

PICK & BOYDSTON, LLP

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

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July 7, 2010

Kevin Timmerman  
17 W 16<sup>th</sup> Street  
Holland, MI 49423

Via FEDEX and Email  
dom1106@pcmx.net  
kevin2010@compendiumarcana.com

Re: Theft of Trade Secrets and Proprietary Information, Defamatory and Misleading Posts Regarding Fuel Doctor, LLC ("FD") on the internet; **For Confidential Settlement Purposes Only**

Dear Mr. Timmerman:

We represent FD and have been advised of the following:

You have repeatedly posted false, misleading and defamatory statements regarding FD across the internet on a variety of websites and web forums. Some of your known postings appear at or have appeared at: [http://www.compendiumarcana.com/fuel\\_doctor\\_fd47/](http://www.compendiumarcana.com/fuel_doctor_fd47/); <http://www.jlaforums.com/viewtopic.php?p=54554966>; and <http://www.gassavers.org/showthread.php?t=11684>. Gassavers.org immediately removed your post when we contacted it, understanding the liability risk your post presented. The gassavers.org post can still be seen in the Google cache at: <http://webcache.googleusercontent.com/search?q=cache:U3xaKoGCjdwJ:www.gassavers.org/showthread.php%3Fp%3D143906+gassavers+fuel+doctor&cd=1&hl=en&ct=clnk&gl=us&client=firefox-a>.

In addition to your commission of defamation and trade libel against FD, it appears that you have published proprietary, trade secret schematic drawings of FD's product. This gives rise to causes of action for conversion and theft of trade secrets under California law.

The damage resulting from this is self evident, nevertheless, we explain in more detail below as to FD's particular legal causes of action.

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These internet posts give rise to causes of action for defamation, conversion, theft of trade secrets, trade libel and false light, among other things. In addition to being supported by special damages, the defamatory and misleading statements rise to the level of libel "per se" pursuant to California Civil Code Section 45(a). This means that such words are actionable on their face, without the need to plead special damages. As such, FD is entitled to general damages for loss of business reputation pursuant to California Civil Code Section 48 (4)(a). Additionally, FD has claims for punitive damages pursuant to California Civil Code Sections 48(4)(c-d) and 3294. In California, punitive damages are awarded to punish a defendant for his or her wrongful acts.

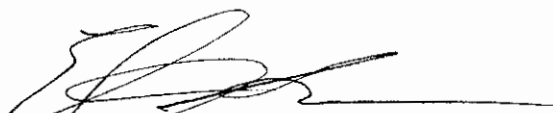
Your posts jeopardize FD's business relationships every single day that they remain. They are a figurative "Google time bomb".

At this stage of the matter, FD is willing to forego litigation against you if you immediately identify and remove any and all internet postings that you have made regarding FD. Additionally, you must explain and identify from where you obtained the schematic drawings that you posted. You must enter into a settlement agreement whereby you agree to never again post or publish any comments with regard to FD on the internet or any other media. Finally, you must agree to reimburse FD its legal expenses incurred in pursuing you in this matter, currently in the sum of \$5,000.

Our request for resolution is exceedingly simple - that you comply with the demands identified herein by close of business July 9, 2010. If you do not, FD will file suit against you and seek monetary damages in excess of \$100,000 as well as seek a permanent injunction against you to prevent the continuation of your bad acts identified herein. Also, if forced to file suit, FD will seek punitive damages as stated herein as well as its attorneys fees and costs.

Please give me a call or email to state whether or not you will comply. In the event that we do not hear from you or that you refuse to remove the defamatory content and enter into the settlement terms identified herein, FD reserves its right to pursue any and all legal and equitable remedies available against you in a court of law.

Yours very truly,



Erik Syverson  
PICK & BOYDSTON LLP

cc: client by email