

Mary K. Cummins, Defendant pro se
359 N. Sweetzer Ave.
Los Angeles, CA 90048
Phone: (323) 651-1336
Fax: (323) 651-1365

PHILADELPHIA COUNTY COURT OF COMMON PLEAS
TRIAL DIVISION

FREDERICK RITTEREISER, and ASHTON)	April Term, 2001
TECHNOLOGY GROUP, INC.,)	
)	No. 0104 002722
Plaintiffs,)	
)	
v.)	
)	
MARY CUMMINS, JOHN DOE #1, and JOHN)	
DOES #2 through #5,)	
)	
Defendants.)	

DEFENDANT CUMMINS' REQUEST FOR WRITTEN INTERROGATORIES
ON PLAINTIFF ASHTON TECHNOLOGY GROUP, INC.

Pursuant to Pa.R.C.P. 4005, Plaintiff Rittreiser is hereby directed to answer in writing the following interrogatories attached herein as Schedule A.

Definitions

A. As used in the following requests for written interrogatories, and documents which may be required to be produced therein, the term "document" means any document in the possession, control or custody of Plaintiff (including Plaintiff's attorneys, independent contractors, consultants, agents and associates) or of which Plaintiff (including Plaintiff's attorneys, independent contractors, consultants, agents and associates) has knowledge, including without

limitation the following items, whether printed, recorded, microfilmed, microfiched, or reproduced by any process, or written or produced by hand, and whether or not claimed to be privileged, confidential or personal: letters; correspondence; memoranda; reports; agreements; working papers; communications (including intra-departmental and inter-departmental communications); tapes; stenographic or handwritten notes; studies; pamphlets; manuals; circular reports; surveys; minutes or records of meetings; minutes or records of conferences; procedures; instructions; statistical compilations; summaries of records or of personal conversations; telephone messages; diaries; forecasts; graphs; charts; plans; drawings; expressions or statements of policy; lists of persons attending meetings or conferences; reports of, or summaries of, interviews; reports of, or summaries of, investigative opinions; reports, summaries or opinions of others (including consultants); books; instruments; accounts; tapes; videotapes; maps; photographs; flowcharts; data sheets; notebooks; hollerith cards; paper or punch tapes; magnetic storage media, including but not limited to, disks, diskettes, tapes and drums; laser disks; print-outs; every copy of such writing or record where the original is not in the possession, custody or control of Plaintiff and every copy of every such writing or record where such copy is not an identical copy of an original or where such copy contains any commentary or notation whatsoever that does not appear on the original.

B. The terms "person" and "individual" include a corporation, partnership, other business association or entity, any natural person, and any domestic or foreign governmental body, commission, board, agency, branch, department or component or element thereof.

C. The term "communication" means the expression of any statement, question, command, idea, knowledge, information, or other matter, whether by speech, writing, sign, or otherwise.

D. The term "Plaintiff", except as otherwise indicated, shall apply to Ashton Technology Group, Inc., and its predecessor, and will include all present and past employees, agents, or representatives, including counsel, who would reasonably be expected to have personal knowledge that would affect the completeness and accuracy of responses made to any interrogatory or request for production of documents.

E. The term "Defendant" shall mean Mary K. Cummins, and the other John Doe defendants in this case.

F. The term "Affiliated entity" means any corporation, partnership, joint venture, or other business entity or any trust (whether formed for the purpose of conducting business or not), that is owned or controlled, in whole or in part, by either plaintiff.

Instructions

When an interrogatory uses the word: “identity”, Plaintiff must identify all documents, things, and persons known to Plaintiff or to Plaintiff’s attorney, and the addresses of all persons identified MUST be set forth.

Pursuant to Pa.R.C.P. 4006, Plaintiff may produce written responses on this form, or on a separate form or sheet of paper. Plaintiff’s response to any interrogatories which require production of documents must include an itemized description of each document, where the document is located if not in the possession of Plaintiff, a date and time when the document will be produced, and if the document is privileged or cannot otherwise be produced, an explanation as to why the document is privileged, or otherwise cannot be produced by Plaintiff. Plaintiff’s answer to these interrogatories must be served on Defendant no later than 30 days from the date of service of these interrogatories.

Dated this 22nd Day of June, 2001.

By: Mary K. Cummins, Defendant pro se

SCHEDULE A - INTERROGATORIES

1. State in detail the injuries that you allege that Plaintiff suffered as a result of the alleged conduct and actions of each of the defendants referenced in the complaint.

Answer:

2. If Plaintiff has incurred any bills or expenses in connection with the injuries you allege in your complaint, and such bills or expenses are not otherwise listed in answer to these interrogatories, set forth the amount of each such bill or expense, the service for which the bill or expense was incurred, and the identity of the person(s) who rendered the bill or was involved in the expense.

Answer:

3(a). State the name and address of each person whom Plaintiff expects to call as an expert witness at trial and state the subject matter on which the expert is expected to testify.

Answer:

(b). For each such expert, have the expert state the substance of the acts and opinions to which the expert is expected to testify and summarize the grounds for each such opinion.

Answer:

(c). Set forth the qualifications of each expert, listing the schools attended, years of attendance, degrees received, and experience in any particular field of specialization or expertise.

Answer:

4(a). State whether Plaintiff carries any type of insurance, including any excess or umbrella insurance, directors liability insurance, errors and omissions coverage, or any other type of policy, whether or not you are the policy owner, which may provide any type of coverage for liability or legal expenses which may arise against plaintiff during the course of this lawsuit or any related lawsuit or countersuit.

Answer:

If the answer is affirmative, state the following with respect to each policy:

(b). The name of the insurance carrier which issued each policy of insurance;

Answer:

(c). The named insured under each policy and the policy number;

Answer:

(d). The type of each policy and the effective dates;

Answer:

(e). The limits of liability for each class of liability coverage, including legal expenses, for each respective policy listed herein.

Answer:

5. Identify the SEC and FBI reports alleged in Paragraph 11 of Plaintiff's complaint, which relate to United Equities Corporation ("FUEC"), and/or the alleged sale of Ashton stock in connection with Ashton's IPO.

Answer:

6. Identify all Ashton employees, officers, directors, attorneys, agents, or consultants, from 1997 to the present, who have or had knowledge of, or had contact with, FUEC or any of its agents, in relationship to the underwriting of Ashton's IPO.

Answer:

7. Identify the two persons allegedly involved with organized crime as referenced in Paragraph 12 of Plaintiff's complaint.

Answer:

8. Identify and describe any contact between all Ashton employees, officers, directors, attorneys, agents, or consultants, and any person referenced in Paragraph 12 of Plaintiff's complaint who is alleged by the FBI and SEC to have involvement with organized crime, from 1995 to the present.

Answer:

9. Explain in detail the person, persons, or agency who was the source or sources of information obtained by Plaintiff to support Plaintiff's allegation that "neither Ashton nor any member of Ashton's management team has been implicated in any way" ... regarding FUEC as alleged in Paragraph 13 of Plaintiff's complaint.

Answer:

10. Identify and describe in detail all evidence Plaintiff intends to produce and offer to dispute Defendant Cummins' alleged remark that "the mob did their IPO and pumped this stock" as alleged in Paragraph 15 of Plaintiff's complaint.

Answer:

11. Identify all persons and documents, and produce all documents relating to, all contact between Plaintiff and the following agencies between 1997 and the present:

a. the U.S. Securities and Exchange Commission ("SEC"), other than routine mandatory public filings.

Answer:

b. Any federal investigation agency, including, but not limited to, the Department of Justice ("DOJ"), the Federal Bureau of Investigation ("FBI"), the Department of Commerce ("DOC").

Answer:

c. Any state investigation agency.

Answer:

12. Identify all persons, not previously identified above, with alleged Mafia or Mob ties, who have had contact with Plaintiff from 1995 to the present.

Answer:

13. Identify all criminal convictions against Plaintiff at any time, describing the venue and nature of the charges.

Answer:

14. Identify all charges or complaint(s), whether of a civil or criminal nature, made against Plaintiff before any court, government body, consumer agency, or regulatory agency, from 1990 to the present.

Answer:

15. Identify all sources, whether persons, documents, or things, which support Plaintiff's allegation that "Ashton is not currently under any investigation or sanction" as asserted by Plaintiff in Paragraph 28 of Plaintiff's complaint.

Answer:

16. Identify all persons known to Plaintiff who have published any message or messages, positive or negative, on any public internet message board, relating to either Plaintiff, listing all online aliases or "screen name" used by each respective identified person.

Answer:

17. Identify all suspected persons, not known with certainty to Plaintiff, but who have published any message or messages, positive or negative, on any public internet message board, relating to either Plaintiff, listing all online aliases or "screen name" used by each respective identified suspected person, and describing the reason why Plaintiff suspects each person identified.

Answer:

18. Identify all persons known to Plaintiff, who have viewed or otherwise read the public message boards described in Interrogatories 16 and 17 above, who are not otherwise identified in Plaintiff's response to those respective Interrogatories.

Answer:

19. Identify all persons who have been indicted by the SEC and the FBI as alleged in Paragraph 27 of Plaintiff's complaint.

Answer:

20. State in detail the alleged economic harm which Plaintiff alleges in Paragraph 36 of Plaintiff's complaint, the calculated amount of said injuries, and a detailed description of the method of calculation.

Answer:

21. Describe in detail the relationship between the alleged "defamatory" public posts of Defendant Cummins, and the price of ASTN stock, detailing the price movement of the stock with each alleged "defamatory" post, as referenced in Exhibit "A" of Plaintiff's complaint.

Answer:

22. Identify (I) the keeper of records (custodian) for each of the following classes of documents and matters, and (II) the person or persons most knowledgeable regarding the following classes of documents and matters, employed by or affiliated with, ASTN:

a. All classes of ASTN securities. If ASTN issues more than one class of securities, then identify the registrar and person most knowledgeable for each class.

Answer (I):

Answer (II):

- b. All corporate documents, including Board of Directors meetings and minutes, Bylaws, and Articles of Incorporation.

Answer (I):

Answer(II):

- c. All press releases, investor relations communications, and public message board postings relating to ASTN.

Answer (I):

Answer (II):

- d. All filings with the SEC relating to ASTN, or any related third parties in which the filing is related to ASTN securities.

Answer (I):

Answer (II):

- e. ASTN's IPO

Answer (I):

Answer (II):

- e. Any investigations or inquiries by the SEC, the FBI, NASD, or any other regulatory agency, which are referenced in Plaintiff's complaint:

Answer (I):

Answer (II):

CERTIFICATE OF SERVICE

I do hereby verify that service of a true and correct copy of the within Defendant Cummins' Request For Written Interrogatories On Plaintiff Ashton Technology Group, Inc. was made on the 22nd Day of June, 2001, to the counsel below-named, by United States Mail, postage pre-paid :

Alan L. Frank
1835 Market St., #320
Philadelphia, PA 19103

Mary Cummins, Defendant pro se