

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JAMES A. KNAUER as the Court Appointed)
Receiver for HEARTLAND)
FINANCIAL SERVICES, INC., and JMS)
INVESTMENT GROUP, LLC,)

Plaintiff,)

v.)

CAUSE NO. IP01-C-1168 T/K

JONATHON ROBERTS FINANCIAL)
GROUP, INC.,)
ALLIANCE CAPITAL MANAGEMENT)
CORP.,)
ANDOVER SECURITIES INC.,)
FSC SECURITIES CORPORATION, and)
FFP SECURITIES, INC.,)

Defendants.)

DEFENDANT'S PRELIMINARY WITNESS AND EXHIBIT LIST

Pursuant to this Court's January 8, 2002 Case Management Plan, defendant FFP Securities, Inc. ("FFP") hereby submits its Preliminary Witness and Exhibit List:

A. **FFP's preliminary witnesses**, or categories of witnesses, are:

1. Roseanne Horan
2. Sandra Pruett
3. Kenneth R. Payne
4. Daniel G. Danker
5. Johann M. Smith
6. Constance Brooks-Kiefer

These preliminary witnesses are disclosed subject to FFP's motion to dismiss currently before this Court. The motion is based upon the reasons set forth therein. Pending the outcome of the motion, or through further investigation or discovery, FFP hereby reserves the right to supplement this preliminary witness list.

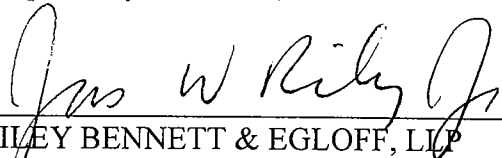
B. **FFP's preliminary exhibit list**, or categories of exhibits, are:

1. All business records of Heartland Financial Services, Inc.
2. All business records of JMS Investment Group, LLC.
3. All investor files of Heartland Financial Services, Inc.
4. All investor files of JMS Investment Group, LLC.
5. All documentation reflecting investments made by investors through Heartland Financial Services, Inc.
6. All documentation reflecting investments made by investors through JMS Investment Group, LLC.
7. All documentation reflecting claims made by investors against Heartland Financial Services, Inc.
8. All documentation reflecting claims made by investors against JMS Investment Group, LLC.
9. All documentation relating to the independent corporate acts of Heartland Financial Services, Inc. and/or JMS Investment Group, LLC.
10. All documentation relating to the independent acts of any individual employed or otherwise associated with Heartland Financial Services, Inc. and/or JMS Investment Group, LLC.
11. All pleadings in this case.

12. All documents produced in discovery by plaintiff.
13. All documents necessary for impeachment or rebuttal.
14. All exhibits that may be listed or used by plaintiff.
15. All documents initially disclosed by plaintiff pursuant to Federal Rule of Civil Procedure 26.
16. All recorded statements and/or depositions of any individuals with information relating to the subject matter of this litigation.
17. All documentation relating to Kenneth Payne and Daniel Danker and any FFP accounts handled by Kenneth Payne and/or Daniel Danker.
18. All documentation reflecting that only a few of those who invested with Kenneth Payne and Daniel Danker were ever customers of FFP.
19. All other documents located through further investigation and/or discovery.

All of the foregoing exhibits are disclosed subject to FFP's motion to dismiss currently before this Court. The motion is based upon the reasons set forth therein. Pending the outcome of the motion, or through further investigation or discovery, FFP hereby reserves the right to supplement this preliminary exhibit list.

Respectfully submitted,



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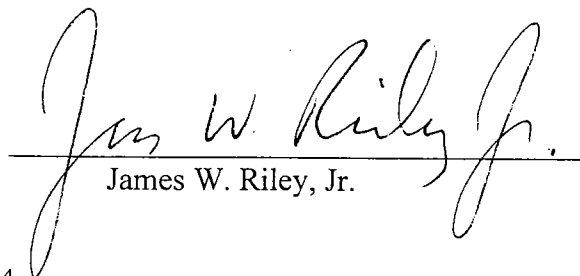
CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Preliminary Witness and Exhibit List has been served this 10th day of April, 2002, via First Class United States Mail, postage prepaid, upon:

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