

4/12/06

BEFORE THE AMERICAN ARBITRATION ASSOCIATION

WW, LLC *
t/a THE COFFEE BEANERY CAFÉ, et al. *

Claimants, *

Case No. 54 114 E 00124 05

v. *

THE COFFEE BEANERY LTD, et al. *

Respondents.

* * * * *

CLAIMANT WW, LLC'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT COFFEE BEANERY LTD

TO: THE COFFEE BEANERY LTD, Respondents

FROM: WW, LLC, Claimants

Pursuant to the Commercial Arbitration Rules and Mediation Procedures, Claimants request that Respondents produce and make available for inspection and copying the originals and all copies maintained in the ordinary course of business of the documents designated for production as set forth below.

The documents shall be produced at the offices of Baxter, Baker, Sidle, Conn & Jones, P.A., 120 East Baltimore Street, Suite 2100, Baltimore, Maryland 21202. They shall be produced in the files and order as they are kept in the usual course of business or in an order that organizes and labels them to correspond to each request made. As this request includes records maintained on the computer hard drives of Respondents, any original computer records shall be available for inspection and examination if so requested by Claimants at a mutual convenient time.

This request is a continuing one which requires that your response and production be supplemented.

As used throughout this request, the term "documents" shall include, without limitation, the original and any copy, regardless of original or location, of any book,

pamphlet, periodical, letter, memorandum, telegram, record, study, handwritten note, working paper, chart, paper, graph, index, tape, data sheet or data processing card, disk, diskette, hard drive record, whether existing or deleted, or any other written, recorded, transcribed, punched, taped, filmed or graphic matter, however produced or reproduced, including all computer records of which you have or have had possession, custody, access or control.

A. The term “**WW**” refers to WW, LLC, a limited liability Maryland corporation and any of its joint ventures, agents, employees, affiliates, predecessors, successor or assigns, including any person as defined herein.

B. The term “**CBL**” refers to The Coffee Beanery Ltd, a Michigan Corporation.

C. The term “**Coffee Beanery Café**” shall refer to these restaurants franchised by CBL and selling a variety of soups and sandwiches in addition to beverages and pastries sold in CBL’s mall locations.

SPECIFICALLY NUMBERED REQUESTS

1. All documents relating in any way to the development of Coffee Beanery Café concept.

2. All documents relating in any way to CBL’s decision to franchise Coffee Beanery Cafés.

3. All documents relating in any way to any statements of claim in any arbitrations or complaint filed in any courts filed against CBL by owners or former owners of the Coffee Beanery Cafés.

4. All complaints made by the Coffee Beanery Café owners against CBL relating in any way to CBL’s performance, or representations allegedly made by CBL to the owners in any form or forum.

5. Any judgments or arbitration decisions in any of the actions brought by The Coffee Beanery Café owners against CBL.

6. All marketing and promotional material used by CBL to market or sell The Coffee Beanery Café franchises.

7. All documents relating in any way to the development and design of Coffee Beaneries for malls.

8. All documents relating in any way to the development and design of the Coffee Beanery kiosk stores.

9. Documents relating into any investigation of CBL by any governmental authorities arising out of its offer and sale of franchises.

10. All documents relating to the financial performance of Coffee Beanery Cafés.

11. All documents relating in any way to the administrative action filed against CBL and Kevin Shaw by the Securities Commissioner of Maryland titled *In Re The Coffee Beanery LTD and Kevin Shaw*, 2005-0244.

12. All unaudited and audited financial statements of CBL since 2000 including all fiscal year-end financial statements.

13. All documents relating in any way to the maintenance by CBL of a separate advertising fund "used exclusively to meet all costs of maintaining, administering, directing, conducting and preparing advertising, marketing, public relations and/or promotional programs and materials for the system."

14. All documents relating to CBL's use of the 2% weekly gross sales advertising monies received from franchisees.

15. All documents relating to the design and layout of Claimants' Coffee Beanery Café.

16. All documents relating in any way to any problems that CBL has encountered or become aware of relating to the refrigerated display cases required to be purchased by and installed in Coffee Beanery Cafés.

17. All documents relating in any way to any problems that CBL has encountered or become aware of relating the cash register systems required to be purchased by and installed in Coffee Beanery Cafés.

18. Any documents relating to any monies received by CBL from the purchase by its franchisees of the cash register system.

19. Any documents relating to any monies received by CBL from the purchase by its franchisees of refrigerated display cases.

20. Any documents relating to any of the design of or the specifications for refrigerated display cases and cash register systems used in Coffee Beanery Cafés.

21. Any documents received by CBL relating in any way to any bankruptcy filing by any Coffee Beanery Café franchise owners or former owners.

22. Any documents relating to the calculation by CBL of the projected build out and opening costs to be incurred by Coffee Beanery Café franchisees.

23. Any documents relating in any way to the termination of any Coffee Beanery Café franchisees.

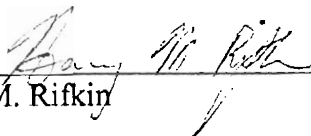
24. Any documents relating in any way to the closure of any Coffee Beanery Café locations.
25. Any documents relating in any way to any calculation of average or median revenues of Coffee Beanery Cafés.
26. Any documents relating in any way to any contracts or agreements between CBL and any vendors or suppliers to Coffee Beanery franchises.
27. Any documents relating in any way to any allegations made concerning any alleged earnings claimed to have been made by any CBL employees to any prospective franchisees.
28. Any documents relating in any way to the income or profitability of Coffee Beanery Cafés.
29. Any documents comparing or contrasting Coffee Beanery mall locations and for kiosks and Coffee Beanery Cafés in any way.
30. Any marketing studies conducted by CBL.
31. Any franchise files or other central files relating in any way to Claimants.
32. Any documents relating in any way to any transfer of ownership or operating control of any Coffee Beaneries or Coffee Beanery Cafés in Maryland.
33. Any documents relating to any franchisor financing or franchisor incentives offered to prospective franchise owners of Coffee Beanery Cafés.
34. Any documents relating in any way to the Coffee Beanery Café Development Program.
35. Any documents to be relied upon by CBL in its defenses to the claims of Claimants.

Harry M. Rifkin, Esquire
Baxter, Baker, Sidle, Conn & Jones, P.A.
120 E. Baltimore Street, Suite 2100
Baltimore, Maryland 21202
410-230-3800
410-230-3801 (facsimile)

*Attorneys for Claimants WW, LLC t/a The
Coffee Beanery Café, Deborah Williams
and Richard Welshans*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of April, 2006, a copy of the Request for Production of Documents was mailed, first-class, postage prepaid to Karl V. Fink, Esquire, Joshua R. Fink, Esquire, Pear Sperling, Eggan & Daniels, P.C., 24 Frank Lloyd Wright Drive, Ann Arbor, Michigan 48105, *Attorneys for the Respondents.*



Harry M. Rifkin