



Jeffrey Wertkin &lt;jeff@thediligencegroup.net&gt;

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**Fwd: Platt v. GMU et al. - Postponement**

1 message

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**George Platt** <george.platt62@gmail.com>  
To: Jeffrey Wertkin <jeff@thediligencegroup.net>

Tue, Oct 26, 2021 at 8:35 PM

----- Forwarded message -----

From: **Bradford Kirby** <[bradford.kirby@askfrost.com](mailto:bradford.kirby@askfrost.com)>  
Date: Fri, Jul 2, 2021 at 12:12 PM  
Subject: Platt v. GMU et al. - Postponement  
To: George Platt <[george.platt62@gmail.com](mailto:george.platt62@gmail.com)>  
Cc: Chris Buck <[chris.buck@askfrost.com](mailto:chris.buck@askfrost.com)>, Matt Kraeuter <[matt.kraeuter@askfrost.com](mailto:matt.kraeuter@askfrost.com)>, Glen Frost <[Glen.Frost@frosttaxlaw.com](mailto:Glen.Frost@frosttaxlaw.com)>

George,

A hearing was scheduled by Jeff Rhodes, who you have been communicating with, for next Friday, July 9, on a motion for sanctions that was filed as a result of your email to Mr. Rhodes Sunday June 20.

Because your email to Mr. Rhodes creates direct adversity between yourself and Frost Law and a conflict of interest, you need new counsel to represent your interests with respect to the motion and moving forward in the lawsuit. I called Mr. Rhodes to ask that he postpone the hearing to allow you additional time to retain counsel to protect your interests, but he was noncommittal and said he needs to consult with his client. His tentative proposal (subject to his client's agreement) was that, given the issues that have arisen and your need to have new counsel represent you in this litigation, he would be willing to postpone the hearing under the condition that if substitute counsel is not retained within a certain time, that your LLC would be dismissed from the lawsuit. Under Virginia Law, a corporate entity such as an LLC must be represented by an attorney in a lawsuit - i.e. you cannot represent 3D pro se. The longest I anticipate Mr. Rhodes would be willing to extend in order to allow new counsel to enter its appearance on your behalf would be 30 days.

You have represented to our firm as well as directly to opposing counsel on several occasions, that you have consulted with new counsel, however no new counsel has contacted us to discuss. If you have or do retain counsel, please have them contact our office immediately. If you have not, I want to reiterate that it is necessary to do so as soon as possible.

Recently, you have been frequently communicating with Mr. Rhodes, but I feel obligated to remind you that Mr. Rhodes is adverse to you as counsel representing Dr. Martin and ElluminAI, and caution against further communications with Mr. Rhodes unless through counsel.

I will follow-up when I hear back from Mr. Rhodes.

Very respectfully,

**Bradford F. Kirby**  
Business & Litigation Attorney  
**Frost Law**

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George Platt