11. **Stuart H. Deming** - will testify in conformity with his expert report and

deposition. 1701 Pennsylvania Avenue, N.W., Suite 300, Washington, D.C.

20006. Mr. Deming will further address the admissions made by Howard

Jonas in his voluntary, unsolicited and on the record interview with

Barron’s magazine dated September 20, 2010. Specifically Mr. Deming

will testify that the statements of Jonas bolster an objectively reasonable

belief that the Teleco Haiti Deal was being negotiated and implemented in

violation of the FCPA.

12. **Howard S. Jonas –** will testify to the claims and admissions contained in

his on the unsolicited on the record interview with Barron’s magazine on

September 20, 2010, including but not limited to the following, that Jean

Bertrande Aristide met directly with an IDT official. Jonas stated, “We

thought that was highly unusual.” He further admitted, “In most cases

you’re just talking to the head of the Telecom. It was unusual that the

President himself would be involved with it.” Jonas further stated that he

IDT received an “ethics clearance letter” from McDermott, Will & Emory

at IDT’s request. This law firm, according to Jonas, performed the

necessary due diligence to ally the FCPA concerns of Jonas and IDT’s

Senior Executive Management. The evidence will disclose there is no

“ethics clearance letter” and Mr. Jonas made these statements to further

harm the Plaintiff by a continued effort to justify the Teleco Haiti Deal.

14. **Howard S. Jonas** – will testify to the claims and admissions contained

in his unsolicited on the record interview with Barron’s magazine on

September 20, 2010, including but not limited to the following, that

Jean Bertrande Aristide met directly with an IDT official. Jonas stated,

“We thought that was highly unusual.” He further admitted, “In most

cases you’re just talking to the head of the Telecom. It was unusual

that the President himself would be involved with it.” Jonas further

stated that he IDT received an “ethics clearance letter” from

McDermott, Will & Emory at IDT’s request. This law firm, according

to Jonas, performed the necessary due diligence to ally the FCPA

concerns of Jonas and IDT’s Senior Executive Management. The

evidence will disclose there is no “ethics clearance letter” and Mr.

Jonas made these statements to further harm the Plaintiff by a

continued effort to justify the Teleco Haiti Deal.

**C. Defendants object to the following witnesses for the reasons stated:**

As set forth in Section 2(B)1-4 and 7, Defendants object to Plaintiff’s proffered expert

witnesses, any proposed amendment of their reports, including to address the September 20,

2010 Barron’s article as well as any testimony by Howard Jonas (or any other witness) regarding

that article or any statements made therein.

**Plaintiff intends to call the**

**following witnesses:**

3. **Dr. Charles A. Kincaid, Ph.D.** - will testify in conformity with his

expert report and deposition to rebut the testimony of Steve Miller. One

University Plaza, Suite 8, Hackensack, NJ 07601. Dr. Kincaid will

further address the admissions made by Howard Jonas in his voluntary,

unsolicited and on the record interview with Barron’s magazine dated

September 20, 2010. These statements are harmful to plaintiff’s career,

not only due to their false and misleading nature, but also due to the

unjust and unethical attempt to further justify an unlawful transaction.

**B. Defendants:**

Depending upon the Court’s rulings regarding Defendants’ pending motion for

reconsideration, Defendants currently plan to file motions in limine pursuant to Fed. R.

Evid. 702 and 703 and Daubert v. Merrill Dow Pharmaceuticals, Inc., 509 U.S. 579

(1993) and its progeny to exclude at trial the report of and any testimony by:

i. The September 20, 2010 Barron’s article concerning IDT as well

as any documents or testimony referring or relating thereto,

including but not limited to Plaintiff’s proffered testimony by

Howard Jonas, Stuart Deming or Charles Kincaid referenced in

§10A ¶¶11 & 12 and §10B ¶14, infra.