

August 16, 2023

Michael Fuller
Olsen Daines
US Bancorp Tower
111 SW 5th Ave., Suite 3150
Portland, Oregon 97204
michael@underdoglawyer.com

RE Case No. 23CV15424

Dear Mr. Fuller,

Thank you for your letter of August 16, 2023, and for communicating your concerns about the July 6th, 2023 email of Terry Kang to Jennifer Clinchy and Evans Clinchy.

I never signed the Court's May 25th, 2023 protective order and am under no legal obligation from it.

Furthermore, the order specifically says "This Protective Order, however, does not restrict the disclosure or use of any information or documents lawfully obtained by the receiving party through means or sources outside of this litigation."

I received the document in question from Marc Mohan after he had already withdrawn as my counsel from this case. My reception of that email and use of the contents within broke no laws or court rules. If you have an issue with Marc Mohan sending that email, take it up with him.

The entirety of the DECLARATION OF DAVID KOENIG that includes the document in question is already a public record three times. All three were filed by me on August 10, 2023.

- Declaration in Case No. 23CV15424
- Ethics complaint to the Oregon State Bar about Marc Mohan
- Ethics complaint to the Oregon State Bar about Michael Fuller

Sincerely,

s/ David Koenig