

From: Andrew Law
To: "bnz@eidaholaw.com"
Subject: Case No. CV-18-33
Date: Wednesday, June 20, 2018 1:50:00 PM

Bryan,

I write to recap our conversation from earlier today. During our call, I explained that Melaleuca has looked at your Notice and Subpoena and believes they are not proper under Idaho law. I noted that Melaleuca had already informed you that it has no record of employing someone named [REDACTED] and that, as a result, it answered the garnishment interrogatories the way it did. I further explained that Melaleuca, as a show of good faith, stated that it has an employee with the Social Security number found in your garnishment documents, but that Melaleuca has no way of knowing who the true judgment debtor is.

You explained that it is your position that Melaleuca does know who the judgment debtor is based on the Social Security number alone and that it was not critical that Melaleuca had no record of employing someone with the name of the judgment debtor from the pleadings. I indicated that Melaleuca's position was that it is the judgment creditor who bears the burden of submitting accurate garnishment documents, and that Melaleuca could not resolve any discrepancy in your records. You explained that your records didn't have a name other than [REDACTED] and that you'd have to bear the expense and burden of examining the judgment debtor to learn any other names of the judgment debtor. I responded, again, that it is not Melaleuca's responsibility to ensure that your documents are accurate.

I indicated that Melaleuca is willing to work with you and that Melaleuca doesn't believe it is necessary to take this dispute to the court. I further stated that Melaleuca could have simply said that it doesn't employ anyone with the name of the judgment debtor but that Melaleuca has tried to be accommodating by providing you information to suggest a potential discrepancy in your records. I indicated, however, that unless you had another proposal to resolve this dispute, we'd be filing a motion for protective order and/or to quash. You agreed to consider providing Melaleuca a proposal that might resolve this dispute. And Melaleuca remains willing to consider such a proposal.

Please let me know if you'd like to discuss this issue further.

Thanks,

Andrew

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