

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
KANSAS CITY, MISSOURI**

MEDICAL SUPPLY CHAIN, INC.,	)	
<i>Plaintiff,</i>	)	
v.	)	Case No. 05-0210-CV-W- ODS
NOVATION, LLC	)	Attorney Lien
NEOFORMA, INC.	)	
ROBERT J. ZOLLARS	)	
VOLUNTEER HOSPITAL ASSOCIATION	)	
CURT NONOMAQUE	)	
UNIVERSITY HEALTHSYSTEM CONSORTIUM	)	
ROBERT J. BAKER	)	
US BANCORP, NA	)	
US BANK	)	
JERRY A. GRUNDHOFFER	)	
ANDREW CESERE	)	
THE PIPER JAFFRAY COMPANIES	)	
ANDREW S. DUFF	)	
SHUGHART THOMSON & KILROY	)	
WATKINS BOULWARE, P.C.	)	
<i>Defendants.</i>	)	

**INITIAL DISCLOSURE UNDER FRCP 26(a)(1),**

Pursuant to FRCP 26(a)(1), [party] makes its mandatory initial disclosures as follows:

**\*\*\*\*\*IN PROGRESS NOT COMPLETE\*\*\*\*\***

**A. WITNESSES**

1. [Name], [address], [telephone number]. [Name] knows information relevant to [explain basis of knowledge relevant to the case].

Bob Bissell	GPO Workings
Lawton Burns	GPO Workings
Allen Caudle	GPO Workings
Kevin Connor	GPO Workings
Eric Norman	GPO Workings
Joe Kiani	GPO Contracting
Patti King	GPO Contracting
Mark Leahey	GPO Contracting
Jerry Leong	GPO Contracting
Bill McFaul	GPO Contracting
Phil Profeta	GPO Contracting
Marvin Smart	GPO Contracting
Nick Toscano	GPO Contracting
James Graff	GPO Contracting
Jonathan Yarowsky	GPO Safe Harbor
Einer Elhauge	Antitrust
Melissa Osborne	FBI
Elizabeth Weatherman	Healthcare Investment
Lynn Everard	Healthcare Market
Howard Fullman	Healthcare Market

Thomas Farb	Funding
Mary Suther	Funding
Suzanne Passalacqua	Funding
Chuck Frary	Funding
Ken Aldrich	Funding
Neil Marsh	Funding
Richard Heard	Funding
Craig Evans	Funding
Ron Sheffron	Funding
Charlie Smith	E-Commerce Origins
Martin Taylor	E-Commerce Origins
Phil Perry	E-Commerce Origins
Ray Latus	Technology
Mike Patton	Technology
Rob Rennie	Technology
John Haggard	Technology
David Taylor	Technology
George Puckett	Technology
David Dresner	Technology
Jon Yost	Technology

**B. DOCUMENTS [List documents]**

Ken Aldrich Intro	000001
Ken Aldrich ND/NC	000004
Ken Aldrich Marketing & Implementation Program	000007
Ken Aldrich MSM Intro	000012
Ken Aldrich MSM Financing Options	000015
Ken Aldrich Travel to KC	000019
Amerinet's Purchasing Programs	000020
Ken Aldrich Travel Schedule	000025
Ken Aldrich Follow Up To Meeting	000028
Proactive Medical Assessment	000034
Encompass ILC	000042
Ken Aldrich Update	000048
Ken Aldrich Supply Chain Update	000053
Ken Aldrich Supply Chain Concept Development	000054
Ken Aldrich Visionary Statement	000055
Thomas Farb Contact Information	000057
Thomas Farb Funding Outline	000060
Thomas Farb Document Request	000062
Thomas Farb Promissory Note	000065
Thomas Farb Notice Of Stop Payment	000073
Thomas Farb Update Private Placement	000076
Thomas Farb Review Ken Aldrich Financing Options	000078
Thomas Farb Request For Financials	000082
Thomas Farb Promissory Note	000087
Thomas Farb Peter Brown DH Blair Investment Bank	000089
Thomas Farb Fax Explaining Kimberley-Clark Model	000091
Thomas Farb MSM Projections	000093
Thomas Farb MSM Request For Information	000095
Thomas Farb MSM Update on Lenders	000097
Thomas Farb MSM Request For Information	000098
Thomas Farb MSM Request For Information	000100
Thomas Farb D&B Reports	000103

Thomas Farb MSM Request For Information On Sun capital	000114
Thomas Farb MSM Update	000115
James Graff Prime Care Health Network	000117
James Graff Letter of Intro	000128
James Graff Financial Services (Bernd Moos)	000129
Medical Financial services LTD	000132
New Loan funding Program	000134
James Graff MSM Business Plan Documents	000136
James Graff Letter Regarding Earnings	000141
James Graff Savings Calculations	000145
James Graff Update	000146
Prime Care Health Network	000149
Phil Perry McKesson Buyout of General Medical	000156
Phil Perry MSM Info	000162
Phil Perry Letter Regarding MSM Synergy with McKesson	000164
Jim Chapman World Funding Intro	000165
Jim Chapman MSM Letter of Project Intro	000169
World Funding ND/NC	000199
Anthony Tobin Engagement Letter	000202
Anthony Tobin Financial Engagement Agreement	000204
Anthony Tobin Change of Position	000208
Anthony Tobin Letter of Concern	000210
Anthony Tobin Follow up to Letter of Concern	000212
Anthony Tobin 2 <sup>nd</sup> Financial Engagement Agreement	000215
Anthony Tobin MSM Follow up to Engagement Agreement	000219
Anthony Tobin Letter of Agreement Changes	000222
Anthony Tobin Financial Engagement Agreement	000223
Anthony Tobin Wire Transfer Instruction	000231
Bruce Sanders Engagement Agreement Changes	000233
Anthony Tobin Financial Engagement Agreement	000236
Anthony Tobin Follow up Letter	000241
Anthony Tobin Update	000243
Anthony Tobin Update	000245
Anthony Tobin Update	000247
Anthony Tobin MSM Program	000249
Neil Barnet Express Business Funding	000255
Anthony Tobin Fee Refund Request	000257
Anthony Tobin Fee Refund Request Follow up	000260
Arij de Logt State of Georgia Suit Against WF	000262
World Funding D&B Report	000275
Concept Development Project Agreement	000282
Concept Development Wire Transfer	000284
Chuck Frary Info Request	000285
Chuck Frary MSM Project Request	000286
Chuck Frary Business Activity	000288
Chuck Frary Outline of Market Partners	000290
Chuck Frary Business Outline Example	000293
Chuck Frary Fax Contact For Lynn	000294
Chuck Frary Follow up With Lynn's Paper	000295
Chuck Frary Letter to Rob Rennie	000296
Chuck Frary Non Circumvent	000298
Chuck Frary Business Agreement	000299
Chuck Frary Business Plan Recommendations	000302
Chuck Frary Will Send Bridge Funding Advance	000305
Chuck Frary Business Plan Recommendations	000306
Chuck Frary Funding Update	000307

Chuck Frary Funding Update	000308
Chuck Frary Funding Update	000309
Chuck Frary Funding Update	000310
Chuck Frary Funding Update	000311
Chuck Frary Funding Update	000312
Chuck Frary Funding Update	000313
Chuck Frary Regarding Trip to Supply Chain	000314
Chuck Frary Funding Update	000315
Chuck Frary Proposed Roll Out	000316
Chuck Frary Funding Update	000318
Chuck Frary General Announcement	000320
Chuck Frary Update	000323
Chuck Frary Information Request	000324
Chuck Frary Business Outline	000325
Chuck Frary Information Request	000326
Chuck Frary Project Launch	000327
Chuck Frary Owen Notification	000328
Chuck Frary Owen Proposal	000330
Chuck Frary MSM Projections	000332
Chuck Frary Article Notification	000339
Chuck Frary Business Plan Notification	000364
Chuck Frary Sun Capital	000366
Chuck Frary Sun Capital Arrangement	000367
Chuck Frary Sun Capital Proposal	000369
Chuck Frary Fax	000371
Chuck Frary PMG Recap	000372
Chuck Frary MSM Activity	000373
Chuck Frary Follow up Sonny Decker	000376
Chuck Frary Fax Letter of Understanding	000389
Chuck Frary Intro to Project	000390
Chuck Frary World Funding	000392
Chuck Frary Customer List	000395
Chuck Frary World Funding	000397
Chuck Frary Spending Requirements	000399
Chuck Frary World Funding Reference List	000400
Chuck Frary World Funding Proposal	000402
Chuck Frary Firm Update	000411
Chuck Frary Project Invitation	000413
Chuck Frary Project Analysis Agreement	000415
Sonny Decker Intro to Chuck Frary	000420
Chuck Frary Intro	000421
Sonny Decker MSM Business Proposal	000427
MSM Authorization	000429
Sonny Decker V/C Agreement	000431
MSM Financial Status	000437
MSM Strategic Acquisition Schedule	000438
Chuck Frary Letter Request	000439
Chuck Frary Update	000441
Chuck Frary PB Update	000442
Chuck Frary Disclosure Outline	000443
Chuck Frary Buyer Empowerment	000445
Chuck Frary Letter of Concern	000446
Chuck Frary MSC Development	000447
Chuck Frary MedCenterDirect Supply Track	000448
Chuck Frary Magnet	000449
Chuck Frary MedCenterDirect	000450

Chuck Frary Lynn	000452
Chuck Frary Lynn	000453
Chuck Frary Executive Summary	000454
Chuck Frary Lynn	000455
Chuck Frary Request Funds	000456
Chuck Frary MHS HSCA	000457
Chuck Frary Supply solution	000458
Chuck Frary MSC Press Release	000459
Sun Capital Application	000461
Jay Atkins Previous Contracts	000472
Jay Atkins Term Sheet	000478
Jay Atkins Term Sheet Follow up	000482
Jay Atkins General Terms	000484
Jay Atkins Application Competition	000499
Sun Capital Acceptance Notice	000511
Sun Capital D&B Report	000515
Kurt Church Application	000519
Kurt Church Letter of Intent	000523
Express Business Funding Application	000525
Tom Farb D&B Request	000536
Kurt Church Letter of Concern	000538
Express Business Funding D&B	000540
Dr. Howard Fullman Program Intro	000547
Kaiser Permanente Intro	000549
Dr. Howard Fullman Follow up	000587
Dr. Howard Fullman Ken Aldrich	000590
Capital Funding Corp. Referral Agreement	000592
Ron Sheffron Precious Gems	000595
Ron Sheffron Letter of Concern	000597
Capital Funding Intro	000599
Chuck Frary Capital Funding valuation	000610
Florida Finance Directory	000611
Capital Funding Agreement Acceptance	000614
Ron Sheffron Investment Opportunities	000615
Ron Sheffron Info Request Trade Programs	000618
Ron Sheffron Promotional Program	000620
Ron Sheffron Letter of Confidence	000631
Ron Sheffron Banking Conference	000633
Ron Sheffron BP Update	000634
Ron Sheffron Follow Up	000635
Neil Marsh Intro	000640
Neil Marsh Project Review	000642
Neil Marsh Meeting	000647
Neil Marsh HSCA VNA	000650
Neil Marsh Invoice	000651
Neil Marsh Announcement	000653
Neil Marsh Announcement Changes	000654
Neil Marsh Invoice	000661
Neil Marsh Invoice	000663
Neil Marsh Invoice Announcement Draft	000665
Neil Marsh Invoice	000683
Neil Marsh Invoice	000690
Neil Marsh Executive Outline	000692
Capital Healthcare Financing Application	000694
Owen Healthcare Meeting	000698
Chuck Frary Buyout Letter	000702

Richard Heard Buy Out Letter	000706
Richard Heard Information Request	000709
Chuck Frary Follow up to Owen Response	000710
Richard Heard Business Plan Request	000711
Richard Heard Requesting Response	000712
Richard Heard Product Demonstration	000714
Richard Heard Declining to Move Forward	000716
Richard Heard Update MSC	000718
Notes	000719
HSCA Eric Norman Price Request	000720
VNA Mary Suther Neil Marsh Meeting	000728
VNA Mary Suther Pricing	000730
VNA Mary Suther Cost Comparison	000736
HSCA Valuation	000737
VNA Mary Suther Cost Comparison	000740
VNA Mary Suther Neil Marsh Meeting	000745
VHA Mary Reynolds Product Valuation Results	000753
VNA Mary Reynolds Clarification	000754
VNA Mary Reynolds Procedural Kits	000759
Gatekeepers International Job Request	000760
Mike Patton Intro	000767
Mike Patton Follow up	000768
Mike Patton Follow up to Meeting	000769
Executive Summary	000772
Mike Patton Proposal	000778
Purchasing First Intro	000780
Corporate Strategic Services Intro	000790
TheSupplyChain.com Glossary	000797
TheSupplyChain.com Market maker Agreement	000800
TheSupplyChain.com Overview	000810
TheSupplyChain.com Supplier content Management	000831
TheSupplyChain.com Price List	000853
Concept Development Update	000859
TheSupplyChain.com Letter of Intent	000862
TheSupplyChain.com Software Agreement	000864
TheSupplyChain.com Letter of Intent	000873
TheSupplyChain.com Wire Transfer	000875
TheSupplyChain.com Invoice	000877
TheSupplyChain.com Statement	000878
TheSupplyChain.com Invoices	000879
Supply Solution ND/NC	000891
Supply Solution Referral Agreement	000894
Supply Solution Reseller Agreement	000904
GoCo-op Intro	000918
GoCo-op Proposal	000927
GoCo-op Letter of Agreement	000930
CoalesCo Ltd. Iowa Meeting	000939
Quantum Corporate Funding Application	000943
Career Builders Service Agreement	000946
Virtual Supply Chain ND/NC	000950
Virtual Supply Chain Proposal	000957
Virtual Supply Chain Illustration	000960
MSC Web Services	000962
Suzanne Passalacqua ND/NC	000975
Suzanne Passalacqua Service Agreement	000981
Supply Track Acquisition Proposal	000983

Supply Track Business Plan  
MSIS Operating System

001003  
001073

**C. BENCHMARK SOFTWARE APPLICATIONS**

Choice Echo Application  
HSCA Application  
MedEcon Application  
MSIS Application  
Peri Application  
WinMDR Application

**D. COMPUTATION OF DAMAGES**

[Explain amount of damages party seeks and how that amount was calculated. Attach supporting documents.]

**E. INSURANCE POLICIES** [List policies and attach copies]

Dated: \_\_\_\_\_

Signed:

\_\_\_\_\_  
[Signature of attorney for  
disclosing party]