael D.	Lathen, Jay		Re: Funds Transfer	Attorney Client Privilege	Communication reflecting legal advice of Susan Brune.	Yes	EA00033793
2780	Email	12/9/15 6:07 PM	Lathen, Jay	Brune, Susan		RE: Eden Arc / Lathen / Wells Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2781	Email	12/10/15 5:23 PM	Lathen, Jay	Brune, Susan		Can we talk tomorrow morning?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2782	Email	12/10/15 7:03 PM	Brune, Susan	Lathen, Jay		RE: Can we talk tomorrow morning?	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2783	Email	12/10/15 8:31 PM	Lathen, Jay	Brune, Susan		Re: Can we talk tomorrow morning?	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2784	Email	12/10/15 9:43 PM	Protess, Marian	Lathen, Jay		Friday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2785	Email	12/10/15 10:29 PM	Lathen, Jay	Protess, Marian		Re: Friday	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2786	Email with Attachment(s)	12/11/15 1:51 PM	Lathen, Jay	Riley, John H.		Eden Arc - Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2787	Email	12/11/15 1:58 PM	Riley, John H.	Lathen, Jay	Riley, John H.	RE: Eden Arc - Follow-up	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2788	Email	12/11/15 3:30 PM	Lathen, Jay	Brune, Susan		Fund counsel	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2789	Email	12/11/15 3:31 PM	Lathen, Jay	Roper, Eric		John Riley	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2790	Email	12/11/15 3:52 PM	Lathen, Jay	Riley, John H.		RE: Eden Arc - Follow-up	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2791	Email	12/11/15 4:46 PM	Galbraith, Kevin	Lathen, Jay		Checking in	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2792	Email	12/11/15 4:48 PM	Lathen, Jay	Galbraith, Kevin		RE: Checking in	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2793	Email with Attachment(s)	12/11/15 4:57 PM	Galbraith, Kevin	Lathen, Jay		Re: Checking in	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2794	Email	12/11/15 4:58 PM	Lathen, Jay	Galbraith, Kevin		RE: Checking in	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2795	Email with Attachment(s)	12/11/15 5:07 PM	Galbraith, Kevin	Lathen, Jay		Re: Checking in	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2796	Email with Attachment(s)	12/11/15 5:13 PM	Riley, John H.	Lathen, Jay	Riley, John H.; Molloy, Pam; Jardine, Penny B.; Gagliardi, Rosa Ann	Eden Arc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2797	Email with Attachment(s)	12/11/15 5:20 PM	Lathen, Jay	Riley, John H.	Molloy, Pam; Jardine, Penny B.; Gagliardi, Rosa Ann	RE: Eden Arc	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2798	Email	12/11/15 5:23 PM	Roper, Eric	Lathen, Jay		Re: John Riley	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2799	Email	12/11/15 5:23 PM	Riley, John H.	Lathen, Jay	Molloy, Pam; Jardine, Penny B.; Gagliardi, Rosa Ann	RE: Eden Arc	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2800	Email with Attachment(s)	12/11/15 6:23 PM	Lathen, Jay	Brune, Susan		Is a CD a Security and is a bond redemption a "security purchase"	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2801	Email	12/13/15 4:43 PM	Hartman, David	Lathen, Jay	Kane, Darren	IARD Password	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2802	Email	12/14/15 10:28 AM	Galbraith, Kevin	Lathen, Jay		GE / Synchrony Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2803	Email	12/14/15 10:28 AM	Lathen, Jay	Hartman, David	Kane, Darren	RE: IARD Password	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2804	Email	12/14/15 10:30 AM	Lathen, Jay	Hartman, David	Kane, Darren	RE: IARD Password	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2805	Email	12/14/15 11:23 AM	Lathen, Jay	Brune, Susan		Wells call	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2806	Email	12/14/15 11:24 AM	Brune, Susan	Lathen, Jay		Re: Wells call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2807	Email with Attachment(s)	12/14/15 12:08 PM	Brune, Susan	Lathen, Jay	draft@bruneandrichard.com	Fwd: Memo re SEC Wells Call	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2808	Email with Attachment(s)	12/14/15 12:35 PM	Popowsky, Matthew	Lathen, Jay	Brune, Susan; Kelly, Jacqueline	Privileged & Confidential	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2809	Email with Attachment(s)	12/14/15 1:02 PM	Protess, Marian	Lathen, Jay		File Transfer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2810	Email with Attachment(s)	12/14/15 1:41 PM	Lathen, Jay	Riley, John H.		FW: Privileged & Confidential	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2811	Email with Attachment(s)	12/14/15 1:45 PM	Riley, John H.	Lathen, Jay	Riley, John H.; Danovitch, David E.	FW: Privileged & Confidential	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2812	Email with Attachment(s)	12/14/15 2:06 PM	Popowsky, Matthew	Lathen, Jay	Brune, Susan; Kelly, Jacqueline	Privileged & Confidential	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2813	Email	12/15/15 8:00 AM	Hartman, David	Lathen, Jay	Kane, Darren	RE: IARD Password	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2814	Email	12/15/15 9:10 AM	Lathen, Jay	Robinson, Michael D.		Fwd: IARD Password	Attorney Client Privilege	Communication reflecting legal advice of David Hartman.		
2815	Email	12/15/15 11:17 AM	Robinson, Michael D.	Hartman, David	Lathen, Jay	Re: Fwd: IARD Password	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2816	Email	12/15/15 2:09 PM	Lathen, Jay	Riley, John H.	Danovitch, David E.	RE: Privileged & Confidential	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2817	Email with Attachment(s)	12/16/15 1:50 PM	Popowsky, Matthew	Lathen, Jay	Brune, Susan	Retainer Agreement	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2818	Email with Attachment(s)	12/16/15 2:34 PM	Lathen, Jay	Brune, Susan	Riley, John H.	Follow-up on the 2 items we discussed	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2819	Email	12/17/15 6:43 AM	Brune, Susan	Lathen, Jay	Riley, John H.	Re: Follow-up on the 2 items we discussed	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	CC	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates #
2820	Email with Attachment(s)	12/17/15 11:46 AM	Brune, Susan	Riley, John H.; Lathen, Jay		Wells letter	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2821	Email with Attachment(s)	12/17/15 12:32 PM	Protass, Marlan	Lathen, Jay		Fwd: File Transfer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2822	Email	12/17/15 1:07 PM	Lathen, Jay	Protass, Marlan		RE: File Transfer	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2823	Email	12/17/15 1:11 PM	Protass, Marlan	Lathen, Jay		Re: File Transfer	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2824	Email	12/17/15 2:56 PM	Lathen, Jay	Galbraith, Kevin		RE: Legal Fee	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2825	Email with Attachment(s)	12/17/15 3:08 PM	Galbraith, Kevin	Lathen, Jay		Re: Legal Fee	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2826	Email	12/17/15 3:26 PM	Lathen, Jay	Kane, Darren	Hartman, David	RE: Reminder	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2827	Email	12/17/15 3:43 PM	Hartman, David	Lathen, Jay; Kane, Darren	Calagvio, Cheryll	RE: Reminder	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2828	Email	12/17/15 5:10 PM	Kane, Darren	Lathen, Jay		[Auto-Reply] FW: Mission-Critical Services Corp.:Eden Arc Capital Partners, LP-	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2829	Email with Attachment(s)	12/17/15 5:10 PM	Lathen, Jay	Hartman, David; Kane, Darren		FW: Mission-Critical Services Corp.:Eden Arc Capital Partners, LP- Payment Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2830	Email with Attachment(s)	12/17/15 5:47 PM	Lathen, Jay	Popowsky, Matthew	Brune, Susan	RE: Retainer Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2831	Email	12/17/15 6:43 PM	Kane, Darren	Lathen, Jay		[Auto-Reply] Wells Notice	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2832	Email with Attachment(s)	12/17/15 6:43 PM	Lathen, Jay	Kane, Darren; Hartman, David		Wells Notice	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2833	Email with Attachment(s)	12/17/15 7:34 PM	Brune, Susan	Lathen, Jay	Riley, John H.	For discussion, see below	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2834	Email	12/17/15 7:39 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: Wells Notice	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2835	Email	12/17/15 7:49 PM	Lathen, Jay	Brune, Susan	Riley, John H.	Re: For discussion, see below	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2836	Email	12/17/15 8:47 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: Mission-Critical Services Corp.:Eden Arc Capital Partners, LP- Payment Update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2837	Email	12/17/15 10:14 PM	Riley, John H.	Lathen, Jay	Brune, Susan; Riley, John H.	Re: For discussion, see below	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2838	Email	12/18/15 10:01 AM	Lathen, Jay	Brune, Susan	Riley, John H.	Testimony Transcripts	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2839	Email	12/18/15 11:10 AM	Lathen, Jay	Kane, Darren		RE: Mission-Critical Services Corp.:Eden Arc Capital Partners, LP- Payment Update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2840	Email	12/18/15 11:18 AM	Lathen, Jay	Brune, Susan	Riley, John H.	RE: For discussion, see below	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2841	Email with Attachment(s)	12/18/15 12:05 PM	Kelly, Jacqueline	Lathen, Jay	Brune, Susan; Popowsky, Matthew	Privileged & Confidential	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2842	Email	12/18/15 12:17 PM	Lathen, Jay	Brune, Susan	Riley, John H.	RE: For discussion, see below	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2843	Email	12/18/15 1:34 PM	Randers, Robert G.	Lathen, Jay	Farrell, Margaret D.	Jackie Kelly	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2844	Email	12/18/15 3:55 PM	Hartman, David	Lathen, Jay	Kane, Darren	ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2845	Email	12/18/15 3:55 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: Reminder	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2846	Email with Attachment(s)	12/18/15 5:44 PM	Brune, Susan	Lathen, Jay; Riley, John H.		Wells outline for our discussion on Monday	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2847	Email	12/21/15 10:31 AM	Lathen, Jay	Kane, Darren	Hartman, David	RE: Reminder	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2848	Email	12/21/15 10:34 AM	Kane, Darren	Lathen, Jay		[Auto-Reply] RE: ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2849	Email	12/21/15 10:34 AM	Lathen, Jay	Hartman, David	Kane, Darren	RE: ADV	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2850	Email with Attachment(s)	12/21/15 11:20 AM	Brune, Susan	Lathen, Jay	Kelly, Jacqueline; Popowsky, Matthew; Riley, John H.	FW: In the Matter of Eden Arc Capital Management, LLC	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2851	Email with Attachment(s)	12/21/15 11:26 AM	Lathen, Jay	Robinson, Michael D.		FW: In the Matter of Eden Arc Capital Management, LLC	Attorney Client Privilege/Work Product	Communication attaching privileged work product.		
2852	Email	12/21/15 1:11 PM	Kane, Darren	Lathen, Jay	Hartman, David	RE: ADV	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2853	Email	12/21/15 1:11 PM	Kane, Darren	Lathen, Jay		RE: Reminder	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2854	Email with Attachment(s)	12/21/15 4:06 PM	Hartman, David	Lathen, Jay	Kane, Darren; Hartman, David	Draft ADV for Review	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2855	Email with Attachment(s)	12/21/15 6:09 PM	Hartman, David	Lathen, Jay	Kane, Darren	Resend of ADV 1A	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2856	Email with Attachment(s)	12/21/15 6:27 PM	Lathen, Jay	Riley, John H.		Fwd: Edenaro-Summary capital account allocations_Inception to 10/31/15	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2857	Email	12/21/15 6:33 PM	Riley, John H.	Lathen, Jay	Riley, John H.	RE: Edenaro-Summary capital account allocations_Inception to 10/31/15 -Confidential; Attorney - Client Privilege	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2858	Email with Attachment(s)	12/22/15 2:22 PM	Hartman, David	Lathen, Jay	Kane, Darren	Updated ADV 2B	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2859	Email	12/22/15 4:35 PM	Lathen, Jay	Hartman, David		Re: Resend of ADV 1A	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2860	Email with Attachment(s)	12/23/15 9:41 AM	Brune, Susan	Lathen, Jay	Riley, John H.; Popowsky, Matthew; Kelly, Jacqueline	Another Wells notice	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2861	Email	12/23/15 9:47 AM	Hartman, David	Lathen, Jay		RE: Resend of ADV 1A	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2862	Email	12/23/15 12:18 PM	Robinson, Michael D.	Galbraith, Kevin		Fwd: Re: Caterpillar Survivor Option Cusip 14912H0A1	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2863	Email	12/23/15 12:26 PM	Galbraith, Kevin	Robinson, Michael D.		Re: Caterpillar Survivor Option Cusip 14911H0A1	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2864	Email	12/25/15 6:31 AM	Brune, Susan	Lathen, Jay; Galbraith, Kevin; Popowsky, Matthew; Kelly, Jacqueline		NYTimes: Obscure Corner of Wall St. Draws Skepticism From Investors	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2865	Email	12/28/15 10:19 AM	Hartman, David	Lathen, Jay	Kane, Darren; Hartman, David	ADV update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2866	Email	12/28/15 11:48 AM	Robinson, Michael D.	Lathen, Jay		Re: FW: In the Matter of Eden Arc Capital Management, LLC	Attorney Client Privilege/Work Product	Communication containing privileged work product.		
2867	Email	12/28/15 4:48 PM	Lathen, Jay	Robinson, Michael D.		Re: In the Matter of Eden Arc Capital Management, LLC	Attorney Client Privilege/Work Product	Communication containing privileged work product.		
2868	Email	12/28/15 7:02 PM	Robinson, Michael D.	Lathen, Jay		Re: In the Matter of Eden Arc Capital Management, LLC	Attorney Client Privilege/Work Product	Communication containing privileged work product.		
2869	Email	12/29/15 2:34 PM	Lathen, Jay	Hartman, David	Kane, Darren	RE: ADV update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2870	Email with Attachment(s)	12/30/15 2:27 PM	Hartman, David	Lathen, Jay	Kane, Darren	RE: ADV update	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2871	Email	12/30/15 4:58 PM	Lathen, Jay	Hartman, David	Kane, Darren	Re: ADV update	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2872	Email with Attachment(s)	1/4/16 8:40 AM	Hartman, David	Lathen, Jay	Hartman, David; Kane, Darren	ADV filed	Attorney Client Privilege	Communication reflecting legal advice of counsel.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
2873	Email with Attachment(s)	1/4/16 12:08 PM	Brune, Susan	Lathen, Jay		new ward for me -- please note that I don't always have my mobile phone on, so office is usually best	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2874	Email	1/4/16 2:15 PM	Brune, Susan	Lathen, Jay		A privileged and confidential happy new year!	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2875	Email	1/4/16 2:35 PM	Popowitz, Matthew	Robinson, Michael D.		Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2876	Email	1/4/16 2:53 PM	Robinson, Michael D.	Popowitz, Matthew		Re: Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2877	Email	1/4/16 3:45 PM	Lathen, Jay	Brune, Susan		RE: A privileged and confidential happy new year!	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2878	Email	1/4/16 6:01 PM	Robinson, Michael D.	Popowitz, Matthew		RE: Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2879	Email	1/4/16 6:13 PM	Popowitz, Matthew	Robinson, Michael D.		Re: Email	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2880	PDF	7/7/2015	Clayman & Rosenberg LLP	Lathen, Jay		Clayman & Rosenberg Invoice 7-7-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2881	PDF	8/11/2015	Clayman & Rosenberg LLP	Lathen, Jay		Clayman & Rosenberg Invoice 8-11-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2882	Email	7/16/15 3:13 PM	Galbraith, Kevin	Lathen, Jay		Legal Fees	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2883	PDF	7/15/2015	Galbraith, Kevin	Lathen, Jay		Galbraith Invoice 7-15-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2884	PDF	12/16/2015	Brune & Richard LLP	Lathen, Jay		Brune & Richard Retainer Invoice and Payment 12-17-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2885	PDF	12/14/2015	Clayman & Rosenberg LLP	Lathen, Jay		Clayman and Rosenberg Invoice and Payment 12-17-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2886	PDF	12/4/2015	Galbraith, Kevin	Lathen, Jay		Galbraith Invoice and Payment 12-17-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2887	PDF	5/7/2015	Clayman & Rosenberg LLP	Lathen, Jay		Clayman & Rosenberg Invoice & Payment 6-7-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2888	PDF	4/14/2015	Galbraith, Kevin	Lathen, Jay		Kevin Galbraith Bill & Payment 6-7-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2889	PDF	4/27/2015	Galbraith, Kevin	Lathen, Jay		Kevin Galbraith Bill & Payment	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2890	PDF	9/8/2015	Clayman & Rosenberg LLP	Lathen, Jay		Clayman & Rosenberg Invoice 9-8-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2891	PDF	9/4/2015	Galbraith, Kevin	Lathen, Jay		Galbraith Invoices 9-4-15 and 10-1-15	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2892	Spreadsheet					eacp_redemptions_current	Attorney Client Privilege	Communication reflecting legal advice of counsel.	Yes	EA00033924
2893	Email	10/10/14 6:21 PM	Kane, Darren	Lathen, Jay		EndCare Brochure	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2894	Attachment						Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2895	Email	10/20/14 6:25 PM	Kane, Darren	Lathen, Jay		Revised EndCare Brochure	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2896	Attachment						Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2897	Email	10/20/14 6:25 PM	Kane, Darren	Lathen, Jay		RE: EndCare Brochure	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2898	Attachment						Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2899	Email	7/23/15 11:57 AM	Robinson, Michael D.	Protass, Harlan		Fwd: Re: EndCare brochure	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2900	Attachment						Attorney Client Privilege	Communication requesting legal advice of counsel.		
2901	Email	7/23/15 2:37 PM	Robinson, Michael D.	Protass, Harlan		Re:	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2902	Attachment						Attorney Client Privilege	Communication requesting legal advice of counsel.		
2903	Email	7/23/15 10:15 AM	Robinson, Michael D.	Lathen, Jay		Re: EndCare brochure	Attorney Client Privilege	Communication reflecting legal advice of Darren Kane		
2904	Attachment						Attorney Client Privilege	Communication reflecting legal advice of Darren Kane		
2905	Attachment						Attorney Client Privilege	Communication reflecting legal advice of Darren Kane		
2906	Attachment						Attorney Client Privilege	Communication reflecting legal advice of Darren Kane		
2907	Email	10/23/14 1:49 PM	Robinson, Michael D.	Kane, Darren	Lathen, Jay	EndCare Brochure	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2908	Attachment						Attorney Client Privilege	Communication requesting legal advice of counsel.		
2909	Email	10/14/14 11:08 PM	Robinson, Michael D.	Lathen, Jay		Re: FW: EndCare Brochure	Attorney Client Privilege	Communication reflecting legal advice of Darren Kane		
2910	Attachment						Attorney Client Privilege	Communication reflecting legal advice of Darren Kane		
2911	Attachment						Attorney Client Privilege	Communication reflecting legal advice of Darren Kane		
2912	Attachment						Attorney Client Privilege	Communication reflecting legal advice of Darren Kane		
2913	Email	9/11/12 12:40 PM	Robinson, Michael D.	Farrell, Margaret D.	Lathen, Jay	Documents	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2914	Attachment						Attorney Client Privilege	Communication requesting legal advice of counsel.		
2915	Email	9/19/12 2:25 PM	Farrell, Margaret D.	Lathen, Jay; Robinson, Michael D.	Doring, Matthew P.; Mancini, Jacquelyn A.	EndCare Documents/Attorney client privileged	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2916	Attachment						Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2917	Email	10/1/12 5:10 PM	Robinson, Michael D.	Farrell, Margaret D.	Doring, Matthew P.; Mancini, Jacquelyn A.; Lathen, Jay	Brochure and Participant's Agreement	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2918	Attachment						Attorney Client Privilege	Communication requesting legal advice of counsel.		
2919	Attachment						Attorney Client Privilege	Communication requesting legal advice of counsel.		
2920	Email	12/3/12 12:38 PM	Robinson, Michael D.	Farrell, Margaret D.	Lathen, Jay	Re: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2921	Attachment						Attorney Client Privilege	Communication requesting legal advice of counsel.		
2922	Email	12/19/12 1:05 PM	Robinson, Michael D.	Farrell, Margaret D.	Lathen, Jay	Re: "Caramadre Memorandum" Revisions	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2923	Attachment						Attorney Client Privilege	Communication requesting legal advice of counsel.		
2924	Word Document					Affidavit ISO Opposition_9_3_15_kg_draft	Attorney Work Product	Attorney draft prepared in Prospect Capital litigation.		
2925	Word Document					Affidavit ISO Reply_JI_edits_final	Attorney Work Product	Attorney draft prepared in Prospect Capital litigation.		
2926	Word Document					Opposition to Motion for Partial SJ_JI_edits_to_kg_draft_9_3_15	Attorney Work Product	Attorney draft prepared in Prospect Capital litigation.		
2927	Word Document					Opposition to Motion for Partial SJ_kg_draft_9_3_15	Attorney Work Product	Attorney draft prepared in Prospect Capital litigation.		
2928	PDF					Prospect_Reply ISO MTD_7_16_15	Attorney Work Product	Attorney draft prepared in Prospect Capital litigation.		
2929	Word Document					Reply ISO MTD_JI_markupto_KG_draft7_15_15	Attorney Work Product	Attorney draft prepared in Prospect Capital litigation.		
2930	Word Document					Reply ISO MTD_KG_draft	Attorney Work Product	Attorney draft prepared in Prospect Capital litigation.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
2931	Word Document					Reply ISO MTD_by_Final	Attorney Work Product	Attorney draft prepared in Prospect Capital litigation.		
2932	Word Document					Reply ISO MTD_by_Final_JJ_last_edits	Attorney Work Product	Attorney draft prepared in Prospect Capital litigation.		
2933	Word Document					07 17 15 Draft SEC White Paper – Eden Arc	Attorney Work Product	Legal research relating to SEC investigation.		
2934	Word Document					07 17 15 Draft SEC White Paper – Eden Arc_JJ_edits	Attorney Work Product	Legal research relating to SEC investigation.		
2935	Word Document					07 20 15 Draft SEC White Paper – Eden Arc CLEAN	Attorney Work Product	Legal research relating to SEC investigation.		
2936	Word Document					07 20 15 Draft SEC White Paper – Eden Arc REDLINE	Attorney Work Product	Legal research relating to SEC investigation.		
2937	Word Document					07 20 15 Draft SEC White Paper_jjedits_redline	Attorney Work Product	Legal research relating to SEC investigation.		
2938	Word Document					08 19 15 Letter to Weinstock and Grace re Email Production and Reverse Proffer	Attorney Work Product	Attorney draft prepared in connection with SEC investigation.		
2939	Word Document					08 19 15 Letter to Weinstock and Grace re Email Production and Reverse Proffer_jjedits	Attorney Work Product	Attorney draft prepared in connection with SEC investigation.		
2940	Word Document					09 03 15 Draft SEC White Paper – Eden Arc	Attorney Work Product	Legal research relating to SEC investigation.		
2941	Word Document					09 03 15 Draft SEC White Paper – Eden Arc_JJ_edits	Attorney Work Product	Legal research relating to SEC investigation.		
2942	Word Document					09 10 15 Draft SEC White Paper – Eden Arc – HJP Comments_JJ_edits	Attorney Work Product	Legal research relating to SEC investigation.		
2943	Word Document					09 10 15 Draft SEC White Paper – Eden Arc – HJP Comments_JJ_edits	Attorney Work Product	Legal research relating to SEC investigation.		
2944	Word Document					09 10 15 Draft SEC White Paper – Eden Arc – HJP Comments_JJ_final_edits_clean - DK - 20150910	Attorney Work Product	Legal research relating to SEC investigation.		
2945	Word Document					09 10 15 Draft SEC White Paper – Eden Arc – HJP Comments_JJ_final_edits_clean	Attorney Work Product	Legal research relating to SEC investigation.		
2946	Word Document					09 10 15 Draft SEC White Paper – Eden Arc	Attorney Work Product	Legal research relating to SEC investigation.		
2947	Word Document					09 10 15 Draft SEC White Paper – Eden Arc_JJ_edits	Attorney Work Product	Legal research relating to SEC investigation.		
2948	Word Document					09 11 15 SEC White Paper – Eden Arc – Lathen	Attorney Work Product	Legal research relating to SEC investigation.		
2949	Word Document					09 11 15 SEC White Paper – Eden Arc – Lathen_lathen_final_edits	Attorney Work Product	Legal research relating to SEC investigation.		
2950	PDF					33_act	Attorney Work Product	Legal research regarding securities laws.		
2951	PDF					aba_report_task_force_pp_brokers	Attorney Work Product	Legal research regarding broker-dealers.		
2952	PDF					admin_agreement_edits	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2953	PDF					bony_correspondence	Attorney Client Privilege	Materials received from Robert Flanders in connection with request for legal advice.		
2954	PDF					caramadre_106 RR Plea Agreement 11 19 12	Attorney Client Privilege	Materials received from Robert Flanders in connection with request for legal advice.		
2955	PDF					caramadre_indictment_11-17_11	Attorney Client Privilege	Materials received from Robert Flanders in connection with request for legal advice.		
2956	PDF					caramadre_Plea Agreement 11 19 12	Attorney Client Privilege	Materials received from Robert Flanders in connection with request for legal advice.		
2957	PDF					Doc 106-1 Statement of Facts 11 19 12 (2)	Attorney Client Privilege	Materials received from Robert Flanders in connection with request for legal advice.		
2958	PDF					docs_mark_up_2_8_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2959	Word Document					EACP LPA 06 26 2013_clean	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2960	Word Document					EACP LPA 06 26 2013_redline	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2961	Word Document					EACP LPA 06 26 2013jjl_comments	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2962	Word Document					EACP PPM 06 26 2013	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2963	Word Document					EACP PPM 06 26 2013_redline	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2964	Word Document					eden_arc_capital_advisors_operating_agreement	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2965	Word Document					eden_arc_capital_advisors_operating_agreement4_15_13	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2966	Word Document					eden_arc_capital_management_operating_agreement	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2967	Word Document					eden_arc_capital_management_operating_agreement_4_15_13	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2968	Word Document	1/12/2011	Hood, Bruce E.	Lathen, Jay; Sophos, Constantine; Level, Jeff		EdenArcTaxMemorandum_wiggin_dana_1_12_11	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2969	Word Document					EndCare Legal Issues	Attorney Client Privilege	Outline reflecting requests for legal advice.		
2970	Word Document					ENDCARE%20CAPITAL%20PARTNERS[1]	Attorney Work Product	Attorney draft of agreement reflecting legal advice.		
2971	Word Document					endcare_contract	Attorney Work Product	Attorney draft of agreement reflecting legal advice.		
2972	Word Document					EndCare_term_sheet_10_6_10	Attorney Work Product	Attorney draft of agreement reflecting legal advice.		
2973	Word Document					EndCare_term_sheet_10_6_10_clean	Attorney Work Product	Attorney draft of agreement reflecting legal advice.		
2974	Word Document					EndCare_term_sheet9_10_10	Attorney Work Product	Attorney draft of agreement reflecting legal advice.		
2975	Word Document					EndCare_term_sheet9_10_10_clean	Attorney Work Product	Attorney draft of agreement reflecting legal advice.		
2976	Word Document					EndCare_term_sheet10_4_10	Attorney Work Product	Attorney draft of agreement reflecting legal advice.		
2977	Word Document					ENDCARE%20CAPITAL%20PARTNERS	Attorney Work Product	Attorney draft of agreement reflecting legal advice.		
2978	Word Document					ENDCARE%20CAPITAL%20PARTNERS_limited_life[1]	Attorney Work Product	Attorney draft of agreement reflecting legal advice.		
2979	PDF					fed_reg7_amendments_1998	Attorney Work Product	Legal research regarding broker-dealers.		
2932	PDF					finra_regt_notice	Attorney Work Product	Legal research regarding FINRA regulations.		
2931	PDF					finra_rule_4210	Attorney Work Product	Legal research regarding FINRA regulations.		
2932	Word Document	2/18/2010	Lathen, Jay	Flanders, Robert G.		flanders_2_18_10	Attorney Client Privilege	Communication requesting legal advice of counsel.		
2933	PDF	5/9/2012	Roper, Eric	Lathen, Jay		renstep_eng_ltr_5_9_12	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2934	Word Document	10/8/2010	Roper, Eric	Lathen, Jay		renstein_savage_drft_eng_ltr_fund_10_8_10	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2935	PDF	10/20/2010	Roper, Eric	Lathen, Jay		renstein_savage_eng_ltr_10_20_10	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2936	PDF	8/18/2010	Roper, Eric	Lathen, Jay		renstein_savage_engltr_8_18_10	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2937	PDF					hedge_fund_legal_primer	Attorney Work Product	Legal research regarding hedge funds.		
2938	PDF	7/26/2012	Flanders, Robert G.	Lathen, Jay		hinckley_eng_ltr_7_25_12	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2939	PDF	7/30/2012	Flanders, Robert G.	Lathen, Jay		hinckley_eng_ltr_executed_7_30_12	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2940	Word Document					IMA_1_25_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2941	Word Document					IMA_final_5_1_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2942	Word Document	8/31/2012	Farrell, Margaret D.	Lathen, Jay		Lathen - Memo re. Caramadre # 5 50848846 (2)	Attorney Client Privilege	Communication reflecting legal advice of counsel.		
2943	PDF					lp_agreement_comments	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2944	PDF					lp_edits_6_26_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		

In the Matter of Eden Arc Capital Management, LLC (NY-9197)
Privilege Log

Entry Number	Record Type	Date	From	To	Cc	Email Subject or File Name	Privilege Type	Privilege Description	Redacted	Production Bates
2995	PDF					lp_edits_11_23_10	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2996	Word Document					LPA_2_4_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2997	PDF					lpa_edits_6_28_12	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2998	Word Document					LPA2_04_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
2999	Word Document					nda	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3000	Word Document					nda_2_10_2010	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3001	Word Document					nda_12_13_2010	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3002	Word Document					nda_hrc_4_28_2010	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3003	Word Document					nda_prelude_4_29_2010	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3004	Word Document					ni_poa_10_24_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3005	Word Document					non-solicit-disclaimer-lang	Attorney Client Privilege	Attorney draft of contract language reflecting legal advice.		
3006	Word Document					nv_limited_poa	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3007	Word Document					part_agreement_2_17_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3008	Word Document					part_agreement_3_2_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3009	PDF					part_agreement_3_2_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3010	Word Document					part_agreement_8_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3011	PDF					part_agreement_8_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3012	Word Document					part_agreement_10_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3013	Word Document					part_agreement_ej_markup_2_4_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3014	Word Document					part_agreement+poa_5_21_12	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3015	Word Document					Participant_Agreement2.4.11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3016	Word Document					poa_texas	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3017	Word Document					ppm_2_4_11	Attorney Client Privilege	Attorney draft of Private Placement Memorandum reflecting legal advice.		
3018	Word Document					ppm_11_22_10	Attorney Client Privilege	Attorney draft of Private Placement Memorandum reflecting legal advice.		
3019	Word Document					ppm_11_22_10_lathen_edits	Attorney Client Privilege	Attorney draft of Private Placement Memorandum reflecting legal advice.		
3020	Word Document					ppm_11_22_10_lathen_edits[1]	Attorney Client Privilege	Attorney draft of Private Placement Memorandum reflecting legal advice.		
3021	Word Document					ppm_lathen_edits_12_21_10	Attorney Client Privilege	Attorney draft of Private Placement Memorandum reflecting legal advice.		
3022	Word Document					PPM2_04_11	Attorney Client Privilege	Attorney draft of Private Placement Memorandum reflecting legal advice.		
3023	PDF					reg_t	Attorney Work Product	Legal research regarding broker-dealers.		
3024	Notepad Document					reg_t	Attorney Work Product	Legal research regarding broker-dealers.		
3025	Word Document					robbins_ltr_8_26_10	Attorney Client Privilege	Attorney draft of correspondence reflecting legal advice.		
3026	PDF					robbins_ltr_final_	Attorney Client Privilege	Attorney draft of correspondence reflecting legal advice.		
3027	PDF					sample_so_language	Attorney Client Privilege	Legal research regarding survivor's option.		
3028	PDF					sea34 [1]	Attorney Work Product	Legal research regarding securities.		
3029	Word Document					special_POA_4_28_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3030	PDF					special_POA_4_28_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3031	Word Document					sub_agreement_01.10.11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3032	Word Document					sub_agreement_02.25.11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		
3033	Word Document					Sub_agreement_3_3_11	Attorney Client Privilege	Attorney draft of agreement reflecting legal advice.		

EXHIBIT G

From:	Jay Lathen [redacted]
Sent:	Friday, August 20, 2010 7:31 PM
To:	David E. Robbins
Subject:	Re: Robbins
Attachments:	acct_statements.pdf; bs_custagree_form.pdf; kennedy_acct_opening_docs.pdf; kennedy_red_requests.pdf

David,

Sorry for the delay. See answers below.

1. Would you provide me with the paperwork you submitted on May 19th? I assume it related to Kennedy?

A. See attached letters of authorization. The dates on the letter are 5/12 but I actually sent them the letters on 5/18 or 5/19. I do not have a copy of the signed LOAs but this is the soft copy. To each LOA, I attached an original death certificate. This has been the basic paperwork I have submitted in every case. Occasionally, clearing firms ask for an affidavit of domicile but JPM never asked for one in prior submissions or the Kennedy submission.

2. Did you receive anything in writing (emails) bouncing it back?

A. After the submission of the Kennedy paperwork on May 19th, I asked my broker Harvey Boshart to try to get it to the reorg department (the department at JPMCC responsible for submitting survivor's option paperwork to the trustee) ASAP so that it could get paid by June 15th (the next interest payment date for the bonds). Obviously this did not happen because June 15th came and went without the bonds being redeemed. I received an email from Harvey on 6/22 communicating that the reorg department needed additional info. That was what precipitated my June 22nd letter. That email chain is included in the packet I sent you earlier. Since then they have been sitting on the paperwork and have been totally unresponsive. Harvey tells me he is totally out of the loop and doesn't know what legal and compliance are doing with it. The radio silence from them is what precipitated the July 27th letter.

3. As I requested earlier, let me please see the monthly statements.

A. Attached

4. In your letter of June 22nd you reference a page from Bank of New York's Web site re exercising the survivor put on the GMAC bonds. Is that the page you sent me entitled: Documents Required for Survivor Put Processing? You also provided me with one "From JPMCC." Where did you get that?

A. Yes that is from the website. The "From JPMCC" page was attached to Harvey's email on June 22nd requesting the additional info. His email references particular numbers on that page as did my June 22nd letter in response. That page evidently came from JPMCC's reorg department and is a generic set of internal guidelines for them.

5. In your letter of July 27th you made reference to "JPMCC and other clearing firms have processed numerous other survivor's option requests for my wife and I using exactly the same type of paperwork provided on May 19th." This is very good since it shows a pattern of acceptance. Send me those; I want to attach them to my letter. If other firms have processed similar requests, let's show them – context and perspective are important (e.g., On the second page of your July 27th letter you wrote, "Indeed, claims made with other clearing firms at the same time as the submission to JP Morgan were paid in full on June 1th.")

A. Not sure we want to include LOAs from other redemption events because I would rather not disclose the identities of decedants from accounts at other brokerage firms. The point to make here is that JPM processed prior put requests with respect to joint accounts with Penelope Callahan and Lucy Rodriguez, albeit with slow processing times. Those bonds were submitted to the trustess and were paid , except for the SLM bonds and one MBIA bond from the Rodriguez account (see answer to 9). We can also state that bonds have been submitted for redemption in accounts held at numerous other brokerage firms, including Fidelity, TD Ameritrade, Scottrade, Zions Direct and Morgan Stanley Smith Barney. In all of those instances, the redemption requests were processed by the clearing firms in a matter of days and all of the payments from the issuers occurred on schedule.

6. Specify for me how this inaction has cost you so much money. Please be specific and not speculative. In your draft letter in which you mention me at the end you say you now have actual damages of at least $133,000. How?

A. My investment strategy is extremely profitable. I basically buy a portfolio of bonds on margin in a brokerage account. The typical investment in the account is approximately $200,000 and the profit ranges between $150,000 and $200,000. The average length of time for the trade is approximately 4 to 5 months. I should have been paid on the Kennedy bond redemptions on June 15th. When I wrote the July 22nd letter, I referenced that JPMCC's actions had caused me a 3 month delay in reinvesting the capital from the Kennedy account. The redemption proceeds in the Kennedy account total approximately $175,000. So if I had the Kennedy funds on June 15th, I could have invested that $175,000 to earn approximately $131,250 to $175,000 over a 4 to 5 month period. That works out to about $26k to $44k per month of foregone income due to the delayed reinvestment of that capital. I referenced $100k in

my July 27th letter for damages which was a round number based on $33k per month for three months. The 133k in the current letter was just tacking another month on to it since now I won't get paid until October 15th, 4 months late. Under this methodogy, the damages continue to grow over time until I actually get paid on the claims.

7. I see that a portion of your profits go to charities. How much will go to which charities for this transaction?

A. I don't earmark donations from a specific transaction to a specific charity. That said, I do plan in the near term to make a donation for $10,000 to Center for Hope Hospice in Scotch Plains, NJ. Kennedy was a resident there and his family thinks very highly of them (as do I). I am going to make the donation regardless of what happens with the JPMCC situation. But my overall level of giving in 2010 will be lowered as a result of JPM's actions, unless they pay damages. Based on my pledge of 15% of after-tax profits, I expect total charitable giving for the year to be approximately $100,000. It would be maybe $10k higher if JPM had done their job (or if they pay my damages).

8. You wrote that JPM decided to cease doing business with you and your wife last May "due to the nature of our investment strategy." How did they notify you of that and if they did, how is your account still there?

A. I knew something was amiss at JPM in late April 2010. We had requested a fairly routine wire transfer of funds out of one of the accounts (the Rodriguez account I think) as well as a DTC transfer of some securities in that account to another brokerage fund. They kept delaying the execution on these requests. After awhile, I became pretty exasperated and confronted my broker Harvey about it. He then told me "off the record" that the wire transfer request had rung some bells in the AML group and that had morphed into a big internal discussion about what to do with the relationship more broadly. I could tell based on some of things Harvey was telling me that they were not at all educated on survivor's option bonds. Nor did they seem to be interested in giving the matter a fair hearing. I pleaded with Harvey to have him introduce me to the relevant decision makers to tell my side of the story but I never got any traction. Ultimately, Harvey informed me that they did not want to do business with me anymore. They wanted me to transfer the Cubilette account ASAP. And they agreed to process the puts in the Kennedy account (since he was deceased and the account couldn't be transferred). This was mid-May and I submitted the Kennedy paperwork soon thereafter. The Cubilette account was ultimately transferred in June. In the aftermath of their decision, I spoke to John Parson (compliance manager in the Boston branch office) who told me that their decision was basically driven by headline risk rather than a belief I was doing anything illegal or improper. It is important to note that I believe most if not all of this internal review occurrred at JPM Securities and not JP Morgan Clearing Corp. I don't know when JPMCC started digging in on this. It's possible that JPMCC didn't start looking into it until sometime in late June and their legal department may have only started looking at this after my July 27th letter.

9. Lastly, in your letter of July 27th on the last page you speak about two redemption requests related to SLM bonds held in account 920-21640. Is that a different matter? Is that part of your current complaint?

A. Those bonds are held in a joint account with Penelope Callahan, now deceased. The puts were submitted to the trustee back in December or January and should have been paid in June. I was told that there was a multi-year waiting list to be paid on these. I asked for the rejection letter which the trustee is supposed to provide to the clearing firm under the prospectus. Not clear if the trustee ever provided it. Perhaps trustee never sent it. Perhaps JPM lost it. Perhaps JPM can't even get their act together enough to look for it. I only have $6k face amount of these bonds and the aggravation has hardly been worth it. I have also called the trustee directly but have not heard back. In my experience, the trustees do not like to talk to customers. They really just want to deal with the clearing firms.

There is one additional item that has come up since the July 27th letter and perhaps we should consider incorporating it into the present letter. Back in April, I submitted paperwork to exercise the put feature on bonds held in the Rodriguez account. The GMAC bonds in that account were redeemed on May 15th. The MBIA bond (25k face amount) was supposed to be paid on August 16th. It was not paid. My broker told me that the bond was evidently "kicked back" by the trustee to the reorg department, probably due to some missing paperwork or some other technicality (there is a high error rate in these workstreams due to low quality of personnel, poor quality control and lack of automation). Anyway, it is not uncommon for a claim to get kicked back to the turstee only to quickly get resubmitted to the trustee with the issue resolved. Apparently, the reorg department asked compliance whether they should resubmit the claim and compliance said not to submit it until the legal department has finsished its review. I asked Harvey for the dates around these actions, thinking they might have been related to JPM's internal review back in April/May rather than JPMCC's current review. So that is another $25k which I won't have for another 3 months (November is the next payment date on that bond) so in theory more damages to me on top of the 133k cited earlier.

I hope this is all clear. Please call or email with further questions.

Jay

EXHIBIT H

From: Jason Neroulias <JNeroulias@bpslaw.com>
Sent: Wednesday, November 17, 2010 4:26 PM
To: [redacted]; Eric Roper
Cc: Cheryll Calaguio; Stephen Derosa
Subject: RE:
Attachments: Prenup.WaiverRightofElection.SampleLanguage.doc; 20101117111347233.pdf; Harris 5th - Joint Accounts.pdf; In Re Estate of Dunleavy.pdf; In Re Walsh's Estate.pdf; 675 _Joint_deposits_and_shar.doc; 678_Accounts_for_convenienc.doc

Hi Jay & Eric,

Attached are the materials Jay and I discussed.

- Waiver of Right of Election – this language typically shows up in our prenups and can be crafted to be specific to the survivor bonds in your agreement with the candidate and their spouse. I have also attached a Waiver that we have seen annexed to a Will (this seems less applicable than the prenup language for your purposes).
- Joint Account Cases & Statutes - You will see a page from Harris 5th NY Estates stating that joint accounts may be reached by a decedent's creditors. The two cited cases (i.e. *In Re Estate of Dunleavy* and *In Re Walsh's Estate*) are annexed with a Shepard's Summary for each. Also see annotated versions of NY Banking Law Sec. 675 (joint deposits) & 678 (convenience accounts).

Jason G. Neroulias
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jneroulias@bpslaw.com

From: Eric Roper [mailto:ERoper@gerstensavage.com]
Sent: Tuesday, November 16, 2010 11:20 AM
To: [redacted]; Cheryll Calaguio; Jason Neroulias; Stephen Derosa
Cc: David Lackowitz
Subject: FW:

All – I pulled a recent case which was cited in the WSJ article which Jay sent – I think its worthy of review and perhaps some analysis from our litigation group. Best, Eric

From: Jay Lathen [redacted]
Sent: Tuesday, November 09, 2010 8:00 PM
To: Jason Neroulias
Cc: eroper@gerstensavage.com
Subject: Re: Follow-up

I have been using my SSN for tax reporting purposes. Going forward, the fund's SSN would likely be on the accounts.

Your assessment of the trust structure is consistent with my assessment of it a few months ago. While it does mitigate the credit risk of the participant, it has several disadvantages, not least of which is the subjectivity of it vis-a-vis establishing beneficial interest. Giving the participant all of the coupon income would be an expensive solution and even then there is the risk that the trustees could rule against you (even if the issuers say yes now, that doesn't mean they or the trustees couldn't change their mind in the future,especially if it suited them.)

On balance, I think I am more comfortable with the JTWROS structure. But I would like to take steps to de-risk that structure against participant credit risk (and any other material risks). At a minimum, I will run credit reports and lien searches on the participants. I could also restrict program participation to those with health insurance so that the unpaid medical bills are kept to a minimum. Of course, the latter tactic would likely prevent me from helping the neediest cases.

I would like to focus our energies on de-risking the JTWROS structure. Specifically, what do you guys see as the risks and mitigants for the JTWROS structure in the context of my business model?

Best,

Jay

Jay Lathen
President
EndCare
One Penn Plaza, Ste. 3671
New York, NY 10119
212-786-7414 Work
[redacted] Cell
646-349-5964 Fax
[redacted]

From: Jason Neroulias <JNeroulias@bpslaw.com>
To: Jay Lathen [redacted]
Cc: "eroper@gerstensavage.com" <eroper@gerstensavage.com>
Sent: Tue, November 9, 2010 1:55:17 PM
Subject: RE: Follow-up

Jay,

My pleasure – an interesting project to say the least.

I did look at the samples you provided. They are consistent as far as requiring that the participant have a beneficial interest in the note if it is trust owned, and some even go further and require that the trust have the same social security as the participant (i.e. a revocable trust). Because the prospectuses don't define "beneficial interest," the need for interpretation is likely to arise - which is a situation I would think you want to stay away from. Establishment of the "beneficial interest" is also subject to the satisfaction of the paying agent in some of the prospectuses – also a red flag for your business model I would think. It seems like you would be replacing one set of risk factors (JTWROS) with others (Trust). You would probably want some reassurances from the issuer that your proposed structure is approved beforehand – but, then your profile is raised.

I tend to think, at the very least, that the issuers will want to see that the participant was entitled to all or substantially all the net income of the trust (i.e. the interest income from the notes), thus the social security number requirement referred to above. If I don't recall from our discussion how you are currently reporting the interest income from the notes, but that it is accumulated in the brokerage account.

It may be worth a general inquiry to the issuers of these notes to find out what trust structures have their blessing.

Best,
Jason

Jason G. Neroulias
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(914) 949-2700 main
(914) 287-6113 direct
(914) 683-6956 fax
jneroulias@bpslaw.com

From: Jay Lathen [mailto[redacted]
Sent: Friday, November 05, 2010 6:07 PM
To: Jason Neroulias
Cc: eroper@gerstensavage.com
Subject: Follow-up

Jason,

Thanks for your time on the phone earlier. Attached are a few sample prospectuses from my market. All of them have more or less the following language when it comes to trusts making a claim:

Such beneficial interest will be deemed to exist in typical cases of nominee ownership, ownership under the Uniform Transfers to Minors Act, community property or other joint ownership arrangements between a husband and wife and trust arrangements where one person has substantially all of the beneficial ownership interest in the note during his or her lifetime.

Let me know if you think there is scope for some sort of trust structure given this language. I have my doubts but maybe there is a creative solution.

Best,

Jay

Jay Lathen
President
EndCare
One Penn Plaza, Ste. 3671
New York, NY 10119
212-786-7414 Work
[redacted] Cell
646-349-5964 Fax
[redacted]

EXHIBIT I

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0033066	2/7/2014 12:00:00 AM	RE: Goldman Situation	Jay lathen <jaylathen@edenarccapital.com>	"sarkozi, paul d." <sarkozi@thsh.com>	"eric@ericroperesq.com" <eric@ericroperesq.com>	AllJayEACemails7412to81215_128749_Email_003/vitalchek
SEC-EDENARC-E-0033073						AllJayEACemails7412to81215_128749_Email_003/vitalchek
SEC-EDENARC-E-0033074						AllJayEACemails7412to81215_128749_Email_003/vitalchek
SEC-EDENARC-E-0044509	5/29/2014 12:00:00 AM	RE: Eden Arc Capital Partners - April 2014 Performance Summary	Jay lathen <jaylathen@edenarccapital.com>	robert grundstein <rgrundstein@sabbycapital.com>		AllJayEACemails7412to81215_128749_Email_005
SEC-EDENARC-E-0044515						AllJayEACemails7412to81215_128749_Email_005
SEC-EDENARC-E-0045868	9/25/2012 12:00:00 AM	Fwd: Fw: Deficient Investment Adviser Application â€" EDEN ARC CAPITAL MANAGEMENT, LLC	"michael d. robinson" <michaelrobinson@edenarccapital.com>	sderosa@gerstensavage.com		AllMDREACEmailsasSender_128757_Email_001
SEC-EDENARC-E-0056679	11/26/2014 12:00:00 AM	RE: Eden Arc Capital Partners - October 2014 Performance Summary	robert grundstein <rgrundstein@sabbycapital.com>	Jay lathen <jaylathen@edenarccapital.com>		AllmessagesReceivedbyJLatEACcom_128772_Email_003
SEC-EDENARC-E-0056681						AllmessagesReceivedbyJLatEACcom_128772_Email_003
SEC-EDENARC-E-0061387	5/30/2014 12:00:00 AM	RE: Eden Arc Capital Partners - April 2014 Performance Summary	robert grundstein <rgrundstein@sabbycapital.com>	Jay lathen <jaylathen@edenarccapital.com>		AllmessagesReceivedbyJLatEACcom_128772_Email_003
SEC-EDENARC-E-0061394						AllmessagesReceivedbyJLatEACcom_128772_Email_003
SEC-EDENARC-E-0062267	7/3/2014 12:00:00 AM	Re: Prospect Capital -- Follow-Up	michael robinson <michaelrobinson@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	Jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_005

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0062259						AllmessagesReceivedbyJLatEACcom_128772_Email_005
SEC-EDENARC-E-0065405	3/11/2015 12:00:00 AM	RE: Eden Arc - Gibson Dunne Scope of Work	"southwell, alexander h." <asouthwell@gibsondunn.com>	jay lathen <jaylathen@edenarccapital.com>		AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0068343	5/12/2015 12:00:00 AM	Re: E-Mail Production	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	"sampoli@crayro.com"<sampoli@crayro.com>;jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0068572	5/17/2015 12:00:00 AM	Re: E-Mail Production	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	"sampoli@clayro.com"<sampoli@clayro.com>;jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0070456	7/1/2014 12:00:00 AM	RE: Signed Engagement Letter & Payment	jay lathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>;"michael robinson" <michaelrobinson@edenarccapital.com>		AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0070462						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0070486	7/2/2014 12:00:00 AM	RE: Signed Engagement Letter & Payment	jay lathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0070495						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0070585	7/7/2014 12:00:00 AM	RE: Prospect Capital -- Follow-Up	jay lathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0070592						AllmessagesReceivedbyMDRonEACcom_128773_Email_003

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0070661	8/15/2014 12:00:00 AM	Re: from US Bank outside counsel	jay lathen <jaylathen@edenarccapital.com>	law office <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0070663						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0070967	11/12/2014 12:00:00 AM	RE: Goldman Sachs File	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>;michael robinson<michaelrobinson@edenarccapital.com>		AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0070970						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0070978						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0070982						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0070984						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0070989						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0070991						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0070992						AllmessagesReceivedbyMDRonEACcom_128773_Email_002

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0070993						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0071000						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0071001						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0071009						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0071012						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0071014						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0072354	9/15/2014 12:00:00 AM	RE: Follow-Up	Jay Iathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0072356						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0072856	3/26/2015 12:00:00 AM	Re: Survivor's Option Notes	Jay Iathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0072884						AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0072885						AllmessagesReceivedbyMDRonEACcom_128773_Email_001

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0072886						AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0073463	4/2/2015 12:00:00 AM	RE: Follow-Up	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>;michael robinson<michaelrobinson@edenarccapital.com>		AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0074091	4/9/2015 12:00:00 AM	RE: Follow-Up	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0074826	3/10/2015 12:00:00 AM	RE: Eden Arc / SEC	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0075846	8/12/2015 12:00:00 AM	RE: DRAFT Email to Federal Farm Credit Counsel	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0076646	6/2/2015 12:00:00 AM	RE: David Jungbauer	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0077024	6/11/2015 12:00:00 AM	Re: Quick Question	jay lathen <jaylathen@edenarccapital.com>	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0105689	10/10/2013 12:00:00 AM	RE: Eden Arc Capital	"strohmenger, richard" <strohmenger@thsh.com>	jay lathen' <jaylathen@edenarccapital.com>	"'eric@ericroperesq.com'" <eric@ericroperesq.com>;"tannenbaum, michael g." <tannenbaum@thsh.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_002
SEC-EDENARC-E-0105693						AllmessagesReceivedbyJLatEACcom_128772_Email_002
SEC-EDENARC-E-0105694						AllmessagesReceivedbyJLatEACcom_128772_Email_002

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0114576	7/17/2014 12:00:00 AM	Re: Michael_Robinson_wants_to_share_"PROSPECT_CAPITAL_DATABASE"_with_you	michael robinson <michaelrobinson@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_118772_Email_005
SEC-EDENARC-E-0121377	9/12/2012 12:00:00 AM	RE: Final Brochure Part 2	"stephen derosa" <sderosa@gerstensavage.com>	"jay lathen" <jaylathen@edenarccapital.com>;"michael d. robinson" <michaelrobinson@edenarccapital.com>	"eric roper" <eroper@gerstensavage.com>	AllmessagesReceivedbyJLatEACcom_118772_Email_005
SEC-EDENARC-E-0121382	9/12/2012 12:00:00 AM	RE: Final Brochure Part 2	"stephen derosa" <sderosa@gerstensavage.com>	"jay lathen" <jaylathen@edenarccapital.com>;"michael d. robinson" <michaelrobinson@edenarccapital.com>	"eric roper" <eroper@gerstensavage.com>	AllmessagesReceivedbyJLatEACcom_118772_Email_005
SEC-EDENARC-E-0123576	8/16/2012 12:00:00 AM	RE: IARD	"stephen derosa" <sderosa@gerstensavage.com>	"michael d. robinson" <michaelrobinson@edenarccapital.com>; <jaylathen@edenarccapital.com>	"eric roper" <eroper@gerstensavage.com>;"jessica montello" <jmontello@gerstensavage.com>	AllmessagesReceivedbyJLatEACcom_118772_Email_005
SEC-EDENARC-E-0123582						AllmessagesReceivedbyJLatEACcom_118772_Email_005
SEC-EDENARC-E-0125699	8/4/2014 12:00:00 AM	Follow-up	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0125860	7/24/2014 12:00:00 AM	Re: Next week	jay lathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0125861						AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0127106	9/11/2014 12:00:00 AM	Base Indenture	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_003

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0127798						AllmessagesReceivedbyMDRonEACcom_12873_Email_003
SEC-EDENARC-E-0127799	3/20/2015 12:00:00 AM	Re: Survivor's Option Notes	Jay Iathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_12873_Email_001
SEC-EDENARC-E-0127803						AllmessagesReceivedbyMDRonEACcom_12873_Email_001
SEC-EDENARC-E-0127804						AllmessagesReceivedbyMDRonEACcom_12873_Email_001
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SEC-EDENARC-E-0127807						AllmessagesReceivedbyMDRonEACcom_12873_Email_001
SEC-EDENARC-E-0127854	9/30/2014 12:00:00 AM	RE: FWD: Eden Arc Capital -- GE Capital Internotes	Jay Iathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_12873_Email_003
SEC-EDENARC-E-0127860						AllmessagesReceivedbyMDRonEACcom_12873_Email_003
SEC-EDENARC-E-0127865						AllmessagesReceivedbyMDRonEACcom_12873_Email_003
SEC-EDENARC-E-0127870						AllmessagesReceivedbyMDRonEACcom_12873_Email_003

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0127984						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0127981						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
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SEC-EDENARC-E-0128378	4/9/2015 12:00:00 AM	Re: Follow-Up	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0130383	8/12/2015 12:00:00 AM	RE: DRAFT Email to Federal Farm Credit Counsel	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0130387						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0135931	11/5/2014 12:00:00 AM	FW: Prospect	jay lathen <jaylathen@edenarccapital.com>	robert grundstein' <rgrundstein@sabbycapital.com>		AllJayEACemails7412to81215_128749_Email_001
SEC-EDENARC-E-0135944						AllJayEACemails7412to81215_128749_Email_001
SEC-EDENARC-E-0135945						AllJayEACemails7412to81215_128749_Email_001
SEC-EDENARC-E-0139714	6/19/2015 12:00:00 AM	Fwd: CIT: Good News	jay lathen <jaylathen@edenarccapital.com>	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	AllJayEACemails7412to81215_128749_Email_002
SEC-EDENARC-E-0139716						AllJayEACemails7412to81215_128749_Email_002

September 2015 Production						
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SEC-EDENARC-E-0163833	10/22/2014 12:00:00 AM	GECC at First SouthWest	michael robinson <michaelrobinson@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_003
SEC-EDENARC-E-0163834						AllmessagesReceivedbyJLatEACcom_128772_Email_003
SEC-EDENARC-E-0163841						AllmessagesReceivedbyJLatEACcom_128772_Email_003
SEC-EDENARC-E-0171775	2/25/2015 12:00:00 AM	RE: Eden Arc Follow-up	"southwell, alexander h." <asouthwell@gibsondunn.com>	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0174618	4/14/2015 12:00:00 AM	Fwd: Re: Smarsh Services: Questions	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0174990	4/15/2015 12:00:00 AM	E-mail Data	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0174992						AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0176816	8/16/2012 12:00:00 AM	RE: IARD	"stephen derosa" <sderosa@gerstensavage.com>	"michael d. robinson" <michaelrobinson@edenarccapital.com>; <jaylathen@edenarccapital.com>	"eric roper" <eroper@gerstensavage.com>;"jessica montello" <jmontello@gerstensavage.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0176822						AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0178107	6/4/2015 12:00:00 AM	Smarsh Archive Update	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	jay lathen <jaylathen@edenarccapital.com>;sara sampoli <sampoli@clayro.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0178189						AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0178716	7/21/2014 12:00:00 AM	RE: Michael_Robinson_wants_to_share_"PROSPECT_CAPITAL_DATABASE"_with_you	jay lathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0178761						AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0178805	8/5/2014 12:00:00 AM	Re: Follow-up	jay lathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0178809						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0178810						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0178811						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0178913	7/30/2015 12:00:00 AM	Brochure Research and E-mails	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0179971	3/2/2015 12:00:00 AM	Gibson Dunne Scope of Work	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0180093	3/9/2015 12:00:00 AM	RE: CIT Bank CD Redemption Refusals	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>;michael robinson <michaelrobinson@edenarccapital.com>		AllmessagesReceivedbyMDRonEACcom_128773_Email_002

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0180100						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0180319	9/15/2014 12:00:00 AM	Re: Follow-Up	jay lathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0180321						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0180680	3/12/2015 12:00:00 AM	RE: SEC Document Production	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0181204	10/2/2014 12:00:00 AM	RE: FINRA Follow-Up Call	jay lathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0181210						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0182973	7/22/2015 12:00:00 AM	Re: Document Production Request	jorja knauer <knauer@clayro.com>	harlan protass <protass@clayro.com>	michael robinson <michaelrobinson@edenarccapital.com>;wayne gosnell <gosnell@clayro.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0183102	7/30/2015 12:00:00 AM	Re: Brochure Research and E-mails	jay lathen <jaylathen@edenarccapital.com>	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0184162	5/26/2015 12:00:00 AM	RE: Email Production	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>;michael robinson <michaelrobinson@edenarccapital.com>	sara sampoli <sampoli@clayro.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0184371	6/3/2015 12:00:00 AM	Re: David Jungbauer	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0184707	9/25/2013 12:00:00 AM	Fwd: Goldman Sachs Bank USA	jay lathen <jaylathen@edenarccapital.com>	peggy farrell <mfarrell@haslaw.com>;robert flanders<rflanders@haslaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0184709						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0184710						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0184711	9/25/2013 12:00:00 AM	RE: Goldman Sachs Bank USA	jay lathen <jaylathen@edenarccapital.com>	"farrell, margaret d." <mfarrell@hinckleyallen.com>;"flanders, robert g."<rflanders@hinckleyallen.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0184714						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0191155	8/25/2010 12:00:00 AM	Re: CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION	[redacted]	"david robbins" <drobbins@kaufmanngildin.com>		AllJLmessagesRECEIVEDonYahoo_128975_Email_001
SEC-EDENARC-E-0192567	6/11/2015 12:00:00 AM	Re: Quick Question	jay lathen <jaylathen@edenarccapital.com>	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	AllJayEACemails7412to81215_128749_Email_002
SEC-EDENARC-E-0214124	9/25/2013 12:00:00 AM	Re: Goldman Sachs Bank USA	michael robinson <michaelrobinson@edenarccapital.com>	jay lathen <jaylathen@edenarccapital.com>	"farrell, margaret d." <mfarrell@hinckleyallen.com>;"flanders, robert g."<rflanders@hinckleyallen.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_002
SEC-EDENARC-E-0220151	1/30/2014 12:00:00 AM	FW: Goldman Situation	"coumoutsos, jami" <coumoutsos@thsh.com>	"eric@ericroperesq.com" <eric@ericroperesq.com>;"jaylathen@edenarccapital.com" <jaylathen@edenarccapital.com>;"sarkozi ,paul d." <sarkozi@thsh.com>		AllmessagesReceivedbyJLatEACcom_128772_Email_001

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0220156						AllmessagesReceivedbyJLatEACcom_128772_Email_001
SEC-EDENARC-E-0225284	2/24/2015 12:00:00 AM	RE: Eden Arc Follow-up	"southwell, alexander h." <asouthwell@gibsondunn.com>	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0225388	2/25/2015 12:00:00 AM	RE: Eden Arc Follow-up	"southwell, alexander h." <asouthwell@gibsondunn.com>	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0228924	9/12/2012 12:00:00 AM	RE: Final Brochure Part 2	"stephen derosa" <sderosa@gerstensavage.com>	"jay lathen" <jaylathen@edenarccapital.com>;"michael d. robinson" <michaelrobinson@edenarccapital.com>	"eric roper" <eroper@gerstensavage.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_005
SEC-EDENARC-E-0230435	5/16/2015 12:00:00 AM	Re: E-Mail Production	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	"sampoli@crayro.com"<sampoli@crayro.com>;jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0232043	7/30/2015 12:00:00 AM	Re: Brochure Research and E-mails	michael robinson <michaelrobinson@edenarccapital.com>	harlan protass <protass@clayro.com>	jay lathen <jaylathen@edenarccapital.com>	AllmessagesReceivedbyJLatEACcom_128772_Email_006
SEC-EDENARC-E-0232168	8/18/2014 12:00:00 AM	RE: from US Bank outside counsel	jay lathen <jaylathen@edenarccapital.com>	"kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0232172						AllmessagesReceivedbyMDRonEACcom_128773_Email_002
SEC-EDENARC-E-0235177	3/10/2015 12:00:00 AM	RE: Survivor's Option Notes	jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>	michael robinson <michaelrobinson@edenarccapital.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0235198						AllmessagesReceivedbyMDRonEACcom_128773_Email_003

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0235199						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0235200						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0235201						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0235225	3/11/2015 12:00:00 AM	RE: Prospect Redemption Database	Jay lathen <jaylathen@edenarccapital.com>	kevin galbraith <kevin@kevingalbraithlaw.com>;michael robinson<michaelrobinson@edenarccapital.com>		AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0235228						AllmessagesReceivedbyMDRonEACcom_128773_Email_003
SEC-EDENARC-E-0236162	9/12/2012 12:00:00 AM	RE: Final Brochure Part 2	"jay lathen" <jaylathen@edenarccapital.com>	"'michael d. robinson'" <michaelrobinson@edenarccapital.com>; "'stephen derosa'" <sderosa@gerstensavage.com>	"'eric roper'" <eroper@gerstensavage.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0236170	9/7/2012 12:00:00 AM	RE: CALL INFORMATION FOR TODAY'S 11:00 CONFERENCE CALL	"jay lathen" [redacted]	"'judith russell'" <jrussell@gerstensavage.com>;"'stephen derosa'" <sderosa@gerstensavage.com>;<michaelrobinson@edenarccapital.com>	"'eric roper'" <eroper@gerstensavage.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0236173						AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0236187						AllmessagesReceivedbyMDRonEACcom_128773_Email_001

September 2015 Production						
FirstBates	DateSent	MailSubject	From	TO	CC	FolderName
SEC-EDENARC-E-0237369	5/11/2015 12:00:00 AM	RE: E-Mail Production	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>;michael robinson<michaelrobinson@edenarccapital.com>		AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0237488	5/15/2015 12:00:00 AM	RE: E-Mail Production	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>;michael robinson<michaelrobinson@edenarccapital.com>	"sampoli@crayro.com" <sampoli@crayro.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0238105	8/2/2012 12:00:00 AM	Re: Revised LPA	[redacted]	"eric roper" <eroper@gerstensavage.com>;"michael robinson" <michaelrobinson@edenarccapital.com>	"stephen derosa" <sderosa@gerstensavage.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001
SEC-EDENARC-E-0238568	7/1/2015 12:00:00 AM	RE: Preparing to Prepare Kathy for Testimony	jay lathen <jaylathen@edenarccapital.com>	harlan protass <protass@clayro.com>;michael robinson <michaelrobinson@edenarccapital.com>	jorja knauer <knauer@clayro.com>	AllmessagesReceivedbyMDRonEACcom_128773_Email_001

EXHIBIT J

To: 'Jay Lathen'[Jaylathen@edenarccapital.com]
Cc: Farrell, Margaret D.[mfarrell@hinckleyallen.com]
From: Flanders, Robert G.
Sent: Wed 10/23/2013 11:40:30 AM
Importance: Normal
Subject: RE: Goldman Sachs Bank USA
jackson_GS CD Confirms.pdf
eDS15D.PDF

Jay:

A few questions and concerns after reviewing the documents you sent to me.

The confirms you sent me (copies attached) state that there is a "PROSPECTUS MAILED UNDER SEPARATE COVER". Do you have any prospectuses for these CDs or is that merely the same Disclosure Statement and Supplement that Mr. Massey attached in his letter to me (copy attached).

It is troubling that the pertinent language in the above referenced documents does not expressly deal with the joint account situation and is ambiguous about the obligation of Goldman to redeem the CDs on the death of any joint account holder with rights of survivorship. The pertinent language in the disclosure statement is as follows:

"In the event of death or the adjudication of incompetence of the owner of a CD, early withdrawal of the entire CD will generally be permitted without penalty...Written verification acceptable to the issuer will generally be required to permit early withdrawal under these circumstances."

This is hardly a firm promise to pay the face value of the CD upon the death of any joint account holder with survivorship rights. Rather, it appears to give some discretion to the issuer not to pay or to argue that the written verification it received in this case was not acceptable to Goldman and/or that "the owner of a CD" means all the owners, not just one of them. And is "withdrawal of the entire CD" tantamount to a promise to pay the entire principal amount of the CD plus accrued interest?

Who is the author of these disclosure documents? CD King or Goldman or some other

party? Are these same forms used for each CD that Goldman issued and that you purchased for the joint accounts? Do you actually have separate disclosure supplements for each CD that you purchased (note that the terms of the CDs are stated at the top of the supplement, and I presume they differ from one CD to the next)?

Please let me know your thoughts about these matters.

Bob

From: Jay Lathen [mailto:Jaylathen@edenarccapital.com]
Sent: Monday, October 21, 2013 5:44 PM
To: Flanders, Robert G.
Subject: RE: Goldman Sachs Bank USA

Yes I have confirms on the purchases and the account statements show the JTWROS ownership on the first page of the account statement. Attached are account statements and confirms for the Jackson account.

Jay

Jay Lathen

Chief Investment Officer

Eden Arc Capital Management, LLC

One Penn Plaza, 36th Floor

New York, NY 10119

212-786-7414 Office

[redacted] Mobile

646-359-5964 Fax

jaylathen@edenarccapital.com

From: Flanders, Robert G. [mailto:rflanders@hinckleyallen.com]
Sent: Monday, October 21, 2013 5:38 PM
To: Jay Lathen
Subject: RE: Goldman Sachs Bank USA

Do you have written confirmations from CD King of your purchases of the CDs in question? Do you have account records from CD King showing who owns each certificate?

From: Jay Lathen [mailto:Jaylathen@edenarccapital.com]
Sent: Monday, October 21, 2013 11:44 AM
To: Flanders, Robert G.
Subject: RE: Goldman Sachs Bank USA

Bob,

Attached are the participant agreements for the accounts in question, as well as the account opening documents. I have also attached the Line of Credit Agreement and profit sharing agreement that I entered into with the fund. Neither the line of credit agreement nor the profit sharing agreement were provided to Goldman as they asked only for the agreements between me and the participant. Whether Goldman would want to, or have the right to, see these additional agreements is unclear. But I thought I would provide them to you in any event.

As for the offering documents related to the CDs, those were provided as an attachment to one of the letters that Sidley sent (attached). Interestingly, Goldman's disclosure statement is rather spare as relates the survivor's option. It says "in the event of death or adjudication of incompetence of the owner of a CD, early withdrawal of the entire CD will generally be permitted without penalty." There is no reference to a joint tenancy unlike the language you typically see in a bond prospectus and also the disclosure statement says "owner" rather than the usual "beneficial owner" which prevails in the bond docs. Given this spare language, I wonder if we could argue that the question of joint tenancy is in fact a moot point – i.e. the participant is clearly an owner as is plainly indicated in the account opening paperwork, even if their ownership was not 100% or 50% or "beneficial ownership." This would make our case a lot more straightforward and stronger. What do you think?

Thanks,

Jay

Jay Lathen

Chief Investment Officer

Eden Arc Capital Management, LLC

One Penn Plaza, 36th Floor

New York, NY 10119

212-786-7414 Office

[redacted] Mobile

646-359-5964 Fax

jaylathen@edenarccapital.com

From: Flanders, Robert G. [mailto:rflanders@hinckleyallen.com]
Sent: Sunday, October 20, 2013 7:46 PM
To: Jay Lathen
Subject: RE: Goldman Sachs Bank USA

Jay:

Can you please provide me with copies of the documents referenced in this letter, together with any others that the court will want to review in connection with assessing whether Goldman improperly refused to redeem the CDs upon the death of the joint account holders? In particular, any offering documents or others that specify what Goldman's obligations are upon the death of a joint account holder and the specification of any survivor's benefits. I will need these to present the proposal we discussed to my firm.

Bob

From: Jay Lathen [mailto:Jaylathen@edenarccapital.com]
Sent: Wednesday, September 25, 2013 9:35 PM
To: Farrell, Margaret D.; Flanders, Robert G.
Cc: Michael Robinson
Subject: RE: Goldman Sachs Bank USA

I agree. I have attached a draft letter which I think should go back to Goldman/Sidley Austin on Hinckley letterhead. Please review and then let's discuss.

Best,

Jay

Jay Lathen

Chief Investment Officer

Eden Arc Capital Management, LLC

One Penn Plaza, 36th Floor

New York, NY 10119

212-786-7414 Office

[redacted] Mobile

646-359-5964 Fax

jaylathen@edenarccapital.com

From: Farrell, Margaret D. [mailto:mfarrell@hinckleyallen.com]
Sent: Wednesday, September 25, 2013 4:02 PM
To: Jay Lathen; Flanders, Robert G.
Cc: Michael Robinson
Subject: RE: Goldman Sachs Bank USA

It would seem that the only response would be to challenge the assertion that the accounts are not bona fide joint tenant accounts and to ask the basis for this assertion.

Peggy

From: Jay Lathen [mailto:Jaylathen@edenarccapital.com]
Sent: Wednesday, September 25, 2013 3:51 PM
To: Farrell, Margaret D.; Flanders, Robert G.
Cc: Michael Robinson
Subject: Fwd: Goldman Sachs Bank USA

See response from Goldman. Thoughts?

Jay Lathen

Eden Arc Capital Management

212-786-7414 Office

[redacted] Cell

646-349-5964 Fax

jaylathen@edenarccapital.com

Sent from my iPhone

Begin forwarded message:

From: "Massey, William R." <WMassey@Sidley.com>
Date: September 25, 2013, 3:35:00 PM EDT
To: <abb@clking.com>, <jaylathen@edenarccapital.com>
Subject: Goldman Sachs Bank USA

In response to recent requests to exercise the survivor's option on certain callable certificates of deposit issued by Goldman Sachs Bank USA, please see the attached letter.

IRS Circular 230 Disclosure: To comply with certain U.S. Treasury regulations, we inform you
that, unless expressly stated otherwise, any U.S. federal tax advice contained in this
communication, including attachments, was not intended or written to be used, and cannot be
used, by any taxpayer for the purpose of avoiding any penalties that may be imposed on such
taxpayer by the Internal Revenue Service. In addition, if any such tax advice is used or referred
to by other parties in promoting, marketing or recommending any partnership or other entity,
investment plan or arrangement, then (i) the advice should be construed as written in connection
with the promotion or marketing by others of the transaction(s) or matter(s) addressed in this
communication and (ii) the taxpayer should seek advice based on the taxpayer's particular
circumstances from an independent tax advisor.

****

****

EXHIBIT K

To: Kevin Galbraith[kevin@kevingalbraithlaw.com]
From: Jay Lathen
Sent: Thur 12/4/2014 8:43:23 PM
Importance: Normal
Subject: RE: 10 am call running long – I'll call around 11:15
image001.png
New Participant Agreement 12_4_14.docx

Kevin,

I have modified our participant agreement to reflect various conversations we have had with GE, US Bank, Prospect et al. Please have a look and give me your thoughts.

Best,

Jay

From: Kevin Galbraith [mailto:kevin@kevingalbraithlaw.com]
Sent: Thursday, December 04, 2014 1:28 PM
To: Jay Lathen
Subject: Re: 10 am call running long – I'll call around 11:15

Yes, I'll ping him today.

---

kevin@kevingalbraithlaw.com

www.kevingalbraithlaw.com

From: Jay Lathen <Jaylathen@edenarccapital.com>
Date: Thursday, December 4, 2014 at 1:11 PM
To: Kevin Galbraith <kevin@kevingalbraithlaw.com>
Subject: RE: 10 am call running long -- I'll call around 11:15

Forgot to ask you earlier, could you reach out to Chris Robertson again regarding his firm issuing an opinion on the validity of the joint tenancy? Thanks.

From: Kevin Galbraith [mailto:kevin@kevingalbraithlaw.com]
Sent: Thursday, December 04, 2014 10:59 AM
To: Jay Lathen
Subject: 10 am call running long -- I'll call around 11:15

---

kevin@kevingalbraithlaw.com

www.kevingalbraithlaw.com

EXHIBIT L

From: Chivers, Corey <corey.chivers@weil.com>
Sent: Thursday, December 11, 2014 5:07 PM
To: Kevin Galbraith <kevin@kevingalbraithlaw.com>
Cc: fred.robustelli@ge.com; Schiller, Miranda <miranda.schiller@weil.com>; Katz, Emily <emily.katz@weil.com>
Subject: RE: Survivor's Option

Kevin,

Just a note to let you know we haven't forgotten you.

Our team has reviewed your memo, including the cases you cited, and will share our views with GECC.

I anticipate that we will be in a position to respond next week.

Many thanks

Corey

Weil

Corey R. Chivers
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
corey.chivers@weil.com
+1 212 310 8893 Direct
+1 212 310 8007 Fax

From: Kevin Galbraith [mailto:kevin@kevingalbraithlaw.com]
Sent: Thursday, December 04, 2014 12:18 PM
To: Chivers, Corey
Cc: fred.robustelli@ge.com; Schiller, Miranda; Katz, Emily
Subject: Re: Survivor's Option

Corey,

I hope you had a good Thanksgiving.

Following up to see if we can schedule a call to discuss this, possibly next week. My only black-out times are Monday 4 to 5, Tuesday 11 to 12 and Friday before 1. Please let me know if there is a time that will work for your team.

Thanks.

Best,

Kevin

KG THE LAW OFFICE OF KEVIN GALBRAITH LLC

236 West 30th Street, 5th Floor
New York, New York 10001

212.203.1249 (p)
646.390.5935 (f)
[redacted] (m)

kevin@kevingalbraithlaw.com
www.kevingalbraithlaw.com

From: Kevin Galbraith <kevin@kevingalbraithlaw.com>
Date: Tuesday, November 18, 2014 at 3:26 PM
To: "Chivers, Corey" <corey.chivers@weil.com>
Cc: "fred.robustelli@ge.com" <fred.robustelli@ge.com>, "Schiller, Miranda" <miranda.schiller@weil.com>, "Katz, Emily" <emily.katz@weil.com>
Subject: Re: Survivor's Option

Corey,

As I mentioned, attached is a letter (with two attachments) further addressing the survivor's option issue. Once you've had a chance to review it, I'd like to set up a follow-up phone call at your convenience.

Thanks.

Best,

Kevin

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New York, New York 10001

212.203.1249 (p)
646.390.5935 (f)
[redacted] (m)

kevin@kevingalbraithlaw.com
www.kevingalbraithlaw.com

From: Kevin Galbraith <kevin@kevingalbraithlaw.com>
Date: Thursday, November 13, 2014 at 10:21 AM

To: "Chivers, Corey" <corey.chivers@weil.com>
Cc: "fred.robustelli@ge.com" <fred.robustelli@ge.com>, "Schiller, Miranda" <miranda.schiller@weil.com>, "Katz, Emily" <emily.katz@weil.com>
Subject: Re: Survivor's Option

No problem, Corey.

I am actually preparing a letter for your consideration, so let's hold off on our further discussion until I've sent that along and you've had a chance to review it. I expect to send it early next week.

Thanks.

Best,

Kevin

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646.390.5935 (f)
[redacted] (m)

kevin@kevingalbraithlaw.com
www.kevingalbraithlaw.com

From: <Chivers>, Corey <corey.chivers@weil.com>
Date: Thursday, November 13, 2014 at 10:16 AM
To: Kevin Galbraith <kevin@kevingalbraithlaw.com>
Cc: "fred.robustelli@ge.com" <fred.robustelli@ge.com>, "Schiller, Miranda" <miranda.schiller@weil.com>, "Katz, Emily" <emily.katz@weil.com>
Subject: RE: Survivor's Option

Kevin,

Apologies for the delay. Would tomorrow after 3pm work?

Best regards,

Corey

Weil

Corey R. Chivers

Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
corey.chivers@weil.com
+1 [redacted] Direct
+1 212 310 8007 Fax

From: kevin@kevingalbraithlaw.com [mailto:kevin@kevingalbraithlaw.com]
Sent: Wednesday, October 22, 2014 5:06 PM
To: Chivers, Corey
Cc: fred.robustelli@ge.com; Schiller, Miranda; Katz, Emily
Subject: RE: Survivor's Option

Corey,

I'd like to reschedule the call I had to postpone last week. I'm available this Friday from 2 to 5 pm, then pretty wide open next week. Please let me know a time that would work for you and your team.

Thank you.

Best,

Kevin

KG THE LAW OFFICE OF KEVIN GALBRAITH LLC

236 West 30th Street, 5th Floor
New York, New York 10001

212.203.1249 (p)
646.390.5935 (f)
[redacted] (m)

kevin@kevingalbraithlaw.com
www.kevingalbraithlaw.com

> -------- Original Message --------
> Subject: RE: Survivor's Option
> From: "Chivers, Corey" <corey.chivers@weil.com>
> Date: Mon, October 13, 2014 12:58 pm
> To: "kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>
> Cc: "fred.robustelli@ge.com" <fred.robustelli@ge.com>, "Schiller, Miranda" <miranda.schiller@weil.com>, "Katz, Emily" <emily.katz@weil.com>
>
> Kevin,
>
> That's fine.

Just give us a heads up. I know Miranda is traveling during the week but let us know with some warning and we'll see what we can do.

Best regards,

Corey

Weil

Corey R. Chivers
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
corey.chivers@weil.com
[redacted] Direct
+1 212 310 8007 Fax

From: kevin@kevingalbraithlaw.com [mailto:kevin@kevingalbraithlaw.com]
Sent: Monday, October 13, 2014 12:47 PM
To: Chivers, Corey
Cc: fred.robustelli@ge.com; Schiller, Miranda; Katz, Emily
Subject: RE: Survivor's Option

Corey,

Sorry for the late notice, but I would like to push our call back so I can have a bit more time to review the authorities cited in your letter. Once I've done so, I'll circle back with you to get a call on the calendar.

Thanks.

Best,

Kevin

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212.203.1249 (p)
646.390.5935 (f)
[redacted] (m)

kevin@kevingalbraithlaw.com

www.kevingalbraithlaw.com

-------- Original Message --------
Subject: Survivor's Option
From: "Chivers, Corey" <corey.chivers@weil.com>
Date: Fri, October 10, 2014 5:14 pm
To: "kevin@kevingalbraithlaw.com" <kevin@kevingalbraithlaw.com>
Cc: "fred.robustelli@ge.com" <fred.robustelli@ge.com>, "Schiller, Miranda" <miranda.schiller@weil.com>, "Katz, Emily" <emily.katz@weil.com>

Kevin,

As mentioned, attached is a letter that sets forth our analysis of the redemption request.

We are happy to discuss on Monday.

Please let us know if that still works or if you would like more time to review.

Best regards

Corey

>

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KEVIN GALBRAITH LLC

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New York, New York 10001

212.203.1249 (p)
646.390.5935 (f)

kevin@kevingalbraithlaw.com
kevingalbraithlaw.com

By Email

September 2, 2014

Joseph W. Muccia
Partner
Thompson Hine LLP
335 Madison Avenue, 12th Floor | New York, NY 10017

Re: Prospect Capital Corporation Survivor's Option Submissions

Dear Mr. Muccia:

I write on behalf of my client Donald F. (Jay) Lathen. Reference is made to your August 14, 2014 email regarding the above-referenced matter and to Mr. Lathen's letter to your client U.S. Bank (sent via email to Beverly Freeney and cts.survivor.options.com), dated January 29, 2014 (attached). Reference is also made to the Base Indenture dated as of February 16, 2012 by and between Prospect Capital Corporation (Prospect) and U.S. Bank (as successor) and with the various supplemental indentures thereto (the Indenture).

Background and History of the Dispute with Prospect

On January 23, 2014 Stephanie Lanier of U.S. Bank sent an email to Andrea Burriesci of C.L. King & Associates, Inc. (C.L. King), Mr. Lathen's broker, requesting additional information regarding the six accounts in which Mr. Lathen had made survivor's option elections. Ms. Lanier's email read as follows:

> Hi Andrea,
>
> Prospect Capital has requested the following documentation for each of the six accounts you have submitted Survivor Options for:
>
> - copies/proof of the actual account in which the notes were purchased
> - the signatures on the account
> - date opened for the account and
> - proof of date purchased for the notes
>
> Thank You

Andrea queried Stephanie as to who was requesting the information, why the additional information was necessary and further commented that C.L. King had always provided the same package of documentation in the past with no issue. Stephanie responded with a copy to Eric Collandrea at Prospect asking him to answer Andrea's questions. Eric responded to Stephanie in an email dated January 24, 2014 as follows:

> We need this for record keeping purposes. The prospectus states (page S-23) that all submissions are subject to the "appropriate evidence satisfactory to the trustee" and we want to see this additional information. Specifically, we want to see copies of the complete account/client information form and the trade confirmation."

It was this email chain that precipitated Mr. Lathen's January 29, 2014 letter to U.S. Bank.

In his letter, Mr. Lathen raised several material concerns regarding Prospect's request for additional information and raised the question as to whether U.S. Bank was fulfilling its duty under the Indenture to act as an independent fiduciary. Namely:

- U.S. Bank is the sole party under the Indenture empowered to determine the validity and eligibility of the exercise of the survivor's option feature.
- U.S. Bank had already approved all of the requests that Mr. Lathen had made and had submitted them in "good form" to Prospect for payment. Its decision was final and binding on Prospect.
- Under the Indenture, Prospect has authority only to invoke the individual and/or aggregate put limits as defined therein.[1]
- The communication trail clearly indicated that it was Prospect, not U.S. Bank, making the request for additional information. This is in direct conflict with the Indenture and is therefore impermissible.
- U.S. Bank's role as the sole party empowered to make eligibility determinations under the Indenture is a crucial safeguard against an issuer attempting to avoid its obligations under the Indenture. (As you may know, most indentures for similar securities in the market designate the trustee as the determination party, although some designate the issuer.)
- Prospect is of course not a neutral party and its interests are likely different from, and adverse to, Mr. Lathen's interest as an investor in the securities.
- In purchasing these securities, Mr. Lathen relied upon U.S. Bank to uphold its fiduciary obligations under the Indenture and, critically, to faithfully serve as the sole determination party as required by the Indenture.
- By allowing Prospect, when it had no standing in the matter, to override U.S. Bank's already-rendered validity determination, made in accordance with the Indenture, U.S. Bank risked compromising its independence and abrogating its fiduciary obligations under the Indenture.

[1] As an aside, subsequent to Mr. Lathen's January 29 letter, we have reviewed the Indenture more closely and it appears that Prospect has not been calculating the individual put limits correctly. It is measuring the individual limits based on the total bond holdings in a particular account (across multiple CUSIPs) whereas the Indenture requires it to measure the individual limits CUSIP by CUSIP. Mr. Lathen recently notified Michael DeBois, counsel at U.S. Bank, that Prospect does not appear to be following the mandates of the Indenture in this regard. While Prospect retains discretion to invoke the limit, U.S. Bank is obligated to ensure that Prospect is measuring these limits correctly under the Indenture.

In addition to raising the above concerns, Mr. Lathen offered in his January 29 letter to provide any further information that U.S. Bank may require in in order to revalidate these submissions. U.S. Bank never took Mr. Lathen up on his offer.

Despite the critical concerns raised by Mr. Lathen in his letter, U.S. Bank seemed to not take seriously its obligations under the Indenture. In the immediate aftermath of his January 29 letter, Mr. Lathen spoke by phone to Beverly Freeney and Ian Bell, both of U.S. Bank, regarding his letter and the status of the submissions. They told him that U.S. Bank had forwarded his letter to Prospect and that they were waiting for Prospect to respond. Mr. Lathen expressed concern that U.S. Bank did not seem to understand or take to heart the main point of Mr. Lathen's letter – namely that Prospect does not have a seat at the table with respect to the validity determination. During that call, Mr. Lathen also informed Mr. Bell and Ms. Freeney that U.S. Bank's continued deference to Prospect on this matter amounted to a dereliction of its fiduciary duties under the Indenture. Shortly after these conversations, on February 6, 2014, Mr. Lathen received an email from Stephanie Lanier of U.S. Bank. It stated:

> Hello Jay,
>
> Ultimately, is at the option of the Company to repay the notes as cited in page S-49 of the Prospectus. I do not believe they will repay without the requested documentation (copies of both the complete account/client information form and trade confirmation).
>
> "If a note is entitled to a Survivor's Option, upon the valid exercise of the Survivor's Option and the proper tender of that note for repayment, we will, at our option, repay or repurchase that note, in whole or in part, at a price equal to 100% of the principal amount of the deceased beneficial owner's interest in that note plus unpaid interest accrued to the date of repayment."

Mr. Lathen responded:

> You are misconstruing the issuer's option under the provision you highlight below. The issuer has an option to either "repay" or "repurchase." I could care less which one of those they choose. They do not have an option to "not pay."

Frustrated by U.S. Bank's inability or unwillingness to correctly interpret and faithfully follow its own Indenture, Mr. Lathen reached out to Thomas Tabor, Beverly Freeney's manager at U.S. Bank. After reviewing the Indenture, Mr. Tabor agreed with Mr. Lathen's assessment about U.S. Bank's role as the sole determination agent. He agreed to inform Prospect that it was obligated to honor Mr. Lathen's redemption requests that had already been validated by U.S. Bank.

For several months following Mr. Lathen's initial conversation with Thomas Tabor, Mr. Lathen continued to follow up with Mr. Tabor and Ms. Freeney regarding the status of U.S. Bank's efforts on his behalf. Each time Mr. Lathen was informed by U.S. Bank that Prospect was still reviewing the issue. Mr. Tabor suggested at various times that Prospect would be reaching out to Mr. Lathen or that Mr. Lathen might be well served to reach out to Prospect himself. Mr. Lathen reiterated to Mr. Tabor that Prospect is not the determination party under the Indenture and that

he expected U.S. Bank to do its job as trustee under the Indenture and "force" Prospect to honor the terms of the Indenture or else declare an event of default.

Finally, in mid-June 2014, after several months of no progress, U.S. Bank informed Mr. Lathen of its recent conversation with Prospect, the upshot of which was that Prospect would be contacting Mr. Lathen shortly. In addition, Mr. Lathen was advised that U.S. Bank had informed Prospect that it had a limited amount of time to contact Mr. Lathen and, failing that, U.S. Bank would set in motion a process with Prospect to declare a covenant violation under the Indenture. This deadline passed without any action or contact from Prospect and it is unclear to us whether U.S. Bank ever initiated the aforementioned process.

On June 30, 2014, Mr. Lathen was contacted by Prospect for the first time. Adam Burton, an in-house lawyer from Prospect, called Mr. Lathen and informed him that it had filed a complaint against him in the Supreme Court of the State of New York, County of New York. Mr. Lathen was completely blindsided by this call, having received no indication from Prospect or U.S. Bank that this was even a possibility. He was distressed to learn later that same day that the complaint was available on a Bloomberg Law search. Mr. Burton indicated that Prospect would hold off serving Mr. Lathen with the complaint until such time as Mr. Lathen had an opportunity to review and respond to the allegations in the complaint.

We have advised both Prospect and U.S. Bank that the complaint is completely without merit. Under the threat of being served and potentially having to defend himself both in court and in the court of public opinion against these baseless allegations, Mr. Lathen agreed to provide additional information to Prospect in order to fully rebut the complaint's allegations. U.S. Bank has also been provided this information.

Since his January 29 letter, the list of Prospect securities in default under the Indenture has grown. Currently, Prospect has defaulted on $1.55 million face amount of securities owned by Mr. Lathen, comprised of 8 distinct series of notes. With respect to these 8 securities, Mr. Lathen made a valid redemption request, U.S. Bank validated the claim, the claim was submitted to Prospect for repayment and Prospect did not redeem or purchase the securities on their respective Repayment Dates as required by the Indenture. Given this series of events, Prospect's failure to pay the claims constituted a principal default under the Indenture, despite U.S. Bank personnel's mistaken use of the term "covenant violation" in their earlier conversations with Mr. Lathen. Section 5.01 (2) of the Base Indenture defines principal default as follows:

> ~~default in the payment of the principal of (or premium if any) any Security of that series~~ when it becomes due and payable at its Maturity, and continuance of such default for a period of 5 days

At first glance, the failure to pay a survivor's option submission would not appear to constitute a ~~principal default under the Indenture. However, upon closer inspection it~~ *is* in fact a principal default because of the way Maturity is defined in the Indenture. In the Base Indenture, Maturity is defined as follows:

> "Maturity," when used with respect to any Security, means the date on which the principal of such Security or an installment of principal becomes due and payable as therein or herein provided, whether at the Stated Maturity or by declaration of acceleration, notice of redemption, **notice of option to elect repayment**, notice of exchange or conversion or otherwise. (Base Indenture p. 8; emphasis supplied.)

So Prospect's refusal to pay the valid survivor's option elections made by Mr. Lathen, and approved by U.S. Bank in its role as sole determination agent, constituted a principal default under the Indenture. This is a much more serious failure than a covenant violation. Upon a principal default, U.S. Bank is required to provide notice to affected security holders pursuant to Section 6.01 Notice of Defaults. To wit:

> Within 90 days after the occurrence of any Default hereunder with respect to the Securities of any series, the Trustee shall transmit in the manner and to the extent provided in TIA Section 313(c), notice of such Default hereunder known to the Trustee, unless such Default shall have been cured or waived; provided, however, that, **except in the case of a Default in the payment of the principal of (or premium, if any) or interest, if any, on any Security of such series, or in the payment of any sinking or purchase fund installment with respect to the Securities of such series**, the Trustee shall be protected in withholding such notice if and so long as the board of directors, the executive committee or a trust committee of directors and/or Responsible Officers of the Trustee in good faith determines that the withholding of such notice is in the interest of the Holders of the Securities and coupons of such series... (Base Indenture p. 59; emphasis supplied.)

Since Prospect's failure to redeem the securities constituted a default in the payment of principal, U.S. Bank did not have the option of withholding notice to affected security holders under 6.01 of the Base Indenture. Indeed it had an affirmative obligation to notify the affected security holders and it apparently failed to do so. This failure to act represents a serious breach of its fiduciary obligations under the Indenture and Mr. Lathen has been damaged as a result.

The history of this dispute shows convincingly that U.S. Bank has repeatedly failed to uphold its fiduciary obligations under the Indenture and that it has utilized an inexplicably light-handed approach with Prospect as it relates to the enforcement of Prospect's obligations under the Indenture. As a result of U.S. Bank's numerous misinterpretations of its obligations under the Indenture, and its ineffectual enforcement thereof, U.S. Bank has allowed Prospect to ignore its obligations under the Indenture without consequence, thereby trampling Mr. Lathen's rights as a bondholder. Moreover, U.S. Bank's inaction on this matter, including its failure to declare a principal default under Section 5.01 (2) and provide notice to affected security holders in accordance with Section 6.01, created the time and space for Prospect to "ambush" Mr. Lathen with a baseless lawsuit, thereby creating potential further damage to Mr. Lathen. If Mr. Lathen finds himself in litigation with Prospect, which now seems likely, he intends to hold U.S. Bank directly accountable for its actions – and inactions – throughout this dispute.

Mr. Lathen is hard-pressed to understand the reasons behind U.S. Bank's conduct. It is possible that U.S. Bank has merely been careless in its handling of this matter. However, given the scale and scope of U.S. Bank's errors, Mr. Lathen suspects that commercial considerations may be the true culprit. Obviously, U.S. Bank is paid by Prospect to act as trustee under the Indenture. Perhaps U.S. Bank's performance during this matter has been driven by a desire to continue to act as trustee for future Prospect bond deals. This possible conflict of interest may explain why U.S. Bank has not adopted a more muscular approach with Prospect. But regardless of the reasons for U.S. Bank's conduct in connection with this dispute, Mr. Lathen has been, and continues to be, damaged by its failures.

The Joint Tenancies Established by Mr. Lathen Are Valid

Your email of August 14, 2014 states:

> This firm is counsel to the Trustee with respect to the matters addressed herein. On behalf of the Trustee we advise you that, based upon the Trustee's analysis of information and material most recently submitted on behalf of your client Eden Arc and related parties (the "Holders") in conjunction with the other evidence and information available to the Trustee in connection with the attempted exercise of the Survivor's Option by the Holders, there does not appear to the Trustee satisfactory evidence or information indicating the existence of a joint tenancy in the Notes between the decedents and the Holders. The Trustee is unaware of any additional evidence or information which might affect the determination of eligibility or validity of the Holders' attempted exercise of the Survivor's Option. Accordingly, the Trustee at this time has determined that the Holders are not eligible for exercise of the Survivor's Option.

We strongly dispute your assertion that there is not satisfactory evidence or information indicating the existence of a joint tenancy in the Notes. Indeed, there is compelling authority supporting the existence of the joint tenancy under both New York Banking Law and governing New York case law.

Joint Accounts are statutorily defined under New York law. Specifically, New York Banking Law Section 675 states as follows:

> (a) When a deposit of cash, securities, or other property has been made or shall hereafter be made in or with any banking organization or foreign banking corporation transacting business in this state, or shares shall have been already issued or shall be hereafter issued, in any savings and loan association or credit union transacting business in this state, in the name of such depositor or shareholder and another person and in form to be paid or delivered to either, or the survivor of them, such deposit or shares and any additions thereto made, by either of such persons, after the making thereof, shall become the property of such persons as joint tenants and the same, together with all additions and accruals thereon, shall be held for the exclusive use of the persons so named, and may be paid or delivered to either during the lifetime of both or to the survivor after the death of one of them, and such payment or delivery and the receipt or acquittance of the one to whom such payment or delivery is made, shall be a valid and sufficient release and

discharge to the banking organization or foreign banking corporation for all payments or deliveries made on account of such deposit or shares prior to the receipt by the banking organization or foreign banking corporation of notice in writing signed by any one of such joint tenants, not to pay or deliver such deposit or shares and the additions and accruals thereon in accordance with the terms thereof, and after receipt of any such notice, the banking organization or foreign banking corporation may require the receipt or acquittance of both such joint tenants for any further payments or delivery. (b) ***The making of such deposit or the issuance of such shares in such form shall, in the absence of fraud or undue influence, be prima facie evidence, in any action or proceeding to which the banking organization, foreign banking corporation, surviving depositor or shareholder is a party, of the intention of both depositors or shareholders to create a joint tenancy and to vest title to such deposit or shares, and additions and accruals thereon, in such survivor. The burden of proof in refuting such prima facie evidence is upon the party or parties challenging the title of the survivor.*** (Emphasis supplied.)

Both the account-opening documentation for the above-referenced accounts and the Participant Agreements that Mr. Lathen entered into with each of the other account owners clearly and unambiguously state that the parties were creating JTWROS (joint tenants with right of survivorship) accounts. The account applications and account statements clearly satisfy the New York statutory requirement for a Joint Account. As such, those documents provide the prima facie evidence of the existence of a joint tenancy. And crucially, under New York banking law, the burden of refuting such prima facie evidence of joint tenancy is upon the party challenging the title of the survivor. *See, e.g., Coddington v. Coddington*, 56 A.D.2d 697 (3rd Dep't 1971) (citing the "heavy burden" faced by those trying to rebut Section 675's presumption of a valid joint tenancy supported by prima facie evidence).

The Prospectus Supplement also recognizes the primacy of a statutory joint tenancy. It states:

> The death of a person owning a note in joint tenancy or tenancy by the entirety with another or others shall be deemed the death of the holder of the note, and the entire principal amount of the note so held shall be subject to repayment, together with interest accrued thereon to the repayment date. (Prospectus Supplement p. S-24.)

U.S. Bank's documentary requirement for proving beneficial ownership in an individual or joint account includes only the account statement. So with respect to joint accounts, U.S. Bank is required to look only for evidence of a statutory joint tenancy. As you are surely aware, this documentary requirement is standard throughout the industry. It relieves the trustees and issuers of the need to undertake costly and time-consuming due diligence to prove something that is self-evident in the account registration. It protects beneficial owners from trustees and issuers who might seek to impose burdensome and unnecessary documentation requirements as a means to deter submissions or delay payments. And lastly, it protects investors from issuers (or trustees improperly influenced by issuers) that may seek to avoid paying legitimate claims by providing a

mechanism for them to challenge the prima facie beneficial ownership when it suits their interests.

As set forth in the Prospectus Supplement, U.S. Bank does have the ability to request additional information it "reasonably requires to evidence satisfaction of any conditions to the exercise of the Survivor's Option or to document beneficial ownership or authority to make the election and to cause the repayment of the note." (Prospectus Supplement p. S-24.) However, this provision is intended for accounts where the decedent's beneficial interest is not plainly evident in the account registration (*e.g., trust accounts or nominee accounts*). It does not apply to individual or joint accounts where the beneficial interest is explicitly evidenced in the account registration and for which statutory recognition is assured. Therefore it was not "reasonable" for U.S. Bank, much less Prospect, to request any additional information to validate the claims.

As for the case law, New York courts have long recognized that documents that statutorily create a joint tenancy with rights of survivorship are presumed valid. *See, e.g., In re Estate of Marocchi*, 117 A.D.2d 670, 671 (2d Dep't 1986). The challenging party must provide "clear and convincing" evidence that the JTWROS is not valid. *See, e.g., Matter of Grancaric*, 91 A.D.3d 1104, 1105 (3d Dep't 2012); *see also Matter of Corcoran*, 63 A.D.3d 93, 96 (3d Dep't 2009) (establishing that New York courts have consistently held that Section 675's presumption applies equally to investment accounts and traditional deposit accounts).

This is a very high burden of proof, indeed. Given this "clear and convincing evidence" standard required to rebut the existence of a prima facie joint tenancy, I note that in neither your August 14 email nor in our August 26 call did you provide any analysis whatsoever to support your contention that "there does not appear to the Trustee satisfactory evidence or information indicating the existence of a joint tenancy in the Notes." Meanwhile, we have provided the strongest possible evidence: account documents establishing a statutory prima facie joint tenancy. In order to support the position your client has taken of late, it must provide the clear and convincing evidence to rebut the statutory presumption. You and U.S. Bank have provided no evidence or authority whatsoever to refute the joint tenancy, let alone the "clear and convincing" evidence required by New York state courts.

While we do not believe that U.S. Bank was "reasonably" entitled to the additional information we provided in recent weeks which now, apparently, forms the basis for your current view regarding the joint tenancies, we nonetheless are confident that the additional information we have provided to date reinforces, rather than undermines, the existence of the joint tenancy.

New York courts, and indeed courts in other state jurisdictions, have reluctantly and rarely overturned statutory joint tenancies. New York state courts have consistently stated that the *only* bases for invalidating a statutory joint tenancy are fraud, undue influence, lack of capacity or a determination by the court based on the facts of the case, that the joint tenancy was instead a so-called "convenience account." *See, e.g., Matter of Estate of Ehrlich v. Wolf*, 2011 N.Y. Misc. LEXIS 630 (N.Y. Sup. Ct. Jan. 11, 2011) (setting forth analytical framework and upholding

presumption in the absence of "clear and convincing" evidence to rebut the presumption); *In re Estate of Stalter*, 270 A.D.2d 594 (3d Dep't 2000) (setting forth framework and upholding presumption). In fact, we are not aware of any precedent in which a statutory joint tenancy was overturned for reasons other than these. And in the rare instances where joint tenancies have been overturned, that result was reached only where the challenging party had met the very high "clear and convincing evidence" standard.

The Participant Agreements at issue here convincingly demonstrate that Mr. Lathen's joint tenancies would be upheld by a New York court examining the accounts under the well-established analytical framework used with regard to Section 675. As relates to the possibility that a court might review the joint tenancies to determine if there was fraud, undue influence or lack of capacity, the Participant Agreements and Mr. Lathen's business practices clearly establish the following facts:

- These joint tenancies were entered into freely and on a fully informed basis. Mr. Lathen and his organization have designed and universally implemented an aggressive disclosure regime with respect to his program. All participants were fully informed regarding the details of his program both in the Participant Agreement as well as in numerous conversations with the participants and their family members prior to enrollment. Signatures on all of the Participant Agreements have been notarized. And as an added measure to ensure transparency, all Participant Agreements require an additional signature from a friend or family member of the participant.
- Mr. Lathen was not a fiduciary to the participants. He did not remotely coerce them into entering into these agreements. He was not related to any of them. Neither he nor anyone in his organization employed high-pressure sales tactics.
- Mental capacity for all of the participants was carefully screened prior to entering into the Participant Agreements with them. Where mental capacity was in question, Mr. Lathen contracted with the participant's attorney-in-fact. And in many instances, Mr. Lathen has had to turn down potential participants where their mental capacity was in question and where the prospective participant had not already delegated power of attorney to a competent counterparty. This has been unwelcome news for some potential participants but it is both a necessary safeguard and a critical component of the rigorous screening process that has been in place since the inception of the program.

Under the analytical framework employed by New York courts, the only remaining avenue to challenge the joint tenancies would be to convincingly demonstrate that they were so-called "convenience accounts." The statutory definition of "convenience account" is provided in New York Banking Law Section 678:

> When a deposit of cash, securities or other property has been made, or shares shall be issued in or with any banking organization or foreign banking corporation transacting business in this state, in an account established after the effective date of this section, ***in the name of a depositor and another person and in form to be paid or delivered to***

> *either "for the convenience" of the depositor*, the making of such deposit or the issuance of such shares shall not affect the title to such deposit or shares and the depositor shall not be considered to have made a gift of one-half the deposit or of any additions or accruals thereon to the other person, and, on the death of the depositor, ***the other person shall have no right of survivorship in the account.*** (Emphasis supplied.)

For joint accounts lacking the "for the convenience of" language specified in Section 678, courts examine the facts and circumstances of each case to determine whether the joint account was in fact a convenience account. The court in *Estate of Stalter* summarized the high threshold that must be met for a court to find that a statutory joint tenancy was in reality a convenience account:

> The presumption will only be rebutted by direct proof or substantial circumstantial proof, clear and convincing and sufficient to support an inference that the joint account has been opened as a matter of convenience only. 270 A.D.2d at 596.

Typically, convenience accounts involve an elderly joint owner who deposited all of the funds to the account and has added a younger relative or friend to the account to help pay bills. Disputes sometimes arise when the elderly joint owner passes away and the account passes by operation of law to the surviving joint owner. The heirs to the decedent (or another executor) then challenge the joint tenancy and assert that the funds in the account should be part of the decedent's estate, not the property of the surviving joint tenant. *See, e.g., Plotnikoff v. Finkelstein*, 105 A.D.2d 10 (1st Dep't 1984). In order to overcome the statutory presumption of joint tenancy, the challenging party needs to demonstrate clearly and convincingly that the funds came solely from the decedent and that the decedent had no intention of the funds passing to the joint tenant but instead wished the funds to be part of their estate. *See, e.g., Matter of Corcoran*, 63 A.D.3d 93.

The central feature of a convenience account is that the account holders simply do not intend survivorship rights to pertain to the account. Mr. Lathen's Participant Agreements all contain true survivorship language that plainly manifests the account holders' intent to form a traditional joint account. In the Participant Agreement, all of the participants acknowledge that their interest in the joint account will pass to Lathen upon their demise. So the joint account could never be considered a convenience account from the perspective of the participant. And the Participant Agreement explicitly states what would happen if Mr. Lathen predeceased the participant. In some of the Participant Agreements, the following mechanism kicks in:

> In the event that Lathen and the Designees should pre-decease the Participant, Participant, or if applicable, Participant's estate hereby agree to cooperate with Investors or their designated agent to liquidate the Account(s). Once liquidated, any funds contributed by Investors to the Accounts would be returned to them. The remaining value in the Account(s), if any, would then be divided 95% to Investors and 5% to Participant or their estate.

In the remainder of the Participant Agreements, a different mechanism applies:

> In the event that Lathen pre-deceases the Participant, the Investment Loan shall become immediately due and payable. The Partnership will have authority to liquidate the Account(s) to satisfy the outstanding balance due under the Investment Loan. Once the Investment Loan is satisfied with respect to such liquidated Account(s), any remaining proceeds shall be paid to Participant, or if applicable, to Participant's estate.

Both forms of the Participant Agreement clearly establish that the participant will receive survivorship benefits in the account in the event of Mr. Lathen's demise. In the first instance, there is a 95/5 split of proceeds in the account after any funds contributed by the Investors are returned to them. In the second instance, once the loan balance is paid off, the Participant receives the full residual balance in the account, consistent with a common law joint tenancy.

These mechanisms in the Participant Agreement in no way undermine or void the statutory joint tenancy created through the account application process. They merely impose additional, parallel contractual obligations upon the participants in the event Lathen pre-deceases them. In fact, the Participant Agreements explicitly recognize the primacy of the statutory joint tenancy.

In the first example, the account actually passes to them in full and they are required to "cooperate" with Investors to give back most, but not all of the proceeds to them. But that it is a contractual obligation which a participant may or may not fulfill. In any event, the brokerage firm would rightly recognize only the statutory joint tenancy and would have no obligation to cooperate with the Investors to force performance under this clause, nor would the brokerage firm recognize any obligation to ensure that accounts were liquidated and distributed in the fashion envisioned under the Participant Agreement.

In the second example, the account passes in full to the participant subject only to satisfaction of amounts loaned by the Partnership to the account. Given the full survivorship provisions inherent in the statutory joint tenancies created by the account-opening applications, and notwithstanding the creation of separate contractual obligations independent of these statutory joint tenancies within the Participant Agreements, it is clear under the relevant New York statutory and precedential authority that the joint accounts are not convenience accounts for Mr. Lathen. They are instead valid joint tenancies and we are highly confident that any court in New York will recognize them as such.

We also note that the additional contractual mechanisms cited above are inoperable in any event because all of the participants pre-deceased Mr. Lathen. As relates the validity of Mr. Lathen's survivor's option submissions, the crucial question is whether the deceased joint holder's interest in the account passed to Mr. Lathen through the survivorship feature. In all instances, Mr. Lathen's survivorship interest in the account is manifestly clear, pure and unadulterated.

Another important point regarding Mr. Lathen's joint tenancies is that they are readily distinguished from the joint tenancies established by the Staples in South Carolina that are now the subject of a lawsuit brought by the SEC. The SEC alleges that the Staples utilized a participant agreement whereby the participants had "relinquished any ownership rights they had to assets purchased in those [joint] accounts." (Staples Complaint ¶ 28.) If true, this is entirely different than Mr. Lathen's joint tenancies. In the joint tenancies established between Mr. Lathen and the participants in his program, the participant had a clear beneficial interest in the account and also possessed unmistakable, genuine survivorship rights.

Prospect's complaint against Lathen recklessly alleged Staples-like claims, stating that Mr. Lathen had required participants "to relinquish ownership rights to assets in those accounts through the execution of side agreements." (Prospect Complaint ¶ 4.) This claim, unsupported by anything in Prospect's possession at the time of their complaint, was asserted based "upon information and belief." This baseless allegation, now thoroughly debunked by the plain language of the Participant Agreements that Mr. Lathen has provided to Prospect and U.S. Bank, nonetheless lives on in a complaint that is publicly accessible. Never substantiated and now disproved, this allegation nonetheless threatens Mr. Lathen's reputation and livelihood.

Mr. Lathen fully acknowledges that his investment strategy is unusual. However, this does not make it illegal, it does not nullify his joint tenancies and it does not disqualify him from exercising his contractual rights with respect to enforcing the survivor's option provision in the Indenture. Indeed, his strategy was highlighted in March 10, 2010 page one story in the *Wall Street Journal* titled "Investors Tap Into Deathbed Bond Deal." Selected excerpts from that story are presented below:

> In a little-known practice, investors can recruit a terminally ill person and together they can scoop up these bonds on the open market at a discount. When the ailing bondholder dies, the surviving co-owner can then redeem them at face value and potentially turn a quick profit...
>
> Legal and financial experts say there is nothing to prevent investors from buying the bonds with a dying relative or even a stranger who is terminally ill...
>
> There's nothing in a typical prospectus that would prohibit such deals, said Edward Best, an attorney at Mayer Brown LLP in Chicago who has worked on bond offerings with survivor's-option provisions. While issuers didn't intend for them to be used to make a quick buck, he said, "there are people out there who will figure out how to game almost anything in the world."...
>
> According to underwriter Incapital LLC, there are $83 billion in retail-oriented bonds outstanding, most with a survivor's option. "Over the years, the survivor's option has proven to be a welcome benefit for individual investors that helps to mitigate market

risk," said a spokesman for the Chicago company. The situation with Mr. Caramadre is "an isolated incident," he said...

An AIG spokesman said the company wasn't aware of the practice until it learned of Mr. Caramadre's activities. The bonds' fine print doesn't prohibit such activity, the spokesman added...

Joseph Caramadre, the investor who was featured in the *Wall Street Journal* article, was subsequently convicted of fraud. However, the indictment filed against Caramadre by the U.S. Attorney in Rhode Island asserted that Caramadre had committed fraud because he had stolen the identities of the terminally ill individuals and opened joint accounts with them without their knowledge or consent. (Caramadre Indictment ¶ 27.) Many of Caramadre's participants asserted that they believed he was a wealthy philanthropist. (Caramadre Indictment ¶ 36.) They did not realize that he intended to open joint accounts and/or purchase variable annuities in their names and to profit on their demise. (Caramadre Indictment ¶ 38.) In contrast to Caramadre who duped his terminally ill participants, Mr. Lathen has always maintained a robust disclosure regime as the touchstone of his program. In the very first conversation with a potential participant, the individual is informed that Mr. Lathen is running a business, not operating a charity. Moreover, Mr. Lathen's Participant Agreements state concisely in plain English the exact nature of the relationship and the transaction, including the fact that he will likely earn substantial profit as a result of the relationship and transaction.

Finally, many issuers and trustees are aware of Mr. Lathen's strategy and they continue to pay him regularly on the securities that he has put back to them. Late last year, one issuer, a large and extremely sophisticated global financial institution, requested additional information from Mr. Lathen in order to validate the put-back requests he had made. Mr. Lathen provided his Participant Agreements, account-opening documents and other information substantially identical to the information provided to U.S. Bank and Prospect here. After a lengthy review by this issuer's legal department, it validated and paid the claims. Mr. Lathen continues to this day to successfully put back paper to this issuer. This issuer does not particularly like Mr. Lathen's strategy but it understands that Mr. Lathen's joint tenancies are ironclad and his right to repayment under the survivor's option is clear-cut. It should be noted that this particular issuer *does not* have an independent trustee. Rather, its securities are self-agented. So while that issuer obviously had significant economic incentive to invalidate Mr. Lathen's claims, it concluded after careful legal analysis that it had no legal grounds to do so.

Conclusion

The joint tenancies that Mr. Lathen established were valid and he is entitled to exercise his rights for repayment under the Indenture. We hope that U.S. Bank will consider all of the facts and authorities herein and promptly and conclusively determine that these claims are valid. U.S. Bank – and U.S. Bank alone – is responsible for determining eligibility for repayment under the Indenture's survivor's option provision. The views of Prospect on this matter are not just self-

serving; they are irrelevant. Its attempts to manipulate and improperly insert itself into the process, which is the exclusive domain of U.S. Bank, have damaged Mr. Lathen.

Upon a declaration from U.S. Bank that the redemption requests are valid, we then expect U.S. Bank to promptly and vigorously follow the four corners of the Indenture, including declaring a principal default under Section 5.01 (2), complying with the default notice provisions of Section 6.01, accelerating the maturity of the affected securities under Section 5.02 and to undertake any other steps it judges to be necessary to enforce Mr. Lathen's rights as a Prospect bondholder under the Indenture.

As set forth above, U.S. Bank's handling of these submissions leaves much to be desired. U.S. Bank, rather than being a staunch and faithful advocate for its fiduciary, Mr. Lathen, has instead allowed Prospect to repeatedly abrogate with impunity its obligations under the Indenture. Worst of all, U.S. Bank has allowed Prospect to inappropriately interfere in matters squarely within U.S. Bank's exclusive domain under the Indenture. As a result, Prospect now appears to have coerced U.S. Bank into a viewpoint squarely at odds with New York State Banking Law and all existing case law precedents. This is a very disturbing fact pattern.

Fortunately, despite the significant missteps identified herein, U.S. Bank still has an opportunity to set things right. Under the Indenture, U.S. Bank's ultimate eligibility determination is "final and binding." (Prospectus Supplement p. S-25.) If U.S. Bank follows the law and rightfully validates Mr. Lathen's claims, damages to Mr. Lathen will be significantly mitigated. Prospect's lawsuit against Mr. Lathen would very likely go away because U.S. Bank's ultimate determination is final and binding upon them under the Indenture. On the other hand, if U.S. Bank makes a determination that does not follow the law, then there is a considerable risk that Prospect will pursue its litigation against Mr. Lathen. If so, Mr. Lathen will vigorously defend himself and his reputation, including seeking compensation from U.S. Bank to recover the commercial and reputational damages he may suffer as a result of U.S. Bank's conduct. Mr. Lathen is highly confident that a court would ultimately determine that his joint tenancies are valid. And as the sole determination agent under the Indenture, having grossly mishandled this entire situation and misapplied the law as a direct result of inappropriate interference and coercion by Prospect, Mr. Lathen would intend to hold U.S. Bank fully accountable for his damages.

We urge U.S. Bank to consider this decision very carefully. We look forward to your expeditious response.

Best Regards,

Kevin Galbraith

Attachment

cc: Adam Burton, Esq., Vice President – Legal, Prospect Administration, LLC

EXHIBIT M

To: bhood@wiggin.com[bhood@wiggin.com]
From: Jay Lathen
Sent: Wed 5/19/2010 8:18:32 AM
Importance: Normal
Subject: EndCare Presentation
endcare_investor_pres_5_2010.pptx

Bruce,

Thanks for your time on the phone yesterday. As discussed, here is the presentation on EndCare and my full contact info.

Talk to you soon.

Best,

Jay

Jay Lathen
President
EndCare
One Penn Plaza, Ste. 3671
New York, NY 10119
212-786-7414 Work
[redacted] Cell
646-349-5964 Fax
[redacted]

EXHIBIT N

To: Hood, Bruce E.[BHood@wiggin.com]
From: Jay Lathen
Sent: Mon 12/6/2010 4:09:59 PM
Importance: Normal
Subject: Re:

Hi Bruce,

I am in process of launching a fund and want to revisit your prior research on the structure below. Can you give me a call please?

Best regards,

Jay Lathen
President
EndCare
One Penn Plaza, Ste. 3671
New York, NY 10119
212-786-7414 Work
[redacted] Cell
646-349-5964 Fax
[redacted]

From: "Hood, Bruce E." <BHood@wiggin.com>
To: "[redacted]" [redacted]
Sent: Fri, June 18, 2010 5:30:48 PM
Subject:

Hi, Jay. I have reviewed the relevant authorities, and it appears that a good argument can be made that you and the terminally ill person can hold bonds as agents of an investment fund (with the result that the fund is entitled to the tax benefits associated with ownership of the bonds), as long as an agreement is in place between the parties making it clear that the agents are acting in that capacity and the parties' actions are consistent with the arrangement. This means that funds for the acquistion of the bonds are furnished by the fund, proceeds of the payment of the bonds are turned over to the fund less whatever fee is paid to the terminally ill person, etc. The fact that the agency arrangement will not be made public -- at least as regards the issuer of the bond -- does not appear to be fatal to the arrangment, although it is one of the factors pointing against agency treatment. We can firm all of this up if you decide to go in this direction.

Kind regards,

Bruce