

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

ROBERT H. BRAVER, an individual)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-04-1013-W
)	
AMERIQUEST MORTGAGE COMPANY,)	
INC., et al.)	
)	
Defendants.)	

**DEFENDANT LEAD2NET.NET, INC.'S
RESPONSES TO PLAINTIFF'S DISCOVERY**

Defendant Lead2Net.Net, Inc. ("Lead2") hereby submits its responses to Plaintiff's Discovery.

GENERAL OBJECTIONS

1. Lead2 hereby responds to plaintiff's discovery subject to and without waiving the assertions in its Motion to Dismiss. Specifically, Lead2 lacks sufficient minimum contacts with the State of Oklahoma to justify the Court's exercise of personal jurisdiction. Neither specific nor general jurisdiction exists over Lead2.

2. Lead2 objects to plaintiff's definitions and instructions to the extent that they attempt to impose upon it obligations beyond those required by the Federal Rules of Civil Procedure, the local rules of this Court, or the Court's Order regarding jurisdictional discovery.

3. Lead2 objects to plaintiff's definition of "you", "your" and "this Defendant" as over broad, and apparently intended to obligate Lead2 to respond to plaintiff's discovery requests on behalf of other entities. In accordance with the Federal Rules of Civil Procedure, Lead2 shall

Exhibit
#4

RESPONSE TO REQUEST NO. 6: Lead2 is not in the possession of any such documents.

REQUEST FOR ADMISSIONS

REQUEST NO. 1: Admit www.Lead2Net.Net is the registrant for Lead2Net.Net.

RESPONSE TO REQUEST NO. 1: Admitted.

REQUEST NO. 2: Admit that Nicholas Passalacqua is the administrative contact for the domain www.Lead2Net.net.

RESPONSE TO REQUEST NO. 2: Admitted.

REQUEST NO. 3: Admit that www.Lead2Net.net is the registrant for domain www.emortgagetree.com.

RESPONSE TO REQUEST NO. 3: Admitted.

REQUEST NO. 4: Admit that Nicholas Passalacqua is the administrative contact for domain www.emortgagetree.com.

RESPONSE TO REQUEST NO. 4: Admitted.

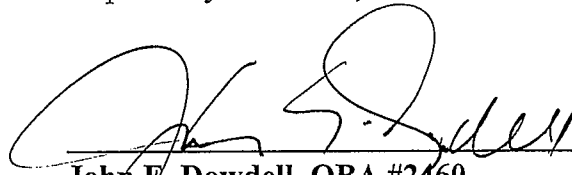
REQUEST NO. 5: Admit the genuineness of the Lead2Net.Net website pages attached hereto as Exhibit 1 and Bates stamped by Plaintiff's counsel as Lead2Net 00001 through 00043.

RESPONSE TO REQUEST NO. 5: Admitted.

REQUEST NO. 6: Admit that www.emortgagetree.com has conducted an email marketing campaign.

RESPONSE TO REQUEST NO. 6: Objection. This Request for Admission is vague and ambiguous. There is no time frame provided and a definition of "email marketing campaign" was not provided. It is overbroad in subject matter and time frame. This Request for Admission also

Respectfully submitted,



John E. Dowdell, OBA #2460

NORMAN WOHLGEMUTH CHANDLER & DOWDELL

2900 Mid-Continent Tower

Tulsa, OK 74103

(918) 583-7571

(918) 584-7846 (facsimile)

jed@nwcldlaw.com

Attorneys for Defendant Lead2Net.Net, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2006, a true and correct copy of the foregoing was **mailed by depositing same in the U.S. Mail**, proper postage thereon fully prepaid, and addressed to:

Luke J. Wallace
David Humphreys
Humphreys Wallace Humphreys, PC
1724 East Fifteenth Street
Tulsa, OK 74104
Attorney for Robert Braver

Steven J. Adams
Fellers Snider Blankenship Bailey & Tippens
321 Boston Avenue, Suite 800
Tulsa, OK 74103-3318
sadams@fellerssnider.com
Attorney for Go Apply, Inc. and The Loan
Page, Inc.

Michael R. McKee
McKee Law Firm
P.O. Box 1351
Norman, OK 73070
mike@mckeelawfirm.com
Attorney for Robert Braver

Arthur F. Hoge, III
Brinda K. White
Christopher W. Cotner
Mee Mee & Hoge, LLP
1900 N.W. Expressway, Suite 1400
Oklahoma City, OK 73118
afhoge@meehoge.com
cwc@meehoge.com
Attorneys for Lead Association Corp.

lead2net.net

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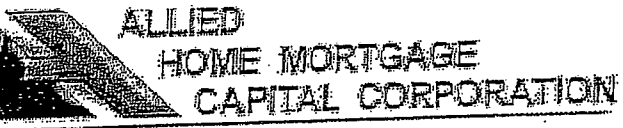
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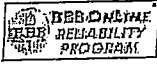
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Exhibit /

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Please enter your User Name and Password.

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Password:

Image Verification Code:

8	5	6
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Enter Verification code:
(case sensitive)

I have read and agree to the [Terms of Service](#).

SUBMIT

Have you forgotten your login or password?

If you forgot your Login or Password, enter your email address here (the one you used for signing up with lead2net.net) and your login and password will be sent to you.

Because your password is encrypted, we have to generate new password for you when you forgot your old one. After you receive your new, automatically generated password, we recommend you log in to your account and then change your password.

Your email:

SEND ME NEW PASSWORD

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- SEND TO A FRIEND
-

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- [Emortgagefree.com](#)
- [Alison Company](#)
- [Keystone Mortgage And Inv Co](#)
- [Ahl Credit Fund III](#)
- [Marvin Williamson](#)
- [Hamilton Mortgage Company](#)
- [D & E Rity Fin Invstments Llc](#)
- [Pacific Coast Mortgage Inc](#)
- [Prime Capital Inc](#)
- [United Financial Services Llc](#)
- [Universal American Mrtg Co Llc](#)
- [Arizona Loan Center Inc](#)
- [Notestocash Llc](#)

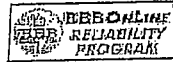
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Please feel free to contact us with any questions or requests.
1-866-533-2NET

Corporate Office

Lead2Net.net, Inc.
7700 Congress Ave., Suite 3104
Boca Raton, FL 33487

Telephone: 561-912-0792
Facsimile: 561-862-0319
Email: info@lead2net.net

Email Directory

Assistance:
assistance@lead2net.net

Info:
info@lead2net.net

Quote:
pricequote@lead2net.net

Visit our consumer site
www.emortgagefree.com

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Q&A

All Of Your Questions Answered

Q. How do I get started?
 A. To get started, simply fill out our sign up for free registration form (It only takes one minute) or call 866-533-2638 to speak with our customer service department.

Q. What's the difference from your AUTOMATED leads and leads from the CHERRY-PICKER?
 A. Our AUTOMATED leads are leads that are less then (24 hrs old). Leads from the CHERRY-PICKER are leads that are older then 24 hrs old and undersold.

Q. When will I receive my leads?
 AUTOMATED leads will be delivered every business morning Monday to Friday to your verified email account (LEADS LESS THAN 24 HRS OLD). CHERRY-PICKER Leads you can download to your email account instantly after funding your account (LEADS OLDER THAN 24 HRS OLD).

Q. Is there a minimum lead quota or order amount?
 There is a minimum order of 80 leads.

Q. How many times is a lead sold?
 Leads are sold no more than three (3) times (on average 1.8 times)

Q. What filters are available?
 You can have your leads filtered by Credit rating, loan type (Refi, Purchase, HELOC etc) and choices all for free. Specific LTV, minimum loan amount over 75k and specific interest rates are an additional charge of \$5 dollars per lead.

Q. Can I change my filters or lead purchase criteria?
 You can make changes at any time by logging into your account and update your criteria, or

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- [Marvin Williamson](#)
- [Hamilton Mortgage Company](#)
- [D & E Rity Fing Investments Llc](#)
- [Pacific Coast Mortgage Inc](#)
- [Prime Capital Inc](#)
- [United Financial Services Llc](#)
- [Universal American Mrtg Co Llc](#)
- [Arizona Loan Center Inc](#)
- [Notestocash Llc](#)
- [Chsk Financial Group Inc](#)
- [Security Mortgage Corp](#)
- [ChBt Real Estate Finance](#)
- [Rbmo Inc](#)
- [Mortgages Ltd Residential Llc](#)
- [Catalina Mortgage Company Inc](#)
- [Full Spectrum Lending Inc](#)
- [Bronlen Financial Group Inc](#)
- [Wall Street Mrtg Executives](#)

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call customer service at 866-533-2638 or email them to support@lead2net.net

Q. What type of performance can I expect to receive from these leads?
A. Our leads are fresh and responsive (Keep in mind we do not guarantee results) Typically, our results have shown an average funding rate of 10%-15%.

Q. How are the leads delivered?
A. Leads can be delivered as an Excel file batches or a PDF file (text) where you can print one per page.

Q. What types of payment to you accepts?
A. Checks, MasterCard, Visa, American Express, Discover

Q. If I have additional questions, who should I contact?
A. Contact customer service at 866-533-2638

Q. What if I forgot my password?
A. Just click forgot password in the broker log-in box and it will be emailed to you instantly.

Q. Where are your leads coming from?
A. Our leads are generated from Emortgagee.com where the retail customer can complete a quote request online. In addition, we also receive leads through

- oogle Affiliates
- ahoo Fixed Integration
- .S.N. Banner Ads
- i Center Email Marketing
- erventure Contextual Marketing

When will I receive my leads?
You will receive your fresh leads (less than 24 hrs old) the following business morning after sign-up and fund your account or you can hand pick leads from our CHERRY PICKER which are slightly aged (older than 24 hrs old) to be downloaded instantly.

Can I buy leads by zip code?
No, you are able to buy leads based on the following basic criteria: Loan purpose, credit score, property type and state.

- Freedom Fincl & Mrtg Svcs Corp
- Multiple Choice Mortgage
- Baystone Financial Group
- Platinum Funding Ltd
- Freestand Financial Holdg Corp
- Hartland Mortgage Centers Inc
- Keig Financial Corp
- West American Mortgage
- Choice One Mortgage Inc
- Accredited Home Lenders Inc
- Abc Mortgage Llc
- Windfall Capital
- Leog Financial Services Inc
- American Fincl Resources Inc
- Afri Internetconnections
- CT X Mortgage Company Llc
- Cresleigh Financial Svcs Llc
- Morrison Financial Services Lp
- Amerifund Financial Inc

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Q. Do your leads come with a minimum loan amount?

A. Yes all leads come with a minimum loan amount of \$75,000 (our competition charges \$5.00 per lead extra).

Q. Do you have special discounts for larger volume buyers?

A. Yes we do please call (866)533-2638 or email <mailto:info@lead2net.net> (we consider large volume buyers, companies who receive at least two thousand leads a month).

Q. Do you have a return policy?

A. We Stand by our lead products, and will replace any miss-information from our AUTOMATED LEADS on a basis. Returning leads couldn't be easier. Go the "Leads section" after logging into your account at Lead2Net.net click on dispute lead, enter reason for returning within 5 business days of purchase. We will credit any lead that contains false or incomplete contact information from leads that were automatically routed to you each morning. We guarantee the lead to have a valid name, one valid contact phone number from a customer who submitted a request for more information on a mortgage loan. We do not guarantee that their home value, requested, loan amount, credit quality, or interest rate is exactly correct as these are estimates entered by the consumer when completing the application. Since our leads are non-exclusive, the customer may have started a loan process with another Loan Officer or simply not interested any longer in receiving mortgage loan information, so this is not a valid reason for a dispute. We recommend contacting the customer as soon as you get the lead so you can be the first to earn their business. Lead2Net.net the right to monitor your returns and change or adjust this policy without notice.

CHERRY-PICKER LEADS

At Lead2Net.net, we understand that to "close more loans," a lender must be in the right place at the right time. Our CHERRY-PICKER of slightly aged leads allows lenders to contact consumers at a later date when it might possibly be a better time. The CHERRY-PICKER is also a great way to backfill your sales pipeline at a lower cost. On occasion, consumers request mortgage quotes with the best of intentions to move forward on a deal; but then life happens, things come up, and before they know it, it's been two weeks since they thought about the home loan that could greatly improve their circumstances. Many of these consumers' mortgage needs are as great today as they were the day they applied. The difference - now they may be ready to act! Take advantage of the poor follow-up of your competition, and gain incremental business today!

The CHERRY-PICKER gives you the ability to buy leads from our database that are still available for sale or aged, at a substantial savings from our normal pricing. Use this to fill in your lead volume on days when you were not delivered enough leads, or to select the exact criteria you desire. They are also great for newer Loan Officer's who need to polish their skills on a lower cost lead. Ask us for special pricing on large volumes!

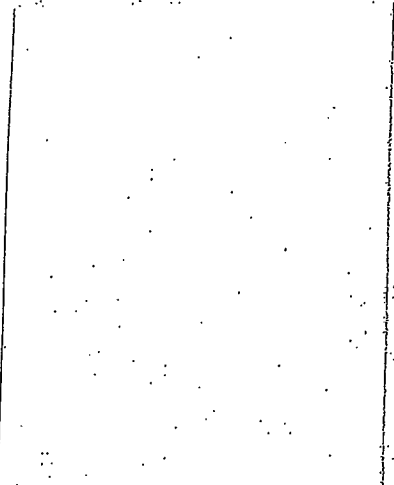
As a lead Provider is Lead2Net.net responsible for compliance with the Do-Not-Call laws?

No. You, as the person who is actually calling the consumer to sell your loan services, are responsible for compliance with the Do-Not-Call laws. Lead2Net.net, despite our efforts to ensure our leads are within Do-Not-Call legal guidelines, cannot legally stand in your place and solve you from your responsibility to be in compliance with the law. State and federal Do-Not-Call registries exist to prevent unsolicited telemarketing calls, not calls from persons who have opted to be contacted. Under Federal rules (and most all states), safe harbors exist to allow a consumer to expressly grant permission to be contacted even though they have registered their phone number with a state or federal Do-Not-Call registry. A consumer submitting a Quote request via the internet to Lead2Net.net is granting permission to be contacted and under safe harbor rules they may be contacted up to 90 days after they submitted the permissive contact

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Quote Request. We, along with those affiliates contracted with us, take extraordinary steps to ensure the consumer knows and understands that by submitting their Quote Request they are granting express permission to be contacted by one or more brokers or lenders signed up with us, even if they are registered on a Do-Not-Call registry. We also provide to the consumer a list of all brokers and lenders subscribing to our service who may be contacting them. Finally we record the date, time and IP address for all Quote Requests received by us and can make such data available to you should you need to show when and from where permission to be contacted occurred. NEVERTHELESS, and despite our extraordinary efforts, current law holds you, the caller (telemarketer) responsible to comply with the Do-Not-Call rules. THEREFORE, if you are unsure about your exposure to fines under the Do-Not-Call laws, we recommend that you work with your Independent counsel to develop and implement a compliance plan for your business.

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