

**From:** [Berg, Geoffrey](#)  
**To:** [Chanler A. Langham](#)  
**Cc:** [Melissa Moore](#)  
**Subject:** Re: Atlas/Torres/Sinn settlement agreement violation  
**Date:** Tuesday, December 24, 2013 2:45:43 PM

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Please immediately forward the picture with the tag line, a list of senders, and a full list of recipients, including all names, phone numbers, and email addresses.

Request is further made that no files related to this be deleted. Please direct both of your clients to place a litigation hold on all related documents, phones and computers. They are not to dispose of any electronic device.

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Sent from my iPhone

> On Dec 24, 2013, at 1:38 PM, "Chanler A. Langham"  
<clangham@SusmanGodfrey.com> wrote:

>

> Geoffrey,

>

> Thank you for your message. It is my understanding that Mr. Taylor received the message and photo in error. It was not meant for him to receive it and it was not directed at him either. Indeed, the message had nothing to do with Mr. Taylor or the lawsuit that we amicably resolved.

>

> This message was sent to a large number of people who have done business or have been associated with Atlas in the past, including a person with the same name as your client: Craig Taylor. I believe the tag line was "Happy Holidays from Atlas." Although the sense of humor may be lost on sum, this apparently is there version of a humorous holiday card.

>

> I have requested that Adam delete Mr. Taylor's contact information so that this mistake will not happen again.

>

> Regards,

>

> - Chanler A. Langham

>

>> On Dec 23, 2013, at 9:27 PM, "Berg, Geoffrey"  
<GBerg@diamondmccarthy.com> wrote:

>>

>> Melissa and Chanler,

>>

>> As you know, the settlement agreement between our clients contains confidentiality and non-disparagement clauses. I can't say I've ever seen a violation of those provisions quite like this one, but Mr. Sinn texted the attached picture to Craig Taylor this past weekend. As you can see, the photo features Mr. Sinn and Mr. Torres. Also making an appearance is Chanler's co-counsel, not exactly living up to the highest standards of professionalism by upholding his middle finger instead of the dignity of the profession, as the rules require.



>>

>> Whether they thought they were being funny or trying to accomplish something else isn't clear. I'm going to guess, though, that this picture was not taken right after your clients and co-counsel either refused to discuss Atlas, Taylor, Marshall or the settlement or used "words to the effect that all disputes among [the Parties] have been fully settled and resolved" and nothing else, as the agreement requires.

>>

>> It looks to me like they were just drunk. Whatever the case, Mr. Taylor isn't amused, and I don't blame him.

>>

>> This case took a lot of effort from all of us to get settled and I don't want to undo it over this. Without waiving Atlas' right to act in response to any future violation(s), and without asking that either of your clients admit to having violated it, request is made that Mr. Sinn, Mr. Torres and Chanler's co-counsel (whose name escapes me at the moment) each apologize to Mr. Taylor before Christmas and then leave him alone.

>>

>> If you would like to discuss, please let me know.

>>

>> Geoff

>>

>> [cid:dm\_mailsig96d9ab]

>> Geoffrey Berg |

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vCard<[http://www.diamondmccarthy.com/our\\_people/geoffrey-berg-vcard](http://www.diamondmccarthy.com/our_people/geoffrey-berg-vcard)>

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>> AUSTIN<[http://www.diamondmccarthy.com/contact\\_us/austin](http://www.diamondmccarthy.com/contact_us/austin)> |

DALLAS<[http://www.diamondmccarthy.com/contact\\_us/dallas](http://www.diamondmccarthy.com/contact_us/dallas)> |

HOUSTON<[http://www.diamondmccarthy.com/contact\\_us/houston](http://www.diamondmccarthy.com/contact_us/houston)> | NEW

YORK<[http://www.diamondmccarthy.com/contact\\_us/new-york](http://www.diamondmccarthy.com/contact_us/new-york)> |

DENVER<[http://www.diamondmccarthy.com/contact\\_us/denver](http://www.diamondmccarthy.com/contact_us/denver)> | LOS

ANGELES<[http://www.diamondmccarthy.com/contact\\_us/los-angeles](http://www.diamondmccarthy.com/contact_us/los-angeles)>

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>> This message and all attachments are confidential and may be protected by the attorney-client or other privileges. Any unauthorized review, use, disclosure or distribution is prohibited. If you believe this message has been sent to you in error, please notify the sender by replying to this transmission and delete the message without disclosing it. Thank you.

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>> Pursuant to U.S. Treasury Department Regulations, we are required to advise you that, unless otherwise expressly indicated, any federal tax advice contained in this communication, including attachments and

enclosures, is not intended or written to be used, and may not be used, for the purposes of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matter addressed herein.

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