

1 Q. So could you explain the evaluation process that
2 Express undertook at that time when a small company comes
3 in requesting your services?

4 A. Well, I will get out new account information form.
5 They will list references. Some companies don't list
6 them, but they have an attachment of companies that we can
7 call for a credit rating. We did try to make contact with
8 three of the credit references on the new account form,
9 and then looked to decide what type of credit limit, with
10 the help of our credit department, our headquarters.

11 Q. So you had established a credit limit for DKH?

12 A. Yes, we did.

13 Q. And how did you -- what factors were considered in
14 establishing that credit limit?

15 A. I sent them an e-mail talking about the kind of
16 business, the Dun & Bradstreet rating, and there was
17 something else in the e-mail, and I know I submitted that
18 information. But that is how we came to the \$15,000, with
19 the help of our headquarters.

20 Q. You also mentioned you exchanged e-mails with
21 Mr. Harper.

22 A. Correct.

23 Q. Was there any mention of contracts that were already
24 awarded or close to being awarded that weighed into that
25 decision of approving DKH for credit?

1 A. I don't recall having a conversation like that.

2 MR. WALKER: No further questions.

3 THE COURT: Mr. Zirpolo?

4 **CROSS-EXAMINATION**

5 **BY MR. ZIRPOLO:**

6 Q. Ms. Rodriguez, you just said that when you set the
7 credit limit, you sent an e-mail to your company. Was
8 part of the information the D & B?

9 A. I sent it to Mr. Harper.

10 Q. You sent the D & B to Mr. Harper?

11 A. Not the D & B, about why they came up with the
12 \$15,000 credit limit.

13 Q. You said the D & B was part of that?

14 A. That is what I was told, yes.

15 Q. Earlier you said you didn't run a D & B until after
16 they billed \$10,000.

17 A. We talked about the credit limit two weeks after.

18 Q. So you started them without having credit run?

19 A. I didn't. I am not part of that process. That was
20 my operations' manager.

21 MR. ZIRPOLO: Okay. Thank you.

22 THE COURT: Any further cross-examination?

23 MR. BANKS: Nothing further, Your Honor.

24 THE COURT: Any redirect?

25 MS. HAZRA: Yes, Your Honor.