

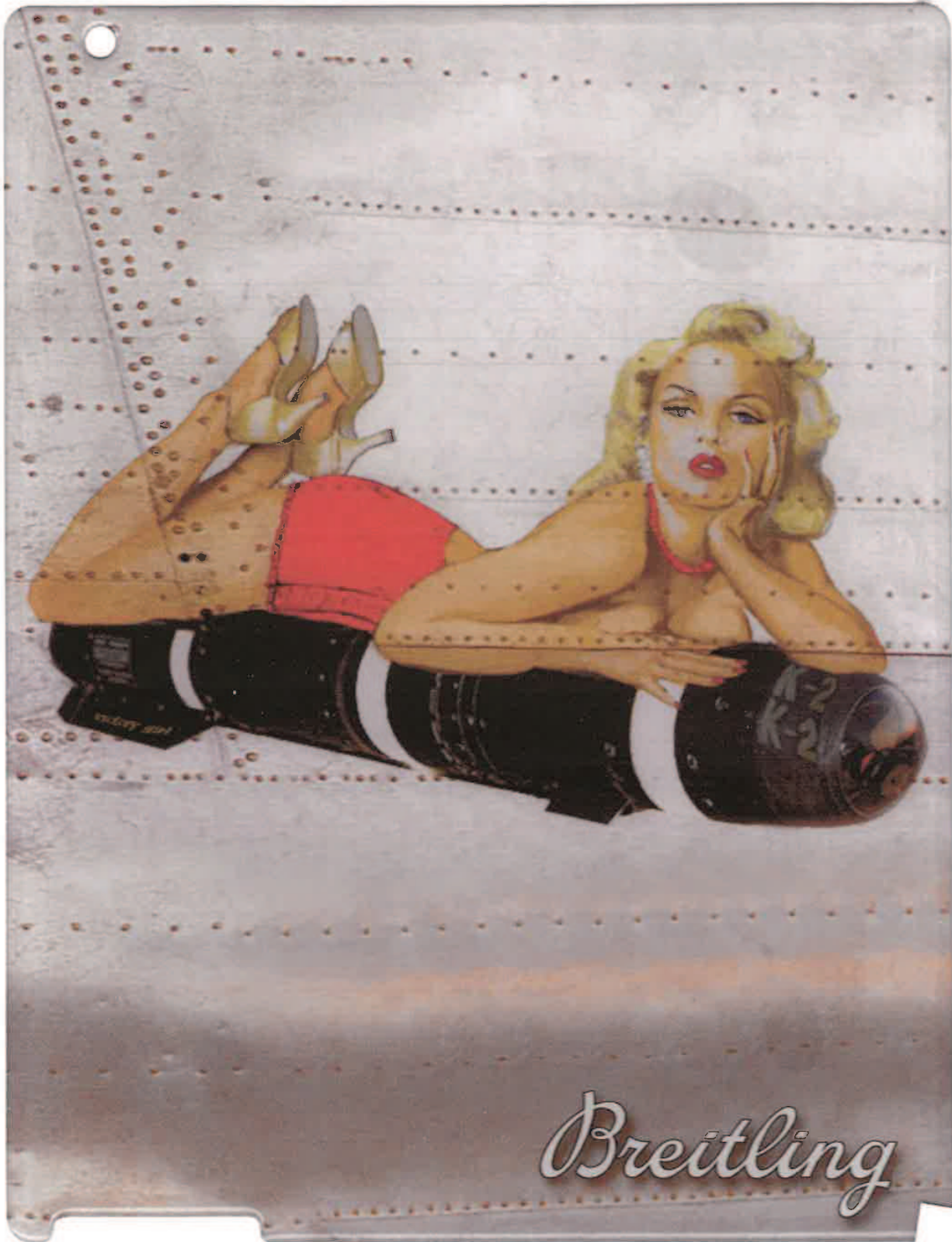
A-552

EXHIBIT 17

A-553

THICK SKINS. PROTECTION WITH STYLE.

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Breitling



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breitlingnews High Flyer 3/5 - Penthouse teams up with Breitling for a modern take on the aviation pin-up girl

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A-555



Exhibit 6

Exhibit 7

Exhibit 8

Exhibit 9

Exh

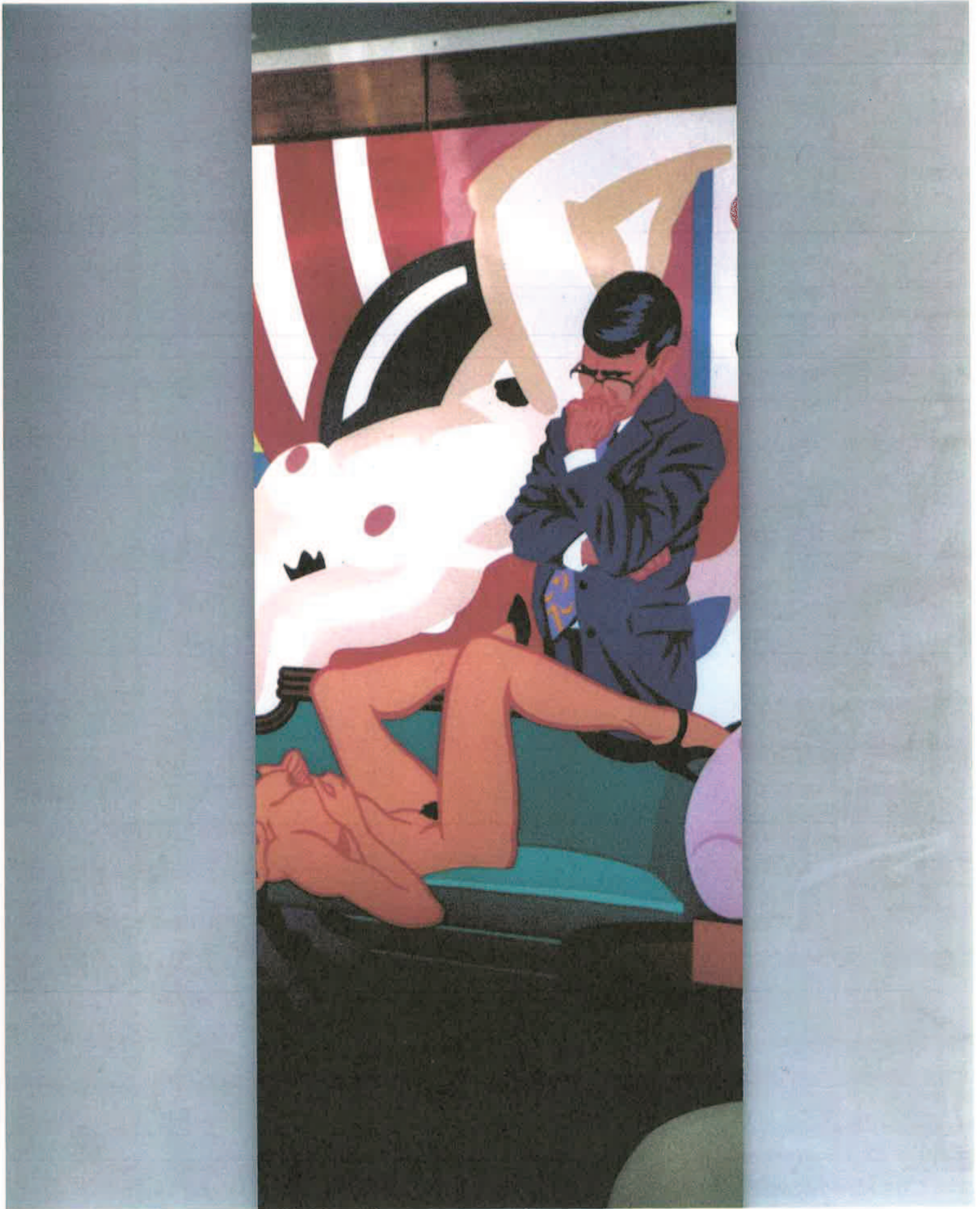


A-557

EXHIBIT 18

A-558

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A-559

EXHIBIT 19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FREDERICK M. CARGIAN,

Plaintiff,

-against-

BREITLING USA, INC.,

Defendant.

Civil Action No. 15-cv-01084
-----X

100 Park Avenue
New York, New York

January 19, 2016
9:37 a.m.

DEPOSITION of SOPHIE MORICE, taken before
Alexis Perez Jenio, a Shorthand Reporter and
Notary Public of the State of New York.

ELLEN GRAUER COURT REPORTING CO. LLC
126 East 56th Street, Fifth Floor
New York, New York 10022
212-750-6434
REF: 111527A

1

MORICE

09:57:20 2 input about her observations of Mr. Cargian?

09:57:28 3 A Jackie?

09:57:30 4 Q Yes.

09:57:31 5 A No.

09:57:31 6 Q Were you aware that Mr. Cargian is gay?

09:57:34 7 A Yes.

09:57:35 8 Q Were you aware from sort of when you

09:57:40 9 first met him, from very early, et cetera?

09:57:43 10 A Um... when I first met him.

09:57:47 11 Q And how did you become aware?

09:57:52 12 A Because I worked with somebody that

09:57:54 13 knew Fred, and that, um, told me that they were

09:57:59 14 from the same, you know, community.

09:58:01 15 Q And who was that?

09:58:02 16 A Bill Alonzo.

09:58:04 17 Q And Mr. Alonzo is also gay?

09:58:08 18 A Yes.

09:58:08 19 Q So you had worked with him and he told

09:58:10 20 you that?

09:58:11 21 A Yes.

09:58:11 22 Q That Mr. Cargian was also gay?

09:58:14 23 A Yes.

09:58:14 24 Q Was that before or after you became

09:58:17 25 employed by Breitling?

1

MORICE

09:58:18 2 A It was actually on my way to Breitling.

09:58:24 3 Q Did you find that most everybody at

09:58:28 4 Breitling was aware of Mr. Cargian's sexual

09:58:32 5 orientation?

09:58:33 6 MR. SINGER: Objection to the form.

09:58:34 7 You can answer.

09:58:35 8 A I never felt it was a secret.

09:58:38 9 Q So the answer is yes, people --

09:58:41 10 A Yes.

09:58:41 11 Q -- were generally aware?

09:58:44 12 Did you ever speak with Mr. Prissert
09:58:46 13 regarding the treatment of women at Breitling?

09:58:49 14 A No.

09:58:50 15 Q Did you ever speak with Mr. Amstutz
09:58:54 16 about the treatment of women at Breitling?

09:58:57 17 A No.

09:58:57 18 Q Did you ever speak with Mr. Anderson
09:59:00 19 about the treatment of women at Breitling?

09:59:02 20 A No.

09:59:03 21 Q Did you ever speak with Ms. Figueroa
09:59:05 22 about the treatment of women at Breitling?

09:59:07 23 A No.

09:59:08 24 Q I forgot to ask, did you ever speak
09:59:17 25 with Ms. Figueroa regarding Mr. Cargian's work

1

MORICE

11:33:29 2 boutique, printed on them. So we have some

11:33:32 3 pinups.

11:33:33 4 Q I don't understand. What do those

11:33:35 5 pinups look like?

11:33:38 6 A Those are paintings that we have in the

11:33:42 7 store, Kevin Kelly artwork, and that is used on

11:33:49 8 some collaterals. It's printed on them.

11:33:52 9 Q Okay. Can you describe the image? You

11:33:54 10 said it's what you call, quote, a pinup, but

11:33:58 11 it's not the exact image of what I call this

11:34:01 12 half-clad woman on a bomb.

11:34:04 13 A Yeah, that would be, again, part of the

11:34:06 14 same imagery. So you have, you know, a pilot

11:34:12 15 with a girl. I don't know how to describe them.

11:34:29 16 Q Have you ever seen any of Kevin Kelly's

11:34:33 17 other work?

11:34:34 18 A No -- I -- actually, I Googled him, so

11:34:39 19 I went onto his website and I saw some paintings

11:34:43 20 that he's doing, not for Breitling. Yes.

11:35:14 21 MS. GOODMAN: Morice-5.

11:35:15 22 (Black and white photocopy of

11:35:15 23 artwork was marked Exhibit Morice-5 for

11:35:15 24 identification.)

11:35:15 25 Q I'm showing you what's now been marked

1

MORICE

11:35:19 2 as Morice 5. Have you ever seen this painting
11:35:22 3 before?

11:35:22 4 A No.

11:35:23 5 Q Were you aware that this is a painting
11:35:25 6 in Mr. Schneider's office?

11:35:28 7 A No. I was aware there were paintings;
11:35:31 8 now I know what it looks like.

11:35:33 9 Q When you say you were aware that there
11:35:36 10 were paintings, and you have a little smile on
11:35:39 11 your face when you say that, tell me what you
11:35:43 12 were aware of.

11:35:44 13 A I had heard that there were paintings
11:35:46 14 in Mr. Schneider's office.

11:35:48 15 Q What kind of paintings had you heard
11:35:52 16 that there were?

11:35:53 17 A It was always presented to me with a
11:35:57 18 smile and unqualified, not for everyone's eyes.

11:36:02 19 Q And would you feel that what I'm now
11:36:04 20 showing you on Morice-5 is, quote, not for
11:36:11 21 everybody's eyes?

11:36:12 22 MR. SINGER: Can you just repeat
11:36:25 23 that?

11:36:25 24 (The last question was read back by
11:36:27 25 the court reporter.)

1

MORICE

11:37:39 2 are any of them of naked or semi-naked women?

11:37:46 3 A No, not the collateral that we give out
11:37:50 4 or the paintings in the store.

11:37:51 5 Q The -- can you describe any of the
11:37:55 6 collaterals to us?

11:38:01 7 MR. SINGER: Objection; asked and
11:38:02 8 answered. You can answer.

11:38:04 9 A The last -- I have one in mind where
11:38:07 10 you see a guy, a military guy, you know, holding
11:38:11 11 a girl. And even though she has a -- you know,
11:38:14 12 showing a cleavage, but there is nothing, you
11:38:18 13 know, offensive about it.

11:38:19 14 Q You don't find it offensive?

11:38:21 15 A No, I don't.

11:38:22 16 Q Have you ever asked any other women
11:38:25 17 whether they think it's offensive?

11:38:29 18 A No. We had the conversation sometimes
11:38:32 19 around the pinup girl, but...

11:38:34 20 Q When you say, We had the conversation
11:38:36 21 around the pinup girl --

11:38:38 22 A In the --

11:38:39 23 Q -- who's the "we"?

11:38:40 24 A In the boutiques, we have a pinup
11:38:43 25 statue. That's it.

1

MORICE

11:38:44 2 Q And what do you mean you have a pinup
11:38:47 3 statue? So it's a partial --

11:38:49 4 A We know some people sometimes make
11:38:52 5 comments on the statue. Not on the paintings,
11:38:55 6 never; on the statue.

11:38:56 7 Q Tell me what the statue looks like.

11:38:59 8 A It is a pinup on a bomb.

11:39:01 9 Q So it's this woman whose bosom is
11:39:06 10 exposed and is on a bomb?

11:39:09 11 A Yes.

11:39:09 12 Q And would you agree with me that the
11:39:12 13 bomb sort of looks like a phallic symbol?

11:39:16 14 A No.

11:39:16 15 Q And who would you say would have some
11:39:19 16 comments about that pinup statue? Are those
11:39:22 17 from customers? From employees? From both?

11:39:26 18 A Employees love it, and customers
11:39:31 19 sometimes, yeah, make comments.

11:39:32 20 Q And their comments are negative? They
11:39:36 21 don't --

11:39:36 22 A No, we don't get comments on the
11:39:39 23 negative.

11:39:39 24 Q And when you say, quote, the "employees
11:39:42 25 love it," what employees love it?

A-567

EXHIBIT 20

A-568

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****CONFIDENTIAL****

*Anderson
3*

Message

From: Beth Haddad [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=BETHH]
Sent: 6/3/2013 6:47:19 PM
To: Chuck Anderson [charles.anderson@breitlingusa.com]
Subject: RE: RE:

That's fine. Enough people did.

From: Chuck Anderson
Sent: Monday, June 03, 2013 11:36 AM
To: Beth Haddad
Subject: Re: RE:

I don't think I heard that or understand what it means exactly.

Chuck Anderson
Sales Director
Breitling USA
Hangar 7
206 Danbury Rd
Wilton, CT 06897
USA
Office 203-762-1180 Ext 371
Fax 888-875-2729
charles.anderson@breitlingusa.com
Please check our website at www.breitling.com

On Jun 3, 2013, at 11:35 AM, "Beth Haddad" <beth.haddad@breitlingusa.com> wrote:

I am perfectly happy doing my job but I will not be treated like a second class citizen by him and if I need to formally complain I will. His comments about going to work with the girls in ch is uncalled for, as is his treatment of the boys vs the girls.

From: Chuck Anderson
Sent: Monday, June 03, 2013 11:32 AM
To: Beth Haddad
Subject: Re:

Thanks for the email. It bothered me the way the rest of the weekend went with you. I knew you were not happy - it was obvious in your mood and when I looked at you. That is what bothers me the most. I want everyone to be happy at work - maybe that is silly- but it really is what I want. It is harder, more difficult and different today than it was in the past. I think we have all adjusted to it - something's we like and others we do not. Nothing is perfect I guess. Thanks again

I am on my flight and have a ton of Jewelers on it. I feel like I can't sleep in case I slobber all over myself.

Chuck Anderson
Sales Director
Breitling USA
Hangar 7

BREITLING_7017

A-569

****CONFIDENTIAL****

206 Danbury Rd

Wilton, CT 06897

USA

Office 203-762-1180 Ext 371

Fax 888-875-2729

charles.anderson@breitlingusa.com

Please check our website at www.breitling.com

On Jun 3, 2013, at 11:22 AM, "Beth Haddad" <beth.haddad@breitlingusa.com> wrote:

BTW, I am not at all upset with you. I appreciate your apology, but I am not putting up with his shit anymore. I am here to work and am not paid to be anyones friend or socialize. He doesn't have to like me and I don't have to like him. I will not socialize with him in any way. I will not be told not to laugh or smile and if it "bothers" him that's his problem (especially when all the boys are on the floor with laughter) Its actually the best thing that could happen. No one has to pretend anything.

Beth Haddad

West Coast Sales

Breitling USA

206 Danbury Rd

Wilton Ct 06897

USA

office: 203-762-1180 x337

beth.haddad@breitlingusa.com

Please check our website at www.breitling.com

BREITLING_7018

A-570

EXHIBIT 21

A-571



September 18, 2012

Fred Cargian
422 West 22nd Street
Apt. #6
New York, NY 10011

Dear Fred,

The purpose of this warning is to address to you the seriousness of the situation that occurred on Sunday, September 16th during our Reno bowling outing. You are being addressed with a written warning so that you realize how unacceptable your behavior was.

On Sunday, September 16th during our bowling outing (with our guests) you approached me in a manner that was completely unacceptable. You were obviously upset and used extremely poor judgment by thinking that using the word "fuck" or yelling at me in front of guests and colleagues was a good idea. Your behavior and language was totally inappropriate and showed a lack of respect to me, to yourself, and to Breitling.

You will be closely monitored and if you are warned again about your behavior, we will have no choice but to address the issue with you again which will lead us to taking action up to and including termination from Breitling.

We expect all employees to maintain superior performance and professional behavior at all times. Please do not hesitate to talk to me or HR if you have any questions or concerns regarding this issue.

Regards,

A handwritten signature in black ink, appearing to read "Thierry Prissert".

Thierry Prissert
President

BREITLING USA

A-572

EXHIBIT 22

BREITLING

OUR POS

	Total Doors 2012	Bentley Doors 2012	2011 Opened Doors	2011 Closed Doors	*Ave Stock Breitling	*Ave Stock Bentley	% of Doors w/Bentley
Fred	40	31	2	3	57	9.6	78%
Annie	46	19	4	3	50	9.3	41%
Josh	46	24	2	2	58	9.9	52%
Rick	40	26	5	2			65%
Patrick	39	15	4	1	55	16.3	38%
Brian	43	29	3	5	61	10.7	68%
Beth	38	29	2	3	58	10	76%
TOTALS	292	173	22	19	56.5	11	59%

Breitling stock increase: 3%
Bentley stock increase: 16%



INSTRUMENTS FOR PROFESSIONALS™

BREITLING_9041

A-574

EXHIBIT 23

A-575

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Prissert
20

Thanks,

Diana Figueroa
Human Resources Manager

Breitling USA
Hangar 7
206 Danbury Road
Wilton, CT 06897

Phone: 203.762.1180 ext. 310
Fax: 203.762.3665
Check our website at www.breitling.com

From: Sebastien Amstutz
Sent: Monday, September 17, 2012 4:16 PM
To: Diana Figueroa
Subject: Fw: fred last night

Hello.
Hope you had a good week-end.
Can you please see attached email from Thierry and draft a warning letter for fred.
Thanks

-----Original message-----
From: Thierry Prissert <Thierry.Prissert@breitlingusa.com>
To: Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Sent: Mon, Sep 17, 2012 16:52:23 GMT+00:00
Subject: fred last night
Hello Sir, hope you had a fun time last night at bowling

Fred came to me at the bowling and had an unacceptable behavior while addressing me (almost in front of clients and staff) all heard him he used the word F...and was mad (for actually no valid reason)
I want to send him an email (letter) as a warning (not acceptable to have this behavior in front of guest and colleagues.
You prefer email and or and letter
Do you have a sample letter that phrase a Warning or not ?
Thank you
In the air between slc and new york
We can talk when I land if you are available
Landing at 4,30 eastern time
cheers

BREITLING_1444

Thierry Prissert
President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180
Fax: 203.762.1178
Email: Thierry.Prissert@breitlingusa.com
Check our website at: www.breitling.com

A-577

EXHIBIT 24

A-578

From: Fred Cargian
Sent: Monday, October 22, 2012 11:21 AM
To: Diana
Subject: RE: Vacation Days

Ok, taking off the rest of the year....ha.

Fred Cargian
NE Sales Representative

Breitling USA
Hangar 7
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180 ext. 315
Fax : 203.762.1178
Check our website at www.breitling.com

From: Diana Figueroa
Sent: Monday, October 22, 2012 12:08 PM
To: Fred Cargian
Subject: RE: Vacation Days

Hey Fred!

According to my records, here's what you have remaining for 2012.

17- Vacation Days
11- Sick Days
2- Personal Days

Thanks,

Diana Figueroa
Human Resources Manager

Breitling USA
Hangar 7
206 Danbury Road
Wilton, CT 06897

Phone: 203.762.1180 ext. 310
Fax: 203.762.3665
Check our website at www.breitling.com

A-579

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From: Fred Cargian
Sent: Monday, October 22, 2012 11:53 AM
To: Diana Figueroa
Subject: Vacation Days

Hi Diana;

How many days have I used? I am confused as usual!

Fred Cargian
NE Sales Representative

Breitling USA
Hangar 7
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180 ext. 315
Fax : 203.762.1178
Check our website at www.breitling.com

0000181

EXHIBIT 25

A-581

****CONFIDENTIAL****

Ar Anderson
7



Written Warning

To: Brian Criddle
From: Diana Figueroa, HR Manager
Date: August 23, 2013
Re: Misuse of Company Credit Card, Misrepresentation about Whereabouts

As per your conversation with Sebastien Amstutz and Chuck Anderson on Wednesday, August 14th and with Thierry Prissert on Thursday, August 15, 2013, you are being given this Written Warning regarding the misuse of your Corporate AMEX card and the fact that you misrepresented your whereabouts in July 2013. On your call report you mentioned that you were visiting stores in Nevada for a couple of days when your receipts showed that you were in fact in California.

Please note that this behavior will not be tolerated. As per your Employment Contract, you are given an allowance for **business related travel and entertainment expenses**. You are to always follow the Breitling USA Travel and Entertainment Expense General Policies and Guidelines.

We want to make it very clear that you must never use the Corporate Amex card for personal expenses. This is your first and only warning regarding this matter. Failure to comply with this rule will result in your termination from Breitling USA.

A copy of this warning will be placed in your personnel file.

Please feel free to contact me with any questions or concerns.

Sincerely,

Diana Figueroa
Human Resources Manager

BREITLING USA

BREITLING USA IS AN EQUAL OPPORTUNITY EMPLOYER. BREITLING USA DOES NOT DISCRIMINATE ON THE BASIS OF RACE, GENDER, RELIGION, NATIONAL ORIGIN, AGE, SEX, OR HANDICAP. BREITLING USA IS AN EQUAL OPPORTUNITY EMPLOYER.

A-582

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Pr. Prissert

Message

From: Sebastien Amstutz [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=SAMSTUTZ]
Sent: 9/18/2013 9:13:57 PM
To: Brian Criddle [brian.criddle@breitlingusa.com]
CC: Thierry Prissert [thierry.prissert@breitlingusa.com]; Chuck Anderson [charles.anderson@breitlingusa.com]
Subject: Amount due to Breitling
Attachments: Expenses.docx

Good morning Brian,

I hope you made it safe home.

I am getting back to you following our talk on Sunday in Reno with Thierry and Chuck.

As mentioned to you, we have looked carefully at all of your expenses since the beginning of the year.

Attached you will find a spreadsheet recap of what you owe to Breitling USA. Total amount : \$5,981.11 Please write us a check in such amount as soon as possible so we can close this case.

We look forward to the future.

Thank you.

Kind regards,

Sebastien

BREITLING_7583

A-583

****CONFIDENTIAL****

January expenses

Parking over the holiday break in LV Dec 20 2012– Jan 6 2013 \$180.00
Mail box rental fee in SLC \$136 — should not have box in SLC. Box should be in LV
Wednesday 1/2 – Schedule says Goldsmith — receipts look like café, lunch and picking up office supplies all day
Thursday 1/3 Office Max — floor for office????? \$202.98
Friday 1/4 Gas in SLC (car parked in LV) \$42.35

Monday 1/21 Delta SLC to LV \$221.90
Tuesday 1/28 schedule says he was in LA but was in SLC

Total personal charges for Jan \$783.23

February expenses

Monday 1/28 Gas in SLC \$75.86 (car parked in LV)
Monday 1/28 Meal in Utah with guest \$17.18
Flew Tuesday 1/29 to LA for 24 hrs and back to LV on 1/30
Monday 2/4 Delta purchased ticket to SLC for weekend travel Of Feb 9 - \$394.80

2/14 – 2 dinner checks in LV one for \$69.24 and \$72.94
Monday 2/11 Starbucks in SLC – Office Day \$4.37
Monday 2/11 Taco Bell in SLC – Office Day \$6.24
Monday 2/11 7-11 in SLC – Office day \$4.26
Monday 2/11 Yardhouse – Office day \$30.23
Friday 2/15 Meal at airport going away for weekend to SLC \$10.42
Friday 2/15 Meal at airport going away for weekend to SLC \$12.84
Flight 2/15 LV to SLC bill for 1/2 ticket \$262.50
Sunday 2/17 Gas in SLC (car parked in LV) \$51.82
Monday 2/18 Café in SLC (Holiday BUSA) \$5.73
Monday 2/18 Parking ticket in LV for weekend parking \$39 – travel to SLC for weekend.
Friday 2/22 – Schedule says he was in 2 Hing Wa Lee doors — returned rental car at 8:04 at LAX

Total personal charges for February \$1057.43

March expenses

Car parked in LV
Saturday 3/2 Gas in SLC \$23.10
Sunday 3/3 Gas in SLC \$46.04
Tuesday 3/5 Gas in SLC \$46.57
Tuesday 3/5 Gas in WY \$49.39
Wednesday 3/6 Gas in WY \$39.91

A-584

****CONFIDENTIAL****

Friday 3/15 schedule says he visited Polachecks — rental turned in at LAX at 9 am

Friday 3/15 car wash in Utah (car parked in LV from 3/12 to 3/20) \$24

Friday 3/15 meal in SLC \$17.72

Friday 3/16 Gas in SLC \$45.26

Friday 3/16 car wash with Odor Bomb in SLC \$43.80

Week of March 18 –22

Car rented 3/18 Turned in 3/20 at 5:30 pm at LAX

Thursday 3/21 Schedule says Tourneau Century City – he was in LV

Friday 3/22 schedule says LV store visits – he was in Utah

Friday 3/22 Breakfast charge travel to SLC \$4.75

Friday 3/22 Lunch expense on SLC \$31.61

Sunday 3/24 gas in SLC (car parked in LV) \$30.57

Monday 3/26 Gas in SLC \$56.31

Monday 3/26 Gas in SLC \$47.39

Delta Friday Mar 22 LV – SLC \$233.90

Total personal charges for March \$740.32

April expenses

Week of April 1-5

Schedule says CA stores for everyday

Thursday 4/4 Charges in Utah schedule says Feldmar and Century City; rental car turned in at 10:04 am at LAX

Chilis #18 lunch charge in UT \$27.93

Kobe Japanese #21 dinner charge in UT \$56.65

Hotel receipt for a hotel weekend stay in Huntington Beach for Brian Criddle and guest. Receipt # 13 Charge is \$643.70

Check in Friday night

Check out Monday morning.

Back in LA on Friday 4/5

New rental car picked up on Friday 4/5 and returned Tuesday 4/9 (weekend rental) \$118.15

Car parked in LV from 4/1-4/9 \$84.00

Saturday 4/13 Gas in SLC (car parked in LV) \$43.59

Saturday 4/13 Coffee Starbucks UT \$4.37

Tuesday 4/16 Gas in SLC (car parked in LV) \$35.18

BREITLING_7585

A-585

****CONFIDENTIAL****

Total personal charges for April \$ 1013.57

May expenses

5/7 Delta receipt #22 Flight on Monday May 13: SLC to LV returning to SLC on 5/17 \$345.80

Office day was 5/10 three charges made

Café breakfast #33 \$9.96 SLC

Gas Charge in SLC #35 \$44.26 (Car parked in LV)

Lunch in SLC #36 \$22.38

Office day was 5/17 two charges made

Breakfast #51 \$9.71

Lunch at airport #49 \$33.44

5/22 Delta receipt #57 Flight on Monday May 27: SLC to LV One way \$225.90

5/23 Taxi in SLC \$61.16

5/24 Gas Charge in SLC #66 \$59.86 (car parked in LV)

Office day 5/24 three charges made

Breakfast #76 \$22.11

Dinner #75 \$39.73

Starbucks # 77 \$12.73

Saturday 5/25

Starbucks #78 \$4.37

Sunday 5/26 Gas Charge in SLC \$55.27 (car parked in LV)

Total Personal charges for May: \$946.68

June expenses

Office day 6/3

Breakfast #15 \$5.72

Lunch #16 \$11.32

Dinner #17 \$41.81

June 5 Vacation day

Café #21 \$11.09

Lunch #23 \$17.14

Dinner #24 \$20.00

June 6 Vacation day

Lunch #27 \$15.76

Dinner #26 \$75.09

A-586

****CONFIDENTIAL****

June 8 Saturday
Starbucks #31 in SLC \$16.88

June 16 Delta receipt # 50 Flight from LV to SLC to LV for the weekend (June 21-June 23) \$408.80
June 16 Sunday Misc. charge #52 \$7.69

June 21 – reported in LV seeing Jewelers of LV; flew to SLC early am
June 21 Gasoline #64 \$35.01 Car parked in LV
Breakfast #66 \$8.90
Lunch \$8.00
6/23 #68 Parking for weekend in LV #68 \$30.00

June 27 charged Delta receipt #80 Flight from SLC to LV \$240.90 on June 30

June 27 and 28
Vacation days
Breakfast both days \$9.60 and \$10.47

Total charges for June 2013 \$974.18

July expenses
Saturday June 29
Gas in SLC \$75.31 car parked in LV

On July 10 and 11, it was reported that three POS were visited each day in Las Vegas. There are expenses on these days that show the time was spent in CA – car rental in Long Beach and parking expense in San Diego.

Wednesday 7/10 Expenses
Lunch at LV Airport \$28.34 @2:39 pm
Car rental in Long Beach \$73.18 @4:45 pm returned on 7/11 @10:35 am
Parking garage on 7/10 \$32 in San Diego

Thursday 7/11 Expenses
Lunch at Long Beach Airport \$17.60
Gasoline in Long Beach \$30.26
Parking LV Airport \$18.00

Friday 7/12 expenses listed as office day in SLC
Café for breakfast \$6.35
Lunch \$40.11

Saturday 7/13 expenses
Gas in SLC \$69.51 car parked in LV
Starbucks \$5.77

A-587

****CONFIDENTIAL****

Sunday July 14 expenses
Starbucks \$4.48

Monday 7/15 expenses
Gas in SLC \$64.79

Friday July 19
Scheduled says Bentley dealership in LA. Was in LV as of Thursday evening.
Day was spent driving to Utah for vacation break.

Total personal expenses for July 465.70

Total Due BUSA for 2013 \$5981.11

A-588

EXHIBIT 26

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

-----X
FREDERICK M. CARGIAN,

Plaintiff,

-against-

BREITLING USA, INC.,

Defendant.

Civil Action No. 15-cv-01084

-----X

233 Broadway
New York, New York

December 9, 2015
10:05 a.m.

DEPOSITION of SÉBASTIEN AMSTUTZ, taken
before Alexis Perez Jenio, a Shorthand Reporter
and Notary Public of the State of New York.

ELLEN GRAUER COURT REPORTING CO. LLC
126 East 56th Street, Fifth Floor
New York, New York 10022
212-750-6434
REF: 111263

1

AMSTUTZ

10:09:31 2

A No.

10:09:31 3

Q What is your visa status?

10:09:36 4

A I'm a green card holder.

10:09:39 5

Q When were you first hired by Breitling

10:09:41 6

USA?

10:09:42 7

A First of January 2005.

10:09:46 8

Q And before you were hired by Breitling

10:09:49 9

USA, did you have any association with

10:09:53 10

Breitling SA or any one of its subsidiaries?

10:09:58 11

A I worked for a couple of months with

10:10:01 12

Breitling SA.

10:10:02 13

Q What do you mean, you worked for a

10:10:05 14

couple of months with Breitling SA?

10:10:05 15

A The preparation of -- of -- you know,

10:10:06 16

to prepare the transition to come here to the

10:10:11 17

US.

10:10:12 18

Q So you were originally hired by

10:10:14 19

Breitling SA?

10:10:15 20

A No.

10:10:15 21

Q Who hired you?

10:10:17 22

A Breitling USA.

10:10:19 23

Q But who, what person, what human being

10:10:22 24

said, "You're hired"?

10:10:23 25

A It was, at the time, Marie Bodman.

1

AMSTUTZ

10:41:40 2 of the sales representative and presented it to
10:41:46 3 them at that time.

10:41:47 4 Q Did you ever -- looking at Amstutz-3,
10:41:53 5 had you ever checked to see whether the figures
10:42:00 6 that were incorporated in Amstutz-3 were
10:42:04 7 correct?

10:42:05 8 A No.

10:42:05 9 Q Was this -- was Amstutz-3, which is the
10:42:13 10 sell-in for 2012, Breitling 631, was that
10:42:20 11 manually compiled?

10:42:22 12 A Yes.

10:42:22 13 Q What documents were used to create it?

10:42:26 14 A I don't know.

10:42:27 15 Q Okay.

10:43:03 16 MS. GOODMAN: Four.

10:43:05 17 (One-page document titled "Sell In
10:43:05 18 2011 Breitling," Bates stamped
10:43:05 19 Confidential Breitling_632, was marked
10:43:41 20 Exhibit Amstutz-4 for identification.)

10:43:41 21 MS. GOODMAN: Do you have a copy?

10:43:42 22 MR. SINGER: No, but he's making
10:43:44 23 it.

10:43:44 24 You can, if you want. That's okay.

10:43:48 25 Go ahead.

1

AMSTUTZ

10:43:48 2 Q Can you recognize Amstutz Exhibit 4?

10:43:53 3 A Yes.

10:43:53 4 Q Can you tell me what that is?

10:43:59 5 A The sales figures, part of the

10:44:04 6 presentation, the presentation in the sales

10:44:08 7 meeting sometime beginning of 2012.

10:44:13 8 Q And it's for the presentation which

10:44:15 9 reflects sales results for 2011. Is that

10:44:20 10 correct?

10:44:20 11 A Yes.

10:44:21 12 Q And did you again participate in that

10:44:23 13 sales meeting where the presentation was made?

10:44:26 14 A Yes.

10:44:27 15 Q Was this document manually compiled?

10:44:32 16 A Yes.

10:44:32 17 Q Did you compile it?

10:44:35 18 A No.

10:44:35 19 Q Do you know who did?

10:44:37 20 A No.

10:44:38 21 Q Did you ever check to see for accuracy

10:44:41 22 of the document?

10:44:42 23 A No.

10:44:42 24 Q Now, it says at the bottom there, it

10:44:54 25 says, "Excludes Tourneau." Can you explain what

1

AMSTUTZ

10:53:43 2 spreadsheet.

10:53:43 3 Q Okay.

10:53:46 4 Now, as I understand it, the

10:54:04 5 computer -- by 2011, the computer was able to

10:54:07 6 rectify the sales figures so the adjustments for

10:54:12 7 the stores that had multiple locations were

10:54:15 8 right within the computer system. Is that

10:54:17 9 correct?

10:54:20 10 A I do not recall when exactly the

10:54:24 11 computer system was able to do that... that...

10:54:34 12 Q Conversion?

10:54:36 13 A Conversion.

10:54:41 14 Q Was that about 2011, you think?

10:54:45 15 A Yes.

10:54:45 16 Q So looking at Amstutz-5, the sales

10:54:48 17 figures represented there, as I understand it,

10:54:51 18 do represent the adjusted the numbers. Is that

10:54:58 19 correct?

10:54:58 20 A Yes.

10:55:07 21 Q You need to take your hand...

10:55:11 22 A Yes.

10:55:11 23 Q Thank you.

10:55:13 24 Looking again at Amstutz-5, what were

10:55:17 25 the underlying documents that were used to

1

AMSTUTZ

11:11:56 2 A I don't recall exactly which ones.

11:12:00 3 Q Do you recall at all which ones you
11:12:02 4 supplied information about?

11:12:05 5 A I am sure that I saw a few of the
11:12:08 6 information that were provided, but I don't
11:12:12 7 recall which ones exactly.

11:12:13 8 Q Okay. Look at page 9 to 10.

11:12:16 9 Interrogatory 22 asks to identify the
11:12:21 10 name and job title of the individual who created
11:12:23 11 the document identified as Breitling 635. And
11:12:29 12 in answer, after objections are made, it says,
11:12:32 13 "Sébastien Amstutz." Now, is Sébastien Amstutz
11:12:35 14 you?

11:12:36 15 A Yes.

11:12:36 16 Q Is this untrue, that you did not create
11:12:39 17 this document, 635, which is what's now been
11:12:44 18 marked as Amstutz Exhibit 8 for this deposition?

11:12:47 19 A I oversaw, yes, the administrative
11:12:51 20 part, but not the -- all the sales numbers.

11:12:57 21 Q So who created it then? Who did you
11:13:02 22 oversee?

11:13:04 23 A Sales, and -- it is our sales
11:13:07 24 department that put together the numbers in --
11:13:11 25 hold on. I'm sorry, it's so small. Sorry.

1 AMSTUTZ

11:13:15 2 So it's Diana.

11:13:18 3 Q So you oversaw Ms. Figueroa?

11:13:21 4 A I'm sorry, it was so small that I
11:13:24 5 thought it was sales numbers.

11:13:26 6 Q I can't do anything better. This is
11:13:28 7 how it was given to us.

11:13:30 8 A Yeah, I'm sorry.

11:13:32 9 Sales -- I mean, I thought it was sales
11:13:35 10 numbers, and in fact it is salary numbers. And
11:13:39 11 yes, I mean, I retract myself. I mean, I
11:13:45 12 oversaw Diana Figueroa.

11:13:49 13 Q So it's not true, when I asked who
11:13:51 14 created it, you did not create it?

11:13:54 15 A I did not create it, but I transferred
11:13:57 16 it.

11:13:57 17 Q You transferred what?

11:13:59 18 A Yes.

11:14:00 19 Q What do you mean when you say you
11:14:02 20 "transferred it"?

11:14:03 21 A I take responsibility that this
11:14:05 22 information is correct.

11:14:06 23 Q Did you check to see that the
11:14:09 24 information was correct?

11:14:10 25 A I did not check.

1

AMSTUTZ

11:14:11 2 Q We have been told that information, in
11:14:14 3 fact, on Document 635 is inaccurate. Do you
11:14:18 4 agree with that?

11:14:20 5 A Yes.

11:14:20 6 Q In what way? How do you know that it's
11:14:25 7 inaccurate if you've never --

11:14:27 8 A We reviewed all documents and
11:14:31 9 determined the inaccuracy of the documents.

11:14:32 10 Q When did you review this document?

11:14:34 11 A Ah, a few months ago.

11:14:38 12 Q And when was it originally created?

11:14:41 13 A I would not...

11:14:44 14 Q Approximately.

11:14:51 15 A I mean, more than a year ago, a year
11:14:54 16 ago.

11:14:54 17 Q So it's a document that was created
11:14:56 18 specifically in reference to this litigation?

11:14:58 19 A Yes.

11:14:58 20 Q And can you tell me what about this
11:15:01 21 document is inaccurate?

11:15:03 22 A You know what, I'm sorry, but I cannot
11:15:08 23 see it.

11:15:09 24 Q You can't see it.

11:15:11 25 A No.

1 AMSTUTZ

11:15:11 2 Q I understand that problem.

11:15:13 3 A I would not be able to tell you.

11:15:20 4 MS. GOODMAN: Off the record.

11:15:21 5 (An off-the-record conversation was
11:16:51 6 held.)

11:16:51 7 MS. GOODMAN: This is 10.

11:16:52 8 (One-page spreadsheet of sales rep
11:16:52 9 totals for 2009 through 2014, Bates
11:16:52 10 stamped Confidential Breitling_636, was
11:16:52 11 marked Exhibit Amstutz-10 for
11:17:25 12 identification.)

11:17:25 13 Q I'm showing you what's now been marked
11:17:28 14 as Amstutz Exhibit 10, which is Breitling 636.

11:17:39 15 Can you identify this document?

11:17:41 16 A Yes.

11:17:41 17 Q What is it?

11:17:43 18 A Sales comparison per region or per
11:17:48 19 sales rep from 2009 to 2014.

11:17:55 20 Q Do you know who created this document?

11:18:00 21 A No.

11:18:01 22 Q This document was created, was it
11:18:08 23 not -- well, after the beginning of this
11:18:11 24 litigation. Is that correct?

11:18:14 25 A Can you rephrase it or repeat?

1 AMSTUTZ

11:47:33 2 (An off-the-record conversation was
11:47:38 3 held.)

11:47:38 4 A Okay.

11:47:38 5 Q If you'll see that in Amstutz-3, it
11:47:42 6 shows that Fred Cargian's total sales in 2012
11:47:46 7 was \$12,899,581. Do you see that?

11:47:56 8 A Yes.

11:47:56 9 Q And then, if you look at Amstutz-8, it
11:48:00 10 will show that Fred's total in 2012 was
11:48:03 11 \$9,809,464. Can you --

11:48:08 12 MR. SINGER: 465.

11:48:09 13 MS. GOODMAN: 465, okay. I
11:48:16 14 couldn't read it I, guess.

11:48:17 15 Q Can you explain the disparity between
11:48:20 16 those two charts that supposedly reflect sales
11:48:25 17 for 2012?

11:48:27 18 A No, I can't.

11:49:10 19 (Pause)

11:50:13 20 Q Again, if you look at -- no.

11:50:27 21 (Pause)

11:50:31 22 MS. GOODMAN: I might come back to
11:50:32 23 this one.

11:50:51 24 Q I would like to better understand how
11:50:53 25 the bonus system works for the sales

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AMSTUTZ

12:49:40 2 Q Okay. You don't remember that in 2013
12:49:43 3 it was uncovered that Mr. Criddle falsified his
12:49:48 4 reports?

12:49:50 5 A I remember.

12:49:51 6 Q Okay. And you remember that he claimed
12:49:56 7 to be in Las Vegas when in fact he was really on
12:50:00 8 personal business in Los Angeles?

12:50:03 9 A Correct.

12:50:04 10 Q Or vice versa. Do you remember that?

12:50:06 11 A Yes.

12:50:06 12 Q Was anything said about that in his
12:50:09 13 review of 2013?

12:50:12 14 A It was previously said to him. I don't
12:50:16 15 know if his review, if we still talked about it.
12:50:20 16 I don't recall that we talked about it in his
12:50:24 17 review.

12:50:24 18 Q And in discussing his bonus for the
12:50:31 19 qualitative portion, was he told, you know, you
12:50:36 20 aren't getting your bonus for the qualitative
12:50:40 21 session given what you did?

12:50:41 22 A I don't recall what we -- I mean, I
12:50:45 23 would need to check.

12:50:45 24 Q To the best of your recollection,
12:50:49 25 was -- did he receive at least some money for

1

AMSTUTZ

14:10:00 2 Exhibit 1, that's Breitling 627. Do you see

14:10:04 3 that?

14:10:04 4 A Yes.

14:10:04 5 Q And if at the same time, you can take

14:10:07 6 out Exhibit 10, which is Breitling 636.

14:10:22 7 Now, if you will look at Exhibit 1, it

14:10:26 8 says that for the year 2009 in Northeast 1,

14:10:34 9 which is Fred Cargian's district, correct -- no,

14:10:39 10 look at Exhibit 1.

14:10:41 11 A Yup.

14:10:42 12 Q I'm asking you to look at.

14:10:43 13 A Sorry.

14:10:44 14 Q That's Mr. Cargian's district,

14:10:47 15 Northeast 1, right?

14:10:49 16 A Yeah.

14:10:49 17 Q It says that he had sales of 11

14:10:56 18 million, 300 hundred and -- oh, I'm sorry. I'm

14:11:00 19 looking at the wrong year.

14:11:02 20 He had sales of \$11,162,298. Do you

14:11:10 21 see that?

14:11:11 22 A Yes.

14:11:11 23 Q Now, if you look at Exhibit 10, and if

14:11:16 24 you look at 2009, it says, Fred -- meaning Fred

14:11:21 25 Cargian -- Northeast 1, had sales in 2009 of

1 AMSTUTZ

14:11:25 2 \$10,460,106. Do you see that?

14:11:33 3 A Yes.

14:11:33 4 Q Can you explain the contradiction

14:11:35 5 between those numbers for the sales in the same

14:11:38 6 year?

14:11:38 7 A No.

14:11:38 8 Q What documents -- now, do you believe

14:11:43 9 that Amstutz-1 is the correct; or, as between

14:11:48 10 those two, would be the document you would rely

14:11:51 11 upon?

14:12:02 12 (Pause)

14:12:11 13 A I don't -- I mean, I don't know.

14:12:14 14 Q Well, Amstutz-1 was refreshed. That's

14:12:19 15 an Excel sheet. Is that correct?

14:12:22 16 A Yeah.

14:12:22 17 Q And that Excel sheet was based upon

14:12:25 18 those client lists, customer lists, correct?

14:12:30 19 A Correct.

14:12:31 20 Q That would be, as represented in --

14:12:34 21 what's that, Amstutz...

14:13:02 22 (Pause)

14:13:10 23 I'll come back to that.

14:13:13 24 If you can look at Exhibit 1 again --

14:13:18 25 A Yeah.

1

AMSTUTZ

14:13:19 2 Q -- and you look at the north -- that's
14:13:24 3 Breitling 626. And look at North Central. They
14:13:28 4 had sales --

14:13:30 5 MR. SINGER: You mean 627, Counsel?

14:13:35 6 Q 627.

14:13:37 7 MR. SINGER: Okay.

14:13:38 8 Q They had sales, the North Central rep
14:13:41 9 had sales of \$5,704,523. Do you see that?

14:13:47 10 A Yes.

14:13:47 11 Q Now, if we look at North Central,
14:13:51 12 that's Rick Lambert. On Exhibit 10, it reflects
14:13:55 13 sales of \$6,117,948. Do you see that?

14:14:09 14 A Yes.

14:14:09 15 Q Can you explain that contradiction?

14:14:12 16 A No, I can't. But the change of
14:14:14 17 territory that -- um. I don't recall, or I
14:14:20 18 don't -- I don't remember.

14:14:23 19 Q Why would there be a change -- what do
14:14:27 20 you mean that there's a change of territory?
14:14:28 21 We've established that Amstutz-10 was created
14:14:31 22 after this litigation began, right? Amstutz-10.

14:14:37 23 A Yes.

14:14:53 24 Q We're finished with those documents.

14:15:00 25 I think we discussed at sort of the end

1

AMSTUTZ

14:15:07 2 of this morning's session about Mr. Criddle and
14:15:11 3 your acknowledgment about his misrepresenting
14:15:15 4 his expense reports and claiming he was in
14:15:18 5 certain areas that he really wasn't, correct?

14:15:21 6 A Correct.

14:15:21 7 Q And were you at a session with
14:15:24 8 Mr. Criddle and Mr. Prissert when this matter
14:15:29 9 was discussed with him?

14:15:30 10 A Right.

14:15:30 11 Q Was Mr. Anderson at that session also?

14:15:35 12 A Yes.

14:15:36 13 Q Where was that session?

14:15:37 14 A In Reno.

14:15:39 15 Q And when was that?

14:15:41 16 A In September of that year, so it's two
14:15:45 17 thousand and...

14:15:47 18 Q '13?

14:15:48 19 A Yes.

14:15:50 20 Q Wasn't the incident in 2013?

14:15:54 21 A Yes.

14:15:55 22 Q How did the facts, the
14:15:59 23 misrepresentation, and also, you know, claiming
14:16:02 24 personal expenses as business expenses, how did
14:16:05 25 that come to your attention and Mr. Prissert's

1

AMSTUTZ

14:17:38 2 A -- to the company.

14:17:39 3 Q Well, was the more -- I mean, did

14:17:46 4 Mr. --

14:17:46 5 MS. GOODMAN: Withdraw that.

14:17:50 6 Q Did Mr. Anderson indicate -- it's not

14:17:53 7 only because he was claiming personal expenses

14:17:56 8 as if they were business expenses, but his

14:17:59 9 reports were dishonest. In fact he wasn't

14:18:02 10 making the calls that he was supposed to be

14:18:05 11 making, correct?

14:18:06 12 A Correct.

14:18:06 13 MR. SINGER: Objection to the form.

14:18:07 14 You can answer.

14:18:08 15 A Correct.

14:18:08 16 Q And did Mr. Anderson say anything to

14:18:11 17 you about that falsehood?

14:18:16 18 A Yes.

14:18:16 19 Q What was his response to the fact that

14:18:21 20 he -- that Mr. Criddle was claiming to be

14:18:24 21 calling on customers in Las Vegas when in fact

14:18:27 22 he was on personal business in Los Angeles, or

14:18:31 23 the reverse, whichever it was?

14:18:35 24 A A lack of trust in Mr. Criddle.

14:18:39 25 Q Did he say anything more about lack of

1

AMSTUTZ

14:18:41 2 trust in him?

14:18:44 3 A Essentially, a lack of trust in --
14:18:49 4 essentially a lack of trust.

14:18:51 5 Q And what did you say in response to
14:18:54 6 that?

14:18:54 7 A I would fire him.

14:18:56 8 Q Was he fired?

14:18:58 9 A No.

14:18:58 10 Q Who decided that he should not be
14:19:02 11 fired?

14:19:02 12 A It was a common decision between
14:19:08 13 Mr. Anderson and Thierry Prissert.

14:19:09 14 Q Were you in that conversation when it
14:19:13 15 was decided that he would not be fired?

14:19:15 16 A Yes.

14:19:15 17 Q Your position was that he should be
14:19:17 18 fired?

14:19:18 19 A Yes.

14:19:18 20 Q Mr. Anderson's position was that he
14:19:21 21 should be fired, correct?

14:19:23 22 A No.

14:19:23 23 Q What was his position?

14:19:25 24 A It was, we want to talk to him and then
14:19:30 25 decide.

1

AMSTUTZ

14:19:31 2 Q And what was Mr. Prissert's decision?

14:19:36 3 A We want to talk to him and then decide.

14:19:38 4 Q Who expressed that position first,

14:19:42 5 Mr. Anderson or Mr. Prissert?

14:19:43 6 A I don't recall who.

14:19:45 7 Q What was the reason you said that you
14:19:48 8 should fire him?

14:19:51 9 A Because my point of view is that once
14:19:56 10 I -- we lose trust in somebody, that somebody
14:20:01 11 should not be a part of the company anymore.

14:20:03 12 Q And what was the reason that
14:20:05 13 Mr. Anderson said, We want to talk to him first
14:20:08 14 before we make that decision?

14:20:12 15 MR. SINGER: Objection to the form.

14:20:15 16 MS. GOODMAN: Well, I'll step
14:20:17 17 back --

14:20:17 18 MR. SINGER: Hold on. What was his
14:20:19 19 reason or did he say what his reason
14:20:22 20 was?

14:20:22 21 MS. GOODMAN: Read my question,
14:20:22 22 please.

14:20:22 23 (The last question was read back by
14:20:33 24 the court reporter.)

14:20:33 25 Q You may answer the question.

1

AMSTUTZ

14:22:20 2 Mr. Anderson and Thierry Prissert acknowledged
14:22:25 3 that we would keep him. And I said to him I
14:22:29 4 would -- if it was up to me, I would have fired
14:22:33 5 him.

14:22:33 6 Q So did you and Mr. Anderson and
14:22:36 7 Mr. Prissert discuss your positions about
14:22:39 8 termination prior to the conversation --

14:22:43 9 A Yes.

14:22:44 10 Q -- in Reno?

14:22:44 11 A Yes.

14:22:45 12 Q When did that conversation take place?

14:22:49 13 A I would say a few days before.

14:22:55 14 Q A few days before --

14:22:58 15 A A few days or weeks before. Because I
14:23:00 16 don't recall exactly when was -- when was
14:23:03 17 exactly the incident, if it was late July, or --
14:23:11 18 so we said, okay, we're going to talk to him in
14:23:14 19 Reno, since that's where we all meet.

14:23:18 20 Q Besides your expressing your view that
14:23:23 21 you would have fired him, was anything more said
14:23:30 22 about what kind of disciplinary action should be
14:23:34 23 taken against Mr. Criddle?

14:23:36 24 A Yes.

14:23:37 25 Q What?

1

AMSTUTZ

14:23:38 2 A To reimburse the company for all the
14:23:42 3 expenses that he incurred.

14:23:43 4 Q Well, that's not -- do you consider
14:23:47 5 that disciplinary --

14:23:47 6 A I'm sorry.

14:23:48 7 Q -- that he has to pay back all the
14:23:52 8 money?

14:23:53 9 A So there was no disciplinary action.

14:23:55 10 Q Was Ms. Figueroa involved in any way?
14:23:59 11 As a human resources manager, was she involved
14:24:03 12 in any way in any of the discussions or any of
14:24:05 13 the decisions?

14:24:06 14 A No.

14:24:06 15 Q Did you as the finance person suggest
14:24:17 16 that maybe you should look back at Mr. Criddle's
14:24:21 17 earlier records, since he's now misrepresented
14:24:25 18 in such a large amount -- it was over \$5,000,
14:24:29 19 right?

14:24:29 20 A Correct.

14:24:30 21 Q Did you suggest and say, Let's go and
14:24:32 22 look further back and see if we have any other
14:24:36 23 inconsistencies?

14:24:37 24 A Yes.

14:24:37 25 Q Did you do that?

1

AMSTUTZ

16:10:46 2 Mr. Cargian.

16:10:46 3 But I guess, I mean, if I -- if I
16:10:50 4 recall -- I mean, even if you take the incident
16:10:53 5 of Reno in two thousand and -- if I'm correct,
16:11:01 6 it's 2012. I mean, for me, I said this is an
16:11:05 7 incident where, I mean, basically I would, and
16:11:09 8 as I said it before, for -- for -- for...

16:11:18 9 Um, for Brian Criddle, I said the fact
16:11:22 10 to say "fuck" to your president, I mean, it's --
16:11:27 11 for me, it's something that I would have fired
16:11:30 12 him.

16:11:30 13 Q How do you know he said "fuck" to the
16:11:34 14 president?

16:11:34 15 A I was there.

16:11:35 16 Q Did you hear it?

16:11:36 17 A No, I did not hear it.

16:11:38 18 Q Okay. So you didn't hear it and the
16:11:40 19 president was standing right next to you?

16:11:43 20 A Oh, no, he was not standing. He was in
16:11:46 21 the bowling area and I was not next to him.

16:11:49 22 Q So you had no personal knowledge that
16:11:50 23 any of this really happened?

16:11:51 24 A I heard it a few hours later, because
16:11:56 25 everyone was decent to try to keep it -- to keep

1 AMSTUTZ

16:11:59 2 it like this.

16:12:00 3 Q From Mr. Prissert you heard what
16:12:02 4 happened?

16:12:02 5 A Yes.

16:12:02 6 Q As human resource manager, head of
16:12:05 7 human resources, did you try to find out from
16:12:08 8 Mr. Cargian what happened?

16:12:13 9 A No.

16:12:13 10 Q Were you aware of the fact that
16:12:18 11 Mr. Prissert, and Mr. Lambert --

16:12:25 12 MR. CARGIAN: Anderson.

16:12:27 13 Q -- and Mr. Anderson went ahead and
16:12:30 14 started bowling while Ms. Sommer and Mr. Cargian
16:12:34 15 were left with the responsibility of taking care
16:12:37 16 of the customers? Were you aware of that fact?

16:12:40 17 MR. SINGER: Objection.

16:12:40 18 You can answer.

16:12:41 19 Assumes facts not testified to.

16:12:43 20 You can answer.

16:12:44 21 A No.

16:12:46 22 Q Where were you? You said, quote, I was
16:12:50 23 there. Where were you?

16:12:53 24 A I mean, the group was big. I was with
16:12:56 25 some of the participants and maybe even some of

1

AMSTUTZ

16:12:59 2 the clients or co-workers there.

16:13:01 3 Q Okay.

16:13:01 4 A And I guess, I mean, you have mini

16:13:07 5 groups, and -- and that's the way it went.

16:13:09 6 Q So you could not hear anything that was

16:13:14 7 said?

16:13:14 8 A No.

16:13:14 9 Q Where was Mr. Cargian -- excuse me,

16:13:19 10 where was Mr. Prissert and Mr. Anderson and

16:13:25 11 Mr. Lambert?

16:13:27 12 A Where?

16:13:28 13 Q Yeah, where were they when this -- this

16:13:33 14 comment was made?

16:13:34 15 A He was in the bowling area in Reno.

16:13:39 16 Q And were they bowling at the time?

16:13:42 17 A I would not be able -- if they were

16:13:46 18 throwing the ball or -- we were all in the

16:13:49 19 bowling area, yes. How were they sitting? Were

16:13:53 20 they bowling? I mean, I guess everyone was kind

16:13:56 21 of bowling.

16:13:56 22 Q So did you get there after everybody

16:13:59 23 else got there?

16:14:00 24 Who did you come over with?

16:14:02 25 MS. GOODMAN: Withdraw that.

1

AMSTUTZ

16:14:04 2 Q As I understand it, you were all eating
16:14:07 3 or having dinner or something like that before?

16:14:10 4 A Before going to the bowling area.

16:14:13 5 Q Okay.

16:14:13 6 As I understand it, Mr. Anderson,
16:14:17 7 Mr. Prissert and Mr. --

16:14:20 8 MR. CARGIAN: Lambert.

16:14:22 9 Q -- Lambert --

16:14:22 10 MS. GOODMAN: Thank you.

16:14:24 11 MR. CARGIAN: And actually

16:14:25 12 Ms. Haddad.

16:14:26 13 Q -- and Ms. Haddad, as I understand it,
16:14:29 14 the three of them left and started bowling.

16:14:32 15 Were you aware of that?

16:14:34 16 MR. SINGER: Objection to the form.
16:14:35 17 That wasn't his testimony. That's an
16:14:35 18 assertion.

16:14:35 19 MS. GOODMAN: That's right.

16:14:39 20 MR. SINGER: You can answer.

16:14:39 21 A No.

16:14:43 22 Q Do you know who -- was anybody -- at
16:14:43 23 what point did you leave the restaurant to go
16:14:46 24 other to the bowling alley?

16:14:48 25 A I'm sure I left pretty much when

1 AMSTUTZ

16:14:52 2 everyone left.

16:14:53 3 Q Okay.

16:14:54 4 A Except, and you are -- and you
16:14:58 5 learned -- I mean, I'm learning it now, that the
16:15:00 6 group had left before. We kind of always --

16:15:04 7 MR. SINGER: Well, I just want to
16:15:06 8 clarify something: Her questions are
16:15:08 9 not testimony. So it's what she's
16:15:10 10 saying --

16:15:11 11 Q But you wouldn't -- if Mr. Cargian
16:15:15 12 testified to that, you would have no evidence or
16:15:19 13 personal knowledge that it was not true, would
16:15:21 14 you?

16:15:21 15 A No.

16:15:29 16 Q And you made no effort to get both
16:15:32 17 sides of the story there, did you?

16:15:34 18 MR. SINGER: Objection to the form.
16:15:35 19 You can answer.

16:15:35 20 A No.

16:15:36 21 Q And you don't know whether anybody
16:15:38 22 besides Mr. Prissert, or even whether
16:15:44 23 Mr. Prissert heard what Mr. -- anything that
16:15:47 24 Mr. Cargian said, do you?

16:15:49 25 A No.

1

AMSTUTZ

16:15:49 2 Q Your only knowledge about what happened
16:15:51 3 is what Mr. Prissert tells you happened?

16:15:54 4 A Yes.

16:15:54 5 Q And you never questioned him about what
16:16:01 6 led to this?

16:16:03 7 A No.

16:16:03 8 Q And you never questioned Mr. -- before
16:16:05 9 a decision was made what to do, you never
16:16:08 10 questioned Mr. Cargian?

16:16:10 11 A No.

16:16:11 12 Q Now, before a decision was made about
16:16:15 13 Mr. Criddle, everyone said, Well, let's talk to
16:16:19 14 him first, correct?

16:16:20 15 A Yes.

16:16:20 16 Q And people did talk to him first,
16:16:23 17 correct?

16:16:23 18 A Yes.

16:16:23 19 Q And in fact he was given a warning
16:16:25 20 letter before you had this meeting --

16:16:27 21 A Yes.

16:16:27 22 Q -- in December. So at the time you
16:16:30 23 uncovered the fabrications in his reports, a
16:16:35 24 warning letter was sent out and he knew at that
16:16:39 25 point he wasn't being fired, correct?

1

AMSTUTZ

16:16:44 2 A Correct.

16:16:45 3 Q And you had hard evidence. You didn't
16:16:51 4 write this letter to Mr. Criddle until you
16:16:54 5 reviewed all the documents to make sure your
16:16:57 6 evidence was correct?

16:16:58 7 A Correct.

16:16:58 8 Q And had Mr. Anderson met with
16:17:01 9 Mr. Criddle first to go over the documents that
16:17:04 10 he thought raised the allegations?

16:17:07 11 A Yes.

16:17:07 12 Q Okay.

16:17:24 13 In 2011, did Mr. Prissert ever discuss
16:17:27 14 with you concerns that he had about
16:17:30 15 Mr. Cargian's future employment?

16:17:32 16 A No.

16:17:33 17 Q Did he ever discuss with you his
16:17:36 18 concern that he did not think that Mr. Cargian
16:17:41 19 would adapt to his, Mr. Prissert's, you know,
16:17:46 20 new ways of doing business?

16:17:49 21 A No.

16:17:50 22 Q He never raised that issue with you at
16:17:53 23 any time?

16:17:54 24 MR. SINGER: Wait, wait, wait. At
16:17:55 25 any time or in 2011?

A-616

EXHIBIT 27

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X
4 FREDERICK M. CARGIAN,
5 Plaintiff,

6 -against-

7 BREITLING USA, INC.,
8 Defendant.

9 Civil Action No. 15-cv-01084
-----X

10 233 Broadway
11 New York, New York

12 January 6, 2016
13 9:59 a.m.

14 DEPOSITION of THIERRY PRISSERT, taken
15 before Alexis Perez Jenio, a Shorthand Reporter
16 and Notary Public of the State of New York.

17
18
19
20
21
22
23 ELLEN GRAUER COURT REPORTING CO. LLC
24 126 East 56th Street, Fifth Floor
25 New York, New York 10022
212-750-6434
REF: 111262

10:51:57 1 PRISSERT

10:51:59 2 under oath.

10:52:00 3 You're saying that at no time do you

10:52:03 4 guys just talk about, you know, your --

10:52:04 5 A No.

10:52:05 6 Q -- social encounters of --

10:52:05 7 MR. SINGER: Hold on. Let her

10:52:07 8 finish.

10:52:08 9 Q -- of the night before?

10:52:12 10 MR. SINGER: Objection. Objection

10:52:13 11 to the form. You can answer.

10:52:15 12 A No.

10:52:15 13 Q You do know that Mr. Cargian is gay, do

10:52:19 14 you not?

10:52:20 15 A Yes, I know.

10:52:21 16 Q And do you recall the first time you

10:52:23 17 learned that?

10:52:23 18 A I have zero recollection of that.

10:52:54 19 Q Moving on to a different subject, in

10:52:59 20 2013, it was uncovered, was it not, that

10:53:02 21 Mr. Criddle, Brian Criddle, had substantially

10:53:06 22 misrepresented his customer visits and claimed

10:53:09 23 expenses for personal travel, claimed business

10:53:12 24 expenses for personal travel? You're aware of

10:53:15 25 that, are you not?

10:53:15 1 PRISSERT

10:53:17 2 MR. SINGER: Objection to the form.

10:53:19 3 You can answer.

10:53:20 4 A Yes.

10:53:20 5 Q Now, he did such things as on his

10:53:23 6 report he would say he was meeting with or

10:53:26 7 visiting stores in California but the expense

10:53:30 8 report would show that he was actually in Las

10:53:37 9 Vegas. Is that correct?

10:53:37 10 A I'm not sure that the two cities you're

10:53:40 11 mentioning are the correct ones.

10:53:41 12 Q But he would say he was in city A

10:53:45 13 visiting customers when in fact the expense

10:53:48 14 report showed city B?

10:53:50 15 A We realized that, yes.

10:53:51 16 Q And how did that first come to your

10:53:54 17 attention?

10:53:54 18 A It was reported to me by Chuck Anderson

10:53:57 19 having a doubt on those exact schedules.

10:54:00 20 Q And when was that?

10:54:01 21 A I don't remember the date.

10:54:02 22 You're right about the year. I don't

10:54:04 23 remember the date.

10:54:04 24 Q Was it in the spring or summer of 2013?

10:54:10 25 A I don't remember the date.

11:55:35 1 PRISSERT

11:55:40 2 December. It's always strong. I'm sure these

11:55:41 3 things and sales numbers were, you know...

11:55:41 4 Q You remember that specifically?

11:55:45 5 A No, I remember every December it's a

11:55:47 6 great time to sell watches and jewelry.

11:56:58 7 (Off the record)

11:57:02 8 Q Moving to a different subject,

11:57:04 9 Mr. Prissert, I'd like to now discuss with you

11:57:06 10 the marketing trip that was made to Crewe,

11:57:10 11 England.

11:57:10 12 A Sure.

11:57:10 13 Q When was that held?

11:57:13 14 A It was in July. It was in 2012 or

11:57:21 15 2011. I don't remember. It was in July. We go

11:57:23 16 to Crewe or Europe in July.

11:57:26 17 Q Wasn't it in 2013?

11:57:29 18 A I just told you, I don't remember.

11:57:30 19 Q And can you describe the event?

11:57:32 20 A Yes.

11:57:32 21 Q Okay. Tell me about it.

11:57:38 22 A It's an event where we take customers,

11:57:42 23 jewelers, and a few people from the Breitling

11:57:45 24 team -- that was actually the first trip to

11:57:47 25 visit there, so it was a trip to visit the

11:57:47 1 PRISSERT

11:57:52 2 factory of the Bentley car and also to
11:57:56 3 experience the day of aviation, which is the
11:57:59 4 world of Breitling, so meaning flying with a
11:58:02 5 passenger in small planes and being on the
11:58:05 6 airfield for one day and discovering the
11:58:07 7 Breitling world of aviation.

11:58:09 8 And the next day was to visit the Crewe
11:58:12 9 factory, which is the factory where Bentley
11:58:15 10 makes the car.

11:58:16 11 And then we have, if I recall, one
11:58:18 12 evening in London to visit the store, because
11:58:22 13 Breitling has a boutique in London. And then we
11:58:25 14 went back.

11:58:26 15 Q It was a fairly prestigious event,
11:58:26 16 correct?

11:58:30 17 A Every trip we go to Europe is
11:58:34 18 interesting. And I don't know if it's
11:58:35 19 prestigious, but it's a trip.

11:58:37 20 Q You brought your best clients,
11:58:40 21 customers?

11:58:40 22 A No.

11:58:40 23 Q No?

11:58:41 24 A No. That's not how we decide who
11:58:43 25 comes.

11:58:43 1 PRISSERT

11:58:43 2 Q How do you decide who comes?

11:58:45 3 A We look at the potential of -- we have
11:58:46 4 a collection of watches named "Breitling for
11:58:50 5 Bentley," so it's a portion of our collection.
11:58:52 6 And it's in featured in some stores, not at all
11:58:52 7 of our customers -- not all jewelers -- not all
11:58:56 8 the stores carry the line.

11:58:57 9 And then we look at what other -- where
11:58:59 10 is the business of Bentley watches, where is the
11:59:02 11 most potential where there is a customer that
11:59:04 12 sells a lot of Bentley, and then, based on this,
11:59:08 13 we invite only a selected few. We cannot -- we
11:59:12 14 don't have many spots available to go. We can
11:59:14 15 only take a limited number of people. We have
11:59:17 16 to make choices. And we base the choice of
11:59:19 17 customers based on the potential and the sales
11:59:21 18 of Bentley.

11:59:22 19 Q And did you have the ultimate
11:59:23 20 responsibility for selecting the guest list?

11:59:27 21 A Ultimately, I wouldn't say ultimate,
11:59:34 22 but I'm part of the decision. I decide at the
11:59:35 23 end -- yeah, you can say that. I can decide who
11:59:38 24 comes or -- I can decide who's invited based on
11:59:39 25 the sales director recommendation on who's an

16:37:17 1

PRISSERT

16:37:21 2 is wrong; what's going on here?

16:37:22 3 MR. SINGER: Objection --

16:37:22 4 A I don' --

16:37:22 5 MR. SINGER: Objection to the form.

16:37:24 6 You can answer.

16:37:24 7 A I don't have to. Nobody addressed --

16:37:27 8 MR. SINGER: Just answer the

16:37:29 9 question.

16:37:29 10 A No nobody addresses their colleagues

16:37:31 11 with using the word "F," and especially not the

16:37:33 12 president in front of customers.

16:37:35 13 MR. SINGER: Just answer the

16:37:37 14 question that's asked.

16:37:38 15 A No, I did not.

16:37:39 16 Q Now, before you issued a warning letter

16:37:42 17 to Mr. Criddle, you spoke with him, although

16:37:45 18 nobody is supposed to cheat and lie on their

16:37:47 19 papers. Why did you do him the courtesy of

16:37:50 20 meeting with him before issuing him a warning

16:37:53 21 letter and not the same for Mr. Cargian.

16:37:59 22 MR. SINGER: Objection to the form.

16:38:01 23 You can answer.

16:38:01 24 A That's not the event you described a

16:38:04 25 couple of hours ago. We had a meeting with

A-624

EXHIBIT 28

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FREDERICK M. CARGIAN,

Plaintiff,

-against-

BREITLING USA,

Defendant.

Civil Action No. 15-cv-01084
-----X

233 Broadway
New York, New York

November 19, 2015
9:40 a.m.

DEPOSITION of DIANA FIGUEROA, taken
before Alexis Perez Jenio, a Shorthand Reporter
and Notary Public of the State of New York.

ELLEN GRAUER COURT REPORTING CO. LLC
126 East 56th Street, Fifth Floor
New York, New York 10022
212-750-6434
REF: 111250

1 FIGUEROA

10:29:04 2 participate?

10:29:04 3 A I just don't think he has time.

10:29:06 4 Q You are aware that Mr. Prissert does
10:29:15 5 gamble on sports events, are you not?

10:29:24 6 A No.

10:29:24 7 Q When did you first become aware of the
10:29:28 8 fact that Mr. Cargian, at Christmastime, would
10:29:33 9 give people inside the office who helped him in
10:29:38 10 his sales, he gave them cash gifts for
10:29:41 11 Christmas?

10:29:42 12 A I heard about it the one time, and I
10:29:46 13 think we addressed it with him, but I don't
10:29:49 14 remember what year it was.

10:29:49 15 Q Okay. You didn't know about that
10:29:52 16 before?

10:29:52 17 A Before that, I was not aware.

10:29:54 18 Q Has anybody ever given you a gift at
10:29:57 19 Christmastime, anybody in the office?

10:29:59 20 A We've had Secret Santa, if that counts.

10:30:03 21 Q Do any of the managers give their
10:30:05 22 subordinates gifts at Christmastime?

10:30:08 23 A Not that I'm aware of, no.

10:30:11 24 Q Is there anything against giving a
10:30:14 25 subordinate or somebody who's helped you a

1 FIGUEROA

10:30:18 2 Christmas gift?

10:30:18 3 A I don't see how there would be a
10:30:21 4 problem.

10:30:21 5 Q Is there anything in the handbook that
10:30:24 6 prohibits someone from giving somebody a gift in
10:30:29 7 the form of a gift certificate or money?

10:30:33 8 A No.

10:30:33 9 Q Are you aware that Mr. Cargian was
10:30:38 10 reprimanded for doing this?

10:30:41 11 A Yes.

10:30:42 12 Q And you wrote to him, did you not?

10:30:46 13 A I believe so.

10:30:47 14 Q Who told you to do that?

10:30:49 15 A Depending on the year, it could have
10:30:52 16 been Marie or Thierry. I don't remember the
10:30:54 17 year.

10:30:54 18 Q And you did not do that on your own?

10:30:58 19 A No.

10:30:58 20 Q Why is this non-acceptable behavior,
10:31:09 21 giving a cash gift rather than a \$100 scarf or a
10:31:15 22 \$100 gift certificate to a restaurant? Why is
10:31:19 23 giving cash not acceptable?

10:31:20 24 A I don't know the reasoning behind it.
10:31:23 25 You would have to ask the person who wrote it.

1 FIGUEROA

10:56:15 2 Q It says, "We will closely monitor the
10:56:18 3 situation, and if we do not see significant
10:56:20 4 improvement, we will have no choice but to
10:56:23 5 address the issue with you again." Did you
10:56:26 6 closely monitor this situation?

10:56:28 7 A With her punching in and out, yes,
10:56:30 8 because I have a report that I look at every
10:56:32 9 week.

10:56:33 10 Q So anything else you closely monitored?

10:56:35 11 A No.

10:56:36 12 Q Now, you said you did the
10:56:38 13 administrative work for, you know, the
10:56:41 14 salespeople. You didn't -- you did not do their
10:56:45 15 personnel work. Is that correct?

10:56:47 16 A The administrative work for sales?

10:56:50 17 Q Well, you did the salary reports.
10:56:52 18 Did you do their expense accounts?

10:56:54 19 A I don't do any of that.

10:56:56 20 Q You don't do their expense accounts --

10:56:58 21 A No, I don't touch anything with the
10:57:00 22 sales reps.

10:57:01 23 Q Who does the expense accounts?

10:57:02 24 A The sales reps process their reports
10:57:05 25 and send it into accounting. That's an

1 FIGUEROA

12:07:10 2 couple of times?

12:07:11 3 A Maybe somebody like Rick, I would have
12:07:14 4 to remind him. And then, as soon as he receives
12:07:22 5 the e-mail, he would send it.

12:07:23 6 Q And who else did you have to remind?
12:07:23 7 How about Mr. Cawthorne?

12:07:24 8 A Oh, Patrick --

12:07:26 9 Q Yes, Patrick.

12:07:26 10 A -- Cawthorne. Maybe, once or twice.

12:07:27 11 Q You had to remind him?

12:07:27 12 A Yeah.

12:07:32 13 Q Is there anybody who never got them
12:07:35 14 back to you?

12:07:35 15 A No, they all got them back to me, just
12:07:40 16 sometimes late.

12:07:41 17 Q Anybody like, besides Fred, who always
12:07:43 18 got them back to you the first time?

12:07:45 19 A Annie. Josh Haley is really good.

12:07:45 20 Q Okay.

12:07:50 21 A Brian is pretty good.

12:07:51 22 For the most part, they're pretty good
12:07:53 23 at getting them back.

12:07:55 24 Q How about self-evaluations, do you send
12:08:08 25 those out?

1 FIGUEROA

12:08:09 2 A Those are the same forms we're talking
12:08:13 3 about. They're self-evaluations, so they do
12:08:16 4 their own reviews, and then they would review
12:08:21 5 their support person in the office as well.
12:08:23 6 It's the same form, three different columns.

12:08:25 7 Q I see.

12:08:26 8 But isn't it true that there are some
12:08:28 9 of the sales reps that never got the
12:08:32 10 self-evaluation back?

12:08:33 11 A Some of them did not. And I don't
12:08:35 12 recall who exactly.

12:08:35 13 Q Okay. Who never got it back?

12:08:36 14 A I would have to look into that. I'm
12:08:39 15 not sure.

12:08:39 16 And it's not every year. One year they
12:08:42 17 might be good about getting it back, and the
12:08:44 18 next year they might forget.

12:08:47 19 Q Well, were you the person who gathered
12:08:50 20 the documents from the personnel files which
12:08:52 21 would includes the self-evaluations?

12:08:54 22 A Yes.

12:08:54 23 Q I got maybe five self-evaluations. Do
12:09:00 24 you recall sending more than that?

12:09:01 25 A I don't recall. It's an e-mail that

1 FIGUEROA

12:10:24 2 not counting, so I don't know.

12:10:25 3 Q From your knowledge -- you've worked
12:10:27 4 with these people for ten years now, and every
12:10:30 5 year you send them out, you know, these
12:10:32 6 self-evaluations. From your recollection, did
12:10:34 7 most of them, the sales reps, not complete the
12:10:37 8 self-evaluations?

12:10:38 9 A I believe most of them send it back
12:10:41 10 with all 5s on it.

12:10:42 11 Q Okay.

12:10:44 12 A And it's sent in an e-mail.

12:10:46 13 Q What do you mean they send it back
12:10:48 14 "with all 5s"?

12:10:49 15 A They mark themselves with all 5s. I
12:10:52 16 think everybody has been doing the position so
12:10:54 17 long, that they, you know...

12:10:55 18 It's not the most effective tool.
12:10:57 19 Let's just put it that way. So the reviews,
12:11:00 20 when they sit in the review, everything is
12:11:02 21 discussed there, not so much the
12:11:05 22 self-evaluation.

12:11:06 23 Q So the self-evaluation is most of the
12:11:08 24 people mark themselves at the highest level,
12:11:11 25 most of the sale reps --

1 FIGUEROA

12:18:27 2 A It is, but I didn't know who Schafrath
12:18:30 3 was.

12:18:30 4 Q Really?

12:18:31 5 A Probably because I'm a New York fan, so
12:18:31 6 I don't know anything about the teams from
12:18:33 7 the --

12:18:33 8 Q But he was in the National Football
12:18:36 9 League.

12:18:36 10 A But there's hundreds of people in the
12:18:39 11 football league.

12:18:44 12 Q Were you aware that Mr. Cargian was
12:18:48 13 gay, or is gay?

12:18:50 14 A I had my idea, but he never came out
12:18:54 15 and told me.

12:18:56 16 Q To your knowledge, did most people
12:18:59 17 know?

12:18:59 18 A To my knowledge, I think most people
12:19:03 19 assumed.

12:19:03 20 Q Was anything ever said about it?

12:19:07 21 A No.

12:19:07 22 Q When you say that, to your knowledge
12:19:10 23 most people assumed, then you must have heard
12:19:13 24 somebody say something that would lead you to
12:19:15 25 believe that most people assumed. What was

A-633

EXHIBIT 29

APPENDIX C

BONUS STRUCTURE 2013

Final Goals:

Total In & Sell Out Bonus

Target	Bonus	Actual	Actual %
11,000,000	\$ 8,818	22%	35%
14,250,000	\$ 8,818	22%	35%
17,500,000	\$ 4,208	22%	15%
20,750,000	\$ 4,208	22%	15%
24,000,000	\$ 4,208	22%	15%

Total Sell In & Sell Out Goals \$ 22,050 \$ 12,481

Qualitative Objectives

Objective	Target	Actual	Actual %	Weight
Average sell in price	5%	3,740	74.8%	1
Number of new qualified door opened	50%	3,740	74.8%	2
Overall Quality of Work Bonus	60%	11,275	18.7%	3

Total Qualitative Objectives 100% \$ 18,700

Total Bonus Due Year 2013 \$ 31,481

Handwritten Calculations:

8441
78817
8452
3941

6873
4430
= 11363
- 3090
= 8273 (mid year)

8273

Handwritten Notes:

cadillac DEAL

+ \$1865

A-635

EXHIBIT 30

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FREDERICK M. CARGIAN,

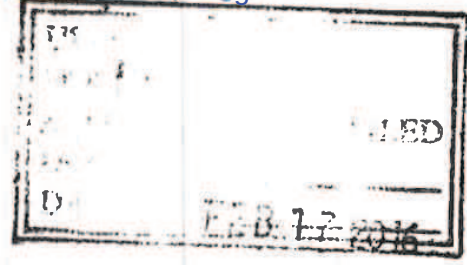
Plaintiff,

-against-

BREITLING USA, INC.,

Defendant.
-----X

GEORGE B. DANIELS, United States District Judge:



ORDER

15 Civ. 01084 (GBD)

Plaintiff objects, pursuant to Federal Rule of Civil Procedure 72(a), to Magistrate Judge Pitman’s January 21, 2016 Order denying Plaintiff’s application to reconvene the deposition of Sebastien Amstutz. As Plaintiff has not identified any part of Judge Pitman’s order that is clearly erroneous or contrary to law, Plaintiff’s objection is OVERRULED.

Under Federal Rule of Civil Procedure 72(a), a district judge “must consider timely objections [to a non-dispositive matter] and modify or set aside any part of the order that is clearly erroneous or contrary to law.” Fed. R. Civ. P. 72(a). “A magistrate judge’s decision is ‘clearly erroneous’ only if the district court is ‘left with the definite and firm conviction that a mistake has been committed.’” *Golden Horn Shipping Co. v. Volans Shipping Co.*, No. 14 Civ. 02168, 2015 WL 6684518, at *1 (S.D.N.Y. June 30, 2015) (quoting *Galland v. Johnston*, No. 14 Civ. 04411, 2015 WL 1290775, at *4 (S.D.N.Y. Mar. 19, 2015), *appeal dismissed* (June 24, 2015)). “A decision is ‘contrary to law’ if it ‘fails to apply . . . or misapplies relevant statutes, case law, or rules of procedure.’” *Id.* (quoting *Dilworth v. Goldberg*, No. 10 Civ. 02224, 2014 WL 3798631, at *13 (S.D.N.Y. Aug. 1, 2014)). “Pursuant to this highly deferential standard of review, a magistrate judge is ‘afforded broad discretion in

resolving discovery disputes and reversal is appropriate only if their discretion is abused.”

Lyondell-Citgo Ref., LP v. Petroleos de Venezuela, S.A., No. 02 Civ. 00795, 2005 WL 551092, at *1 (S.D.N.Y. Mar. 9, 2005) (quoting *Derthick v. Bassett-Walker Inc.*, No. 90 CIV. 03845, 1992 WL 249951, at *8 (S.D.N.Y. Sept. 23, 1992)).

Plaintiff requests a continuation of the deposition of Sebastian Amstutz because Defendant produced certain documents about bonus compensation for other employees after the Amstutz deposition. Judge Pitman determined, however, that those documents are identical in form to documents previously produced regarding Plaintiff. The previously-produced documents alerted Plaintiff’s counsel to the “Special Extra Bonuses” that Defendant had paid, and Plaintiff’s counsel could have asked Amstutz about the “Special Extra Bonus” program at the Amstutz deposition. Nothing in Judge Pitman’s order is clearly erroneous or contrary to law. Accordingly, Judge Pitman’s ruling is affirmed over Plaintiff’s objection.

Dated: February 17, 2016
New York, New York

SO ORDERED.


GEORGE B. DANIELS
United States District Judge

A-638

EXHIBIT 31

Assembled or QC
3:00pm

ISAAC B. SCHAFRATH

66 Glen View - Wilton, CT 06897

203-858-9604

ischafraath@gmail.com

OBJECTIVE

Dedicated and well rounded Graduate Candidate taking some time away from school looking to gain corporate experience, which I can build on and use, once I earn my college degree.

QUALIFICATIONS

- Ability to coordinate multiple projects and meet deadlines under pressure.
- Equally effective working in self-managed projects or as a team member.
- Ability to adapt quickly to challenges and environments.
- Strong history of proven leadership skills.
- Motivated, dedicated and reliable coupled with a patient and professional personality.
- Technically proficient and experienced using Microsoft Word, Excel, and PowerPoint

EDUCATION

- | | |
|--|-----------|
| Ohio State University, Columbus, OH
<i>Telecommunications Major</i> | 2003-2004 |
| Butler University, Indianapolis, IN
<i>Telecommunications Major</i> | 1999-2002 |

PROFESSIONAL EXPERIENCE

- | | |
|--|--------------|
| Great Performances, New York, NY
<ul style="list-style-type: none"> • Coordinate tasks and responsibilities of kitchen assistants. • Assist in food presentations and bartending. | 2005-Current |
| Linde Construction, Wilton, CT
<ul style="list-style-type: none"> • Frequent communication with homeowners and contractors clarifying objectives and goals. • Framing, flooring, roofing, drywall, siding and window installation, and trim work. | 2005-Current |
| Dixie Drywall Co. Inc., Spring Valley, OH
<ul style="list-style-type: none"> • Frequent communication as liaison between homeowners and architect. • General carpentry assistance | 2004-2005 |
| Peerless Mill Inn, Miamisburg, OH
<i>Assistant Manager</i>
<ul style="list-style-type: none"> • Manager and Head Bartender of Tavern restaurant | 2004-2005 |
| Ohio State University, Columbus, OH
<i>Football Manager/Video Production Assistant of Varsity Football Team</i>
<ul style="list-style-type: none"> • Filmed/edited practices and games as well as assisted coaches during playback • Recruited and trained new employees | 2003-2004 |

ACTIVITIES

- Coach New Canaan Middle School Summer Lacrosse Program, 2006 - Current
- Varsity Lacrosse Team, Butler University, 1999-2002
- Fairfield County Lacrosse League, 2003-Current
- Wilton Parks & Recreation Basketball League, 2005-Current
- Assisted in coaching Lacrosse and Football teams at Wilton High School, 1999-2000
- Football, Basketball, and Lacrosse Captain and letter winner, Wilton High School, 1997-1998



BREITLING_842

A-640

EXHIBIT 32

Department: Logistics
Position: Logistics Manager,

Logistics Duties:

1. Oversee all activities in the Vault
2. Conduct spot inventory counts of straps/bracelets monthly and a full inventory of all watches, straps and bracelets quarterly
3. Send and receive consignment pieces
4. Crediting returned watches
5. Furnishing the Aftersales department with replacement watches and straps
6. Input two weekly shipments from Switzerland
7. Maintains inventory adjustments and transfers
8. Pulling and processing sales orders
9. Ordering watch boxes from Switzerland
10. Continually maintain stock repairs
11. Produce replacement warranties and registration cards for dealers
12. Sends defective merchandise back to Switzerland
13. Double checks all sales orders



BREITLING_1796

A-642

EXHIBIT 33

A-643

Point of Sales 2012

BREITLING

	Total Doors 2012	Total Doors 2011	Bentley Doors 2012	2012 Opened Doors	2012 Closed Doors	Total Visits	Ave Visit Per Wk.	Wks. Rep
Fred	41	40	25	4	3	332	7.72	43
Annie	41	46	15	1	6	235	6.91	34
Josh	48	47	26	9	8	292	6.34	46
Rick	37	40	22	4	7	133	4.92	27
Patrick	39	40	14	4	5	219	5.91	37
Brian	39	44	30	3	8	366	7.95	46
Beth	37	38	24	4	5	228	4.95	46
Totals	282	295	159	29	42	1,805	6.48	279

INSTRUMENTS FOR PROFESSIONALS

BREITLING_9063

A-644

EXHIBIT 34

From: Thierry Prissert
Sent: Monday, July 23, 2012 4:20 PM
To: Beth Haddad <beth.haddad@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: mid year Bonus on your region sell in and total regions sales bonus as of june 30th,2012.

Hello Beth,

You have reached 45.9% (\$5,972,554) of your \$13,000,000goal.

Your reduced region target is now \$12,400,000 (\$600,000 reduction)

Reduction of 5%.

We will take in consideration this reduction to calculate your mid year bonus.

Therefore you have achieved (based on new \$12,400,000) 48.2% and will receive \$3,510 as per appendix A of your contract component 1A)

As far as the global goal , we have reached \$41,471745 at June 30th,2012 (based on \$101,000,000 without Tourneau) which represent 41.1% and you will receive a \$470 bonus (as per appendix B of your contract component 1B)

Total Mid Year Bonus: \$3,980.

Hope you can catch up to the \$12,400,000 target.

Thank You

Any question please don't hesitate to contact us.

Good luck to you.

Have a good week

Thierry Prissert

President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180

Fax: 203.762.1178

Email:Thierry.Prissert@breitlingusa.com

Check our website at: www.breitling.com

From: Thierry Prissert
Sent: Wednesday, September 11, 2013 6:57 PM
To: Beth Haddad <beth.haddad@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: your new goal 2013

Hello Beth,

See below a recap and your new goal:

	Sales goal 2013	New Goal 2013	Goal reduction 2013	Total Sales 2012	Increase 2013 vs. 2012
BETH	\$12,700,000	\$11,915,000	\$785,000	\$11,435,093	104%

Hope you can finish strong and catch up .

Good luck to you
Thank you

Thierry Prissert
President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180
Fax: 203.762.1178
Email: Thierry.Prissert@breitlingusa.com
Check our website at: www.breitling.com

A-647

Case 1:15-cv-01084-GBD-HBP Document 47-12 Filed 03/29/16 Page 13 of 22

From: Thierry Prissert
Sent: Monday, July 23, 2012 4:13 PM
To: Brian Criddle <brian.criddle@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: mid year Bonus on your region sell in and total regions sales bonus as of june 30th,2012.

Hello Brian,

You have reached 40.8% (\$6,523,602) of your \$16,000 000 goal.

Your **reduced** region target is now \$15,200,000 (\$800,000 reduction)

Reduction of 5%.

We will take in consideration this reduction to calculate your mid year bonus.

Therefore you have **achieved** (based on new \$15,200,000) 42.9% and will receive \$2,340 as per appendix A of your contract component 1A)

As far as the global goal , we have reached \$41,471745 at June 30th,2012 (based on \$101,000,000 without Tourneau) which represent 41.1% and you will receive a \$780 bonus (as per appendix B of your contract component 1B)

Total Mid Year Bonus: \$3,120

Hope you can catch up to the \$15,200,000 target.

Thank You

Any question please don't hesitate to contact us.

Good luck to you.

Have a good week

Thierry Prissert

President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180

Fax: 203.762.1178

Email: Thierry.Prissert@breitlingusa.com

Check our website at: www.breitling.com

BREITLING_9089

A-648

From: Thierry Prissert
Sent: Wednesday, September 11, 2013 6:57 PM
To: Brian Criddle <brian.criddle@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: your new 2013 goal

Hello Brian,

Please see below recap and new goal 2013

	Sales goal 2013	New Goal 2013	Goal reduction 2013	Total Sales 2012	Increase 2013 vs. 2012
BRIAN	\$15,400,000	\$14,810,000	\$590,000	\$14,194,544	104%

I strongly believe a lots of things have not aligned in your region in the first 8 months !
 If you correct these and work hard you still can make it

Good luck to you

Thierry Prissert
 President

Breitling USA
 206 Danbury Road
 Wilton, CT 06897
 USA

Phone: 203.762.1180
 Fax: 203.762.1178
 Email: Thierry.Prissert@breitlingusa.com
 Check our website at: www.breitling.com

BREITLING_9090

From: Thierry Prissert
Sent: Monday, July 23, 2012 3:43 PM
To: Fred Cargian <fred.cargian@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: mid year Bonus on your region sell in and total regions sales bonus as of june 30th,2012.

Hello Fred,

You have reached 37.6% (\$6,197,630) of your \$16,500 000.

In theory (per your contract) you would not receive any mid year bonus as you achieved less then 38.4% of your goal.

Your reduced region target is now \$15,400,000 (\$1,100,000 reduction)

Reduction of 7%.

We will take in consideration this reduction to calculate your mid year bonus.

Therefore you have achieved (based on new \$15,400,000) 40% and will receive \$2570 as per appendix A of your contract component 1A)

As far as the global goal , we have reached \$41,471745 at June 30th,2012 (based on \$101,000,000 without Tourneau) which represent 41.1% and you will receive a \$860 bonus (as per appendix B of your contract component 1B)

Total Mid Year Bonus: \$3,430

Hope you can catch up to the \$15,400,000 target.

Thank You

Any question please don't hesitate to contact us.

Good luck to you.

Have a good week

Thierry Prissert
President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180

Fax: 203.762.1178

Email: Thierry.Prissert@breitlingusa.com

Check our website at: www.breitling.com

From: Thierry Prissert
Sent: Monday, July 23, 2012 4:27 PM
To: Josh Haley <jhaley@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: FW: mid year Bonus on your region sell in and total regions sales bonus as of june 30th,2012.

Hello hOSH,

Sorry, slight mistake in the previous email below
The global sales bonus you will receive (s per the table in your contract ; component 1 b) is 550\$ (as we have reached 41,1% of the team goal.
Therefore your total mid-year bonus will be : \$3,320 (and not \$3,690)

Thanks
Call if you need further clarification
Best
Thierry Prissert
President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180
Fax: 203.762.1178
Email: Thierry.Prissert@breitlingusa.com
Check our website at: www.breitling.com

From: Thierry Prissert <thierry.prissert@breitlingusa.com>
To: Josh Haley <jhaley@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>, Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: mid year Bonus on your region sell in and total regions sales bonus as of june 30th,2012.

Hello Josh,

You have reached 43.4% (\$7,814,064) of your \$18,000,000 goal.

Your reduced region target is now \$16,800,000 (\$1,200,000 reduction)

Reduction of 7%.

We will take in consideration this reduction to calculate your mid year bonus.

Therefore you have achieved (based on new \$16,800,000) 46.5% and will receive \$2,770 as per appendix A of your contract component 1A)

As far as the global goal , we have reached \$41,471745 at June 30th,2012 (based on \$101,000,000 without Toumeau) which represent 41.1% and you will receive a \$920 bonus (as per appendix B of your contract component 1B)

Total Mid Year Bonus: \$3,690

Hope you can catch up to the \$16,800,000 target.

Thank You

Any question please don't hesitate to contact us.

Good luck to you.

Have a good week

Thierry Prissert

President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180

Fax: 203.762.1178

Email: Thierry.Prissert@breitlingusa.com

Check our website at: www.breitling.com

From: Thierry Prissert
Sent: Wednesday, September 11, 2013 6:57 PM
To: Josh Haley <josh.haley@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: your revised goal

Dear Josh,

See below recap for your new goal

I know you will aim for the fence !

	Sales goal 2013	New Goal 2013	Goal reduction 2013	Total Sales 2012	Increase 2013 vs. 2012
JOSH	\$17,700,000	\$17,415,000	\$285,000	\$16,683,607	104%

Bonne chance

Thierry Prissert
 President

Breitling USA
 206 Danbury Road
 Wilton, CT 06897
 USA

Phone: 203.762.1180
 Fax: 203.762.1178
 Email: Thierry.Prissert@breitlingusa.com
 Check our website at: www.breitling.com

From: Thierry Prissert
Sent: Monday, July 23, 2012 3:55 PM
To: Patrick Cawthorne <patrick.cawthorne@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: mid year Bonus on your region sell in and total regions sales bonus as of june 30th,2012.

Hello Patrick,

You have reached 38.8% (\$4,467,452) of your original \$11,500,000 goal.

Your reduced region target is now \$10,700,000 (\$800,000 reduction)
Reduction of 7%.

Therefore you have achieved (based on new \$ 10,700,000) 41,8% and will receive \$2,150 as per appendix A of your contract component 1A)

As far as the global goal , we have reached \$41,471,745 at June 30th,2012 (based on \$101,000,000 without Tourneau) which represent 41.1% and you will receive a \$720 bonus (as per appendix B of your contract component 1B)

Total Mid Year Bonus: \$2,870

Hope you can catch up to the \$10,700,000 target.

Thank You
Any question please don't hesitate to contact us.
Good luck to you.

Have a good week
Thierry Prissert
President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180
Fax: 203.762.1178
Email: Thierry.Prissert@breitlingusa.com
Check our website at: www.breitling.com

From: Thierry Prissert
Sent: Wednesday, September 11, 2013 7:01 PM
To: Patrick Cawthorne <patrick.cawthorne@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: your new goal 2013

Dear Patrick,,

See below your goal and recap 2013:

	Sales goal 2013	New Goal 2013	Goal reduction 2013	Total Sales 2012	Increase 2013 vs. 2012
PATRICK	\$11,000,000	\$10,450,000	\$550,000	\$10,004,035	104%

Hope you keep that lead and bring it home !
 Good luck cheers

Thierry Prissert
 President

Breitling USA
 206 Danbury Road
 Wilton, CT 06897
 USA

Phone: 203.762.1180
 Fax: 203.762.1178
 Email: Thierry.Prissert@breitlingusa.com
 Check our website at: www.breitling.com

From: Thierry Prissert
Sent: Monday, July 23, 2012 4:07 PM
To: Rick Lambert <rick.lambert@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: mid year Bonus on your region sell in and total regions sales bonus as of june 30th,2012.

Hello Rick,

You have reached 38.2% (\$4,620,578) of your \$12,100,000 goal .
In theory (per your contract) you would not receive any mid year bonus as you achieved less then 38.4% of your goal.
Your reduced region target is now \$11,300,000 (\$800,000 reduction)
Reduction of 7%.
We will take in consideration this reduction to calculate your mid year bonus.
Therefore you have achieved (based on new \$11,300,000) 40.9% and will receive \$1,640 as per appendix A of your contract component 1A)

As far as the global goal , we have reached \$41,471745 at June 30th,2012 (based on \$101,000,000 without Toumeau) which represent 41.1% and you will receive a \$550 bonus (as per appendix B of your contract component 1B)

Total Mid Year Bonus: \$2,190.

Hope you can catch up to the \$11,300,000 target.

Thank You
Any question please don't hesitate to contact us.
Good luck to you.

Have a good week
Thierry Prissert
President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180
Fax: 203.762.1178
Email: Thierry.Prissert@breitlingusa.com
Check our website at: www.breitling.com

A-656

From: Thierry Prissert
Sent: Wednesday, September 11, 2013 6:58 PM
To: Rick Lambert <rick.lambert@breitlingusa.com>
Cc: Chuck Anderson <charles.anderson@breitlingusa.com>; Sebastien Amstutz <sebastien.amstutz@breitlingusa.com>
Subject: your new goal 2013

Monsieur Rick,

Please find below recap and your new goal for 2013:

	Sales goal 2013	New Goal 2013	Goal reduction 2013	Total Sales 2012	Increase 2013 vs. 2012
RICK	\$11,800,000	\$11,210,000	\$590,000	\$10,745,351	104%

I am convinced it is in your hands and only a question of you making it happen in your region
(not the case for all region)

Basically , you know what you have to do !

Thanks
Bonne chance

Thierry Prissert
President

Breitling USA
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180
Fax: 203.762.1178
Email: Thierry.Prissert@breitlingusa.com
Check our website at: www.breitling.com

BREITLING_9098

EXHIBIT 35

A-658

BREITLING 011

Fred Carlan, NE 1

Total Bonus Potential:	\$ 55,000	% of Total
Based On Sell In/Sell Out Goal:	\$ 35,750	65%
Qualitative Objectives bonus:	\$ 19,250	35%

Sell In & sell out Goals

	Targets	Bonus	Achieved	Bonus Due
Sell In				
Total Region Sell In:	\$ 15,400,000	\$ 16,080	46%	\$ 12,072
Total Regions Sell In:	\$ 109,000,000	\$ 5,360	18%	\$ 4,824
Sell Out				
2012 goal = + 5% on region versus 2011 sell out		\$ 7,150	20%	\$ -
% of In House Movement in 2012 Sell out(13% target)		\$ 7,150	20%	\$ 7,150
Total Sell In & sell out Goals		\$ 35,750	100%	\$ 24,846.00

Qualitative objectives	Targets	Bonus	Achieved	Bonus Due
Total Number of visits:	20%	\$ 3,850	275	\$ 3,850
Number of new qualified door opened:	20%	\$ 3,850	3	\$ 3,850
Average sell in price:	20%	\$ 3,850	average price need to be above \$4,300	\$ 3,850
Total Call report (90%):	20%	\$ 3,850	44 write of call reports	\$ 1,925
Total I/P 1 & I/P2 in your region:	20%	\$ 3,850	100 I/P 1 and 100 I/P 2	\$ 1,925

Total Qualitative Objectives 100% \$ 19,250 \$ 15,400

Total Bonus Due Year 2012 \$ 40,246 % 3,430 = 36,816

Special 2012 Extra Bonus: \$4,800

TOTAL 2012 BONUS: \$ 45,046 4 \$ 41,616

BONUS 2011: \$39,875



Patrick Cawthorne, SC

Total Bonus Potential:	\$ 46,000	% of Total
Based On Sell in & Sell out Goal \$:	\$ 29,900	65%
Qualitative Objectives bonus:	\$ 16,100	35%

Sell in & sell out Goals

Sell In	Targets	Bonus	Achieved	Bonus Due
Total Region Sell in :	\$ 10,700,000	\$ 13,455	45%	\$ 12,110
Total Regions Sell in:	\$ 109,000,000	\$ 4,485	15%	\$ 4,037
Sell Out		\$ 5,980	20%	\$ 2,990
2012 goal = + 5% on region versus 2011 Sell out		\$ 5,980	20%	\$ 2,990
% of In House Movement in 2012 Sell out (13% target)		\$ 5,980	100%	\$ 5,980
Total Sell in & sell out Goals		\$ 29,900	100%	\$ 25,116.00

Qualitative objectives

	20%	Bonus	250	Achieved	Bonus Due
Total Number of visits	20%	\$ 3,220	3	0%	\$ -
Number of new qualified floor opened	20%	\$ 3,220	3	100%	\$ 3,220
Average sell in price:	20%	\$ 3,220	44 weeks of call reports	100%	\$ 3,220
Total Call report (90%):	20%	\$ 3,220	100 IFP 1 and 100 IFP 2	50%	\$ 1,610
Total IFP 1 & IFP 2 in your region:	20%	\$ 3,220		50%	\$ 1,610

Total Qualitative Objectives	100%	\$ 16,100	\$ 9,660
-------------------------------------	-------------	------------------	-----------------

Total Bonus Due Year 2012: $34,776 + 2,870 = 37,646$

Special 2012 Extra Bonus: \$8,500

TOTAL 2012 BONUS: \$43,276

BONUS 2011: \$52,900

ok ?

Brian Criddle, WI

Total Bonus Potential:	\$ 50,000	% of Total
Based On Sell in/Sell out Goal \$	\$ 32,500	65%
Qualitative Objectives bonus:	\$ 17,500	35%

Sell in & sell out Goals

Sell In	Targets	Bonus	Achieved	Bonus Due
Total Region Sell in :	\$ 15,200,000	\$ 14,630	45%	\$ 13,167
Total Regions Sell in:	\$ 109,000,000	\$ 4,870	15%	\$ 4,383
Sell Out				
2012 goal = + 5% on region versus 2011 Sell out		\$ 6,500	20%	\$ 6,500
% of In House Movement in 2012 Sell out (13% target)		\$ 6,500	20%	\$ 6,500
Total Sell in & sell out Goals		\$ 32,500	100%	\$ 30,550.00

Qualitative objectives

	Targets	Bonus	Achieved	Bonus Due
Total Number of visits:	20%	\$ 3,500	275	\$ 3,500
Number of new qualified door opened	20%	\$ 3,500	2	\$ 3,500
Average sell in price:	20%	\$ 3,500	average price need to be above \$4,300	\$ 3,500
Total Call report (90%):	20%	\$ 3,500	44 weeks of call reports	\$ 2,125
Total IFP 1 & IFP2 in your region:	20%	\$ 3,500	100 IFP 1 and 100 IFP 2	\$ 1,750

Total Qualitative Objectives

100%	\$ 17,500	\$ 14,875
------	-----------	-----------

Total Bonus Due Year 2012

\$ 48,425

Special 2012 Extra Bonus:

\$8,960

TOTAL 2012 BONUS:

\$ 54,385

BONUS 2011: \$50,000

follow up via email.
use of office day.
be friendly with clients?

A-661

Beth Haddad, W2
Sell in & sell out Goals

Total Bonus Potential:	\$	30,000	% of Total
Based On Sell in & Sell out Goal	\$	19,500	65%
Qualitative Objectives bonus:	\$	10,500	35%

Sell In	Targets	Bonus	Achieved	Bonus Due
Total Region Sell in :	\$ 12,400,000	\$	8.775	45%
Total Regions Sell in:	\$ 109,000,000	\$	2,925	15%
Sell Out		\$	3,900	20%
2012 goal = + 5% on region versus 2011 Sell out		\$	3,900	20%
% of In House Movement in 2012 Sell out(13% target)		\$	3,900	20%
Total Sell in & Sell out Goals		\$	19,500	100%
				\$ 18,330.00

Qualitative objectives		Bonus	Achieved	Bonus Due
Total Number of visits:	20%	\$	2,100	280
Number of new qualified door opened :	20%	\$	2,100	3
Average sell in price:	20%	\$	2,100	average price need to be above \$4,300
Total Call report (90%):	20%	\$	2,100	44 weeks of call reports
Total IFP 1 & IFP2 in your region	20%	\$	2,100	100 IFP 1 and 100 IFP 2
Total Qualitative Objectives	100%	\$	10,500	\$ 7,350
Total Bonus Due Year 2012		\$	25,680	7,350

Special 2012 Extra Bonus:	\$7,920
TOTAL 2012 BONUS	\$ 33,600

BONUS 2011 \$34,500

OK

T&C: MBK
vs #1057K

Josh Haley, SE

Total Bonus Potential:	\$	35,000	% of Total
Based On Sell in & Sell out Goal \$:	\$	22,750	65%
Qualitative Objectives bonus:	\$	12,250	35%

Sell in & sell out Goals

Sell In	Targets	Bonus	Achieved	Bonus Due
Total Region Sell in:	\$ 16,800,000	\$ 10,240	45%	\$ 9,216
Total Regions Sell In:	\$ 109,000,000	\$ 3,410	15%	\$ 3,069
Sell Out				
2012 goal = + 5% on region versus 2011 Sell out		\$ 4,550	20%	\$ 4,550
% of In House Movement in 2012 Sell out(13% target)		\$ 4,550	20%	\$ 4,550

Total Sell in & sell out Goals **\$ 22,750** **100%** **\$ 21,388.00**

Qualitative Objectives

	Targets	Bonus	Achieved	Bonus Due
Total Number of visits:	20%	\$ 2,450	100%	\$ 2,450
Number of new qualified door opened :	20%	\$ 2,450	100%	\$ 2,450
Average sell in price:	20%	\$ 2,450	100%	\$ 2,450
Total Call report (90%)	20%	\$ 2,450	100%	\$ 2,450
Total IFP 1 & IFP2 in your region:	20%	\$ 2,450	50%	\$ 1,225

Total Qualitative Objectives **100%** **\$ 12,250** **\$ 11,025**

Total Bonus Due Year 2012 **\$ 32,410** **7,810**

Special 2012 Extra Bonus: **\$7,920**

TOTAL 2012 BONUS: **\$ 40,330**

BONUS 2011 **\$34,500**

\$37,010
~~\$38,010~~
 + ~~ok~~ 1,000

A-663

Flick Lambert, NC
Sell in & sell out Goals

Total Bonus Potential:	\$ 35,000	% of Total
Based On Sell in & Sell out Goal \$:	\$ 22,750	65%
Qualitative Objectives bonus:	\$ 12,250	35%

Sell in	Targets	Bonus	Achieved	Bonus Due
Total Region Sell in :	\$ 11,300,000	\$ 10,240	45%	\$ 10,240
Total Regions Sell in:	\$ 109,000,000	\$ 3,410	15%	\$ 3,009
Sell out			60%	
2012 goal = + 5% on region versus 2011 Sell out		4,550	20%	4,550
% of in House Movement in 2012 Sell out(13% target)		4,550	20%	4,550
Total Sell in & sell out Goals		22,750	100%	22,409.00

Total 2012 BONUS:	\$	27,300	Bonus	Achieved	Bonus Due
Total Number of visits:	20%	\$ 2,450	250	0%	\$ -
Number of new qualified door opened :	20%	\$ 2,450	2	100%	\$ 2,450
Average sell in price:	20%	\$ 2,450	average price need to be above \$4,300	100%	\$ 2,450
Total Call report (90%):	20%	\$ 2,450	44 weeks of call reports	50%	\$ 1,225
Total IFP 1 & IFP2 in your region:	20%	\$ 2,450	100 IFP 1 and 100 IFP 2	0%	\$ -

Total Qualitative Objectives	100%	\$ 12,250			\$ 6,125
Total Bonus Due Year 2012		\$ 28,534			
Special 2012 Extra Bonus:		\$ 3,550			
TOTAL 2012 BONUS:		\$ 32,084			

BONUS 2011: \$21,000

ok \$ 29,894

2,190.

A-664

Total Bonus Potential	\$ 45,000	% of Total
Based On Sell in & Sell out Goal \$:	\$ 29,250	65%
Qualitative Objectives bonus:	\$ 15,750	35%

Annie Sommer, NE 2

Sell in & sell out Goals

Sell In	Targets	Bonus	% of Target	Target Bonus
Total Region Sell in :	\$ 13,200,000	\$ 13,160	45%	\$ 11,664
Total Regions Sell in :	\$ 109,000,000	\$ 4,390	15%	\$ 3,991
Sell Out		\$ 5,850	20%	\$ 1,170
2012 goal = + 5% on region versus 2011 Sell out		\$ 5,850	20%	\$ 1,170
% of In House Movement in 2012 Sell out(13% target)		\$ 5,850	100%	\$ 5,850
Total Sell in & sell out Goals		\$ 29,250	100%	\$ 21,645.00

Qualitative objectives	Targets	Bonus	% of Target	Target Bonus
Total Number of visits	20%	3,150	250	3,150
Number of new qualified door opened	20%	3,150	2	3,150
Average sell in price	20%	3,150	average price need to be above \$4,300	3,150
Total Call report (90%)	20%	3,150	44 weeks of call reports	3,150
Total IFR 1 & IFR2 in your region	20%	3,150	100 IFR 1 and 100 IFR 2	3,150
Total Qualitative Objectives	100%	\$ 15,750		\$ 11,025

Special 2012 Extra Bonus: \$3,960

TOTAL 2012 BONUS: \$36,630

BONUS 2011: \$45,000

OK

Handwritten notes: 4,250 = 28,120

Handwritten note: \$2,380

A-665

EXHIBIT 36

APPENDIX C

2013 Financial Goals

Final Objectives

Sell in & roll out Goals

Total Bonus Potential	\$ 48,750	% of Total
Report On and not roll out Goals	\$ 11,250	23%
Qualitative Objectives Report	\$ 37,500	77%

6873
+ 4430
= 11303
- 3090
= 8213
= 8273 (M.D.Y.)

Goal	Target	Current	% of Target
Total Region Sell in target	\$ 11,250,000	\$ 8,818	78%
Total Region Sell in target	\$ 98,750,000	\$ 6,410	6%
Sell Out			
of 2013 goal = 2.5% on 2012 volume	2011 Sell out	4,208	1%
of 2013 forecast goal 2013	2012 Sell out	4,208	1%
of 2013 forecast goal 2013	2013 Sell out	4,208	1%

Total Sell in & roll out Goals	\$ 18,250	100%
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Qualitative Objectives

A) Average sell in 2013	30%	Bonus	3,750
B) Number of new qualified dealer opened	20%		2,750
C) Overall Quality of Work Score	40%		11,750

Report On	2.0	2.0
Roll Out	2.0	2.0
Total	4.0	4.0

Total Qualitative Objectives	100%	\$ 18,750
Total Bonus Due Year 2013		\$ -

19961

CADILLAC \$1865
DEAL

1780

A-667

EXAMPLE 2013

Patrick Camthorne, SC

Sell in & sell out Goals

Total Bonus Potential:	\$ 46,000	% of Total
Based On Sell in/Sell out Goal:	\$ 27,600	60%
Qualitative Objectives bonus:	\$ 18,400	40%

	Targets	Bonus	Achieved	Bonus Due
Sell In	\$ 10,450,000	\$ 9,660	96%	\$ 8,694
Total Region Sell in target :	\$ 93,290,000	\$ 5,520	80%	\$ 4,416
Total 8 Regions Sell in target :				
Sell Out				
2013 goal = + 5% on region versus 2012 Sell out	-7%	\$ 4,140	-50%	\$ 2,070
2013 Tourneau Goal: +10% in unit sell out vs LY		\$ 4,140	100%	\$ 4,140
% of In House Movement in 2013 Sell out(20 % target)	23.00%	\$ 4,140	100%	\$ 4,140

\$9,930,484.00 95%
\$78,817,901.00 84.50%

Total Sell in & sell out Goals \$ 27,600 100% \$ 23,460.00

Qualitative Objectives	Bonus	Achieved	Bonus Due
Average sell in price:	20% \$ 3,680	\$4,800	\$4,643.00
Number of new qualified door opened	20% \$ 3,680	2	\$ 3,680
Overall Quality of Work Bonus	60% \$ 11,040	Reporting, Training, Visits & Planning, Company Policies	\$ 5,520

Total Qualitative Objectives \$ 18,400 \$ 12,880

Total Bonus Due Year 2013 \$ 36,340

79.00%

reporting \$ 1,380
training \$ 1,380
visits \$ 1,380
company policy \$ 2,760

+ 13804

EXAMPLE 2013

Brian Criddle

Total Bonus Potential:	\$ 50,000	% of Total
Based On sell in & sell out Goal:	\$ 30,000	60%
Qualitative Objectives Bonus:	\$ 20,000	40%

Sell in & sell out Goals

	Targets	Bonus	Approved	Bonus Due
Sell In	\$ 14,810,000	\$ 10,500	70%	\$ 7,350
Total Region Sell in target :	\$ 93,290,000	\$ 6,000	60%	\$ 4,800
Total & Regions Sell in target :				
Sell Out				
2013 goal = + 5% on region versus 2012 Sell out	-22.00%	\$ 4,500	15%	\$ 4,500
2013 Tourneau Goal: +10% in unit sell out vs LY		\$ 4,500	15%	\$ 4,500
% of In House Movement in 2013 Sell out(20 % target)	20.50%	\$ 4,500	15%	\$ 4,500

\$11,176,011.00 75.50%
\$78,817,901.00 84.50%

Total Sell in & sell out Goals

Total Sell in & sell out Goals	\$ 30,000	100%	\$ 16,650.00
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Qualitative objectives

	Targets	Bonus	Approved	Bonus Due
Average sell in price:	20%	\$ 4,000	100%	\$ 4,000
Number of new qualified door opened	20%	\$ 4,000		
Overall Quality of Work Bonus	60%	\$ 12,000	Reporting, Training, visits, Planning, Company Policies	\$ 6,300

\$4,861.00 1

Total Qualitative Objectives

Total Qualitative Objectives	100%	\$ 20,000	\$ 10,300
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Total Bonus Due Year 2013

Total Bonus Due Year 2013	\$ 26,950
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EXAMPLE 2013

Elizabeth Haddad

Total Bonus Potential:	\$ 30,000	% of Total
Based On Sell in/Sell out Goal:	\$ 18,000	60%
Qualitative Objectives bonus:	\$ 12,000	40%

Sell in & sell out Goals

	Targets	Bonus	Achieved	Effective Date
Sell In				
Total Region Sell in target :	\$ 11,915,000	\$ 6,300	80%	\$ 5,040
Total # Regions Sell in target :	\$ 93,290,000	\$ 3,600	20%	\$ 7,880
Sell Out				
2013 goal = + 5% on region versus 2011 Sell out	-35.00%	\$ 2,700	15%	\$ 400
2013 Tourneau Goal: +10% in unit sell out vs LY		\$ 2,700	15%	\$ 2,700
% of In House Movement in 2013 Sell out(20% target)	22.60%	\$ 2,700	15%	\$ 2,700

\$9,806,681.00 82.30%
\$78,817,901.00 84.50%

Total Sell in & sell out Goals

Total Sell in & sell out Goals	\$ 18,000	100%	\$ 13,320.00
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Qualitative Objectives

	Targets	Bonus	Achieved	Bonus Due
Average sell in price:	20%	\$ 2,400	100%	\$ 2,400
Number of new qualified door opened	20%	\$ 2,400	100%	\$ 2,400
Overall Quality of Work Bonus:	60%	\$ 7,200	Reporting, Training, visits&Planning, Company Policies	\$ 6,570

Total Qualitative Objectives

Total Qualitative Objectives	100%	\$ 12,000	\$ 11,370
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Total Bonus Due Year 2013

Total Bonus Due Year 2013	\$ 24,690
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reporting 1800 \$ 1,800
training 1,620.0
visits/planning \$ 1,350.00
policy 1800
82%

A-670

EXAMPLE 2013

Joseph Haley III

Total Bonus Potential:	\$ 35,000	% of Total
Based On Sell In/Sell out Goal:	\$ 21,000	50%
Qualitative Objectives bonus:	\$ 14,000	40%

Sell in & sell out Goals

Sell In	Targets	Bonus	Actual	Bonus For
Total Region Sell in target :	\$ 17,415,000	7,350	35%	80%
Total 8 Regions Sell in target :	\$ 93,230,000	4,200	20%	80%
Sell Out				
2013 goal = + 5% on region versus 2011 Sell out	-18.00%	3,150	15%	0%
2013 Tournament Goal: +10% in unit sell out vs LY		3,150	15%	100%
% of In House Movement in 2013 Sell out(20 % target)	19.98%	3,150	15%	100%

\$13,801,563.00 79.30%
\$78,817,901.00 84.50%

Total Sell in & sell out Goals

Total Sell in & sell out Goals	\$ 21,000	100%	\$ 15,540.00
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Qualitative objectives

Qualitative objectives	Bonus	Actual	Bonus Due
Average sell in price:	20%	2,800	\$4,800
Number of new qualified door opened	20%	2,800	2
Overall Quality of Work Bonus	60%	8,400	2

Total Qualitative Objectives

Total Qualitative Objectives	100%	\$ 14,000	\$ 11,200
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Total Bonus Due Year 2013

Total Bonus Due Year 2013	\$ 26,740	76%
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\$ 28,140

A-671

EXAMPLE 2013

Total Bonus Potential:	\$ 35,000	% of Total
Based On sell in & sell out Goal:	\$ 21,000	60%
Qualitative Objectives bonus:	\$ 14,000	40%

Sell in & sell out Goals

	Targets	Bonus	Achieved	Bonus Due
Sell In	\$ 11,210,000	7,350	100%	\$ 7,350
Total Region Sell In target :	\$ 93,290,000	4,200	80%	\$ 3,360
Total 8 Regions Sell In target :				
Sell Out	-2.00%	3,150	50%	\$ 1,575
2013 goal = + 5% on region versus 2012 Sell out		3,150	100%	\$ 3,150
2013 Journal Goal: +10% in unit sell out vs LY		3,150	100%	\$ 3,150
% of In House Movement in 2013 Sell out(20% target)	23.30%	3,150	15%	\$ 1,575

\$11,202,689.00 59.99%
\$78,817,901.00 84.50%

Total Sell in & sell out Goals

\$ 21,000 100%

\$ 18,585.00

Qualitative Objectives

	Targets	Bonus	Achieved	Bonus Due
Average sell in price:	20%	2,800	100%	\$ 2,800
Number of new qualified door opened :	20%	2,800	100%	\$ 2,800
Overall Quality of Work Bonus	60%	8,400	2	\$ 5,250

\$4,781.00 4

Total Qualitative Objectives

\$ 14,000

\$ 10,850

Total Bonus Due Year 2013

\$ 29,435

84%

reporting 0
training 1050
visits/plan 2100
company pollicie 2100

2100

A-672

EXAMPLE 2013

Total Bonus Potential:	\$ 20,000	% of Total
Based On Sell In/Sell Out Goal:	\$ 12,000	+60%
Qualitative Objectives bonus:	\$ 8,000	+40%

Sell In & sell out Goals

Sell In	Targets	Bonus	Actual	Excess Bonus
Total Region Sell in target :	\$ 8,090,000	\$ 4,200	80%	\$ 3,560
Total 8 Regions Sell in target :	\$ 93,290,000	\$ 2,400	80%	\$ 1,920
Sell Out				
2013 goal = + 5% on region versus 2011 Sell out	-8.00%	\$ 1,800	50%	\$ 900
2013/turnnew Goal: +10% in unit sell out vs 1 Y		\$ 1,800	15%	
% of In House Movement in 2013 Sell out(20 % target)	19.23%	\$ 1,800	15%	\$ 800

\$6,775,464.00 83.80%
\$78,817,901.00 84.50%

Total Sell In & sell out Goals

Total Sell In & sell out Goals	\$ 12,000	100%	\$ 7,980,000
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Qualitative Objectives

Qualitative Objectives	Targets	Bonus	Actual	Excess Bonus
Average sell in price:	20%	\$ 1,600		\$4,800
Number of new qualified door opened :	20%	\$ 1,600		
Overall Quality of Work Bonus	60%	\$ 4,800	Reporting, Training, visits, Planning, Company Policies	\$ 4,440

\$4,332.00

Total Qualitative Objectives

Total Qualitative Objectives	100%	\$ 8,000	\$ 4,440
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Total Bonus Due Year 2013

Total Bonus Due Year 2013	\$ 12,420	62%
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report \$ 1,200.0
train \$ 840.0
visits \$ 1,200.0
policy \$ 1,200.0

4,440
15,220

A-673

EXAMPLE 2013

Annle Sommer

Total Bonus Potential	\$ 38,000	% of Total
Based On Sell in & Sell out Goal	\$ 22,800	60%
Qualitative Objectives bonus	\$ 15,200	40%

Sell in & sell out Goals

	Targets	Bonus	Attained	Bonus Due
Sell in	\$ 8,760,000	7,980	35%	\$ 6,564
Total Region Sell in target :	\$ 93,290,000	4,560	20%	\$ 3,648
Sell Out	1.00%	3,420	100%	\$ 2,420
2013 goal = + 5% on region versus 2011 Sell out		3,420	15%	\$ 3,420
2013 Tourneau Goal: +10% in unit sell out vs LY		3,420	15%	\$ 3,420
% of In House Movement in 2013 Sell out(20% target)	21.800%	3,420	15%	\$ 3,420

\$7,672,937.00 87.50%
\$78,817,901.00 84.50%

Total Sell in & sell out Goals	\$ 22,800	100%	\$ 20,292.00
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Qualitative objectives

	Targets	Bonus	Attained	Bonus Due
Average sell in price	20%	3,040	100%	\$ 1,520
Number of new qualified door opened	20%	3,040	100%	\$ 3,040
Overall Quality of Work Bonus	60%	9,120	100%	\$ 8,245

Total Qualitative Objectives	100%	\$ 15,200	\$ 12,905
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Total Bonus Due Year 2013	\$ 33,197
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reporting \$ 1,505.00
training \$ 2,280.00
visits \$ 2,280.00
policy \$ 2,280.00

RECONSTRUCTIVE +
775
33,972
Ye: 31,462.

A-674

EXHIBIT 37

A-675



January 20, 2014

Ms. Lisa Roman
36 Henry Austin Drive
Wilton, CT 06897

Dear Lisa,

I must say that I was surprised by the timing in which you decided to hand me the envelope (during your review) containing your letter dated December 16, 2013.

Everything that needed to be addressed regarding the performance warning letter you received on November 11, 2013, which you crumpled up and threw onto the desk in Human Resources and said that you were not acknowledging, was discussed during an Emergency meeting on November 11, 2013 with Sebastien Amstutz, Vice President and Diana Figueroa, Human Resources Manager.

Please understand that you have no say as to how, when or why warnings are delivered. Warnings are given out to employees in order to correct behavior which is not up to par with Breitling standards. I stand by all the points that were raised in the written warning you received.

All issues were addressed during the meeting on November 11, 2013. If you feel the need to discuss anything further, please feel free to do so with Diana Figueroa or with Sebastien Amstutz.

Regards,

Thierry Prisset
President

A handwritten signature in black ink, appearing to be "Thierry Prisset", written over a large, light-colored scribble or stamp.

BREITLING USA

EXHIBIT 38

A-677



November 11, 2013

Warning letter for failure to follow company policies and attitude at work

Dear Lisa,

This letter is to inform you that you are being issued with a written warning for failing to follow several company policies as well as your attitude while at the work.

Below are areas where improvement by you is absolutely necessary:

- Notifying your direct manager (me) not Human Resources of any absences or deviations to your schedule (outside of requested time off). You cannot simply come and go as you please.
- You have been asked several times by both Diana and Sebastien to punch out for lunch and again when you return. You blatantly disregard this request. You are to punch out for lunch just like everyone else.
- Your attitude towards me is at times very informal. Please remember that you report to me not the other way around. As Marketing Director, I expect for you to update and communicate with me on a regular basis.
- Your attitude towards your team and coworkers is at time very rude.

I have noticed, not once but a multiple number of times that you conduct yourself with an air of entitlement because of your position as Marketing Director. I need you to fully understand that as our Marketing Director, you are expected to conduct yourself in a manner that sets an example for the rest of your team.

We will closely monitor the situation and if we do not see significant improvement, we will have no choice but to address the issue with you again, which may lead us to take further disciplinary action. All Breitling USA employees are selected on the basis of their superior qualifications and this kind of behavior at the workplace is totally unacceptable and will be dealt with strict consequences. We expect you to realize how serious of a matter this is and make the necessary changes.

A copy of this letter is being placed in your Personnel file.

Regards,

Thierry Prissert
President

BREITLING USA



A-678

EXHIBIT 39



Fox Rothschild LLP
ATTORNEYS AT LAW

100 Park Avenue, Suite 1500
New York, NY 10017
Tel 212.878.7900 Fax 212.692.0940
www.foxrothschild.com

Zev Singer
Direct Dial: (212) 878-7928
Email Address: zsinger@foxrothschild.com

February 3, 2016

VIA EMAIL

Janice Goodman, Esq.
jg@janicegoodmanlaw.com

Re: Cargian v. Breitling USA, Inc.
Civil Action No.: 15-cv-01084

Ms. Goodman:

With regard to your supplemental document requests related to the deposition of Mr. Thierry Prissert, dated January 8 and January 11, 2016, below please find defendant's responses.

REQUEST 1: Mr. Prissert's resume.

RESPONSE 1: Defendant objects to this Request on the grounds that the Request seeks production of documents that are not relevant to plaintiff's claims and are not reasonably calculated to lead to the discovery of admissible evidence

REQUEST 2: For the period between 2011 and 2013, all documents reflecting training sessions that were held for sales representatives.

RESPONSE 2: Defendant objects to this Request on the grounds that the Request is vague. Notwithstanding said objection, see documents Bates stamped BREITLING_9019-9021, previously produced to Plaintiff.

REQUEST 3: For the period between 2011 and 2013 all documents reflecting which training sessions each sales representative attended.

RESPONSE 3: Defendant objects to this Request on the grounds that it is vague. Notwithstanding said objection, see documents Bates stamped BREITLING_9019-9021, previously produced to Plaintiff.

REQUEST 4: Breitling's offer letter to Mr. Prissert.

RESPONSE 4: Defendant objects to this Request on the grounds that the Request is intended to harass and seeks production of documents that are not relevant to plaintiff's claims and are not reasonably calculated to lead to the discovery of admissible evidence

A Pennsylvania Limited Liability Partnership

California

Connecticut

Delaware

Florida

Nevada

New Jersey

New York

Pennsylvania

A-680

EXHIBIT 40

A-681

****CONFIDENTIAL****

Message

From: Chuck Anderson [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=CHARLES]
Sent: 4/11/2011 1:25:40 PM
To: Rick Lambert [rick.lambert@breitlingusa.com]
CC: Thierry Prissert [thierry.prissert@breitlingusa.com]; Marie Bodman [marie.bodman@breitlingusa.com]
Subject: Call reports

Rick,

Good morning. I trust you are back settled after your trip with your children and hope it was enjoyable.

I am writing about, as the subject line suggests --- call reports. We are in a similar and familiar territory with this subject. This year we have had 12 weeks of reporting and have received only 4 weeks of reports from you for a total of 29 store visits. Most recently we have not received reports for these weeks – March 14-18, March 28-April 1. We received reports for two weeks in March and only reports for two weeks in Jan and Feb combined.

Reports in 2011

Jan 2011 – 4 store visits

Feb 2011 – 8 store visits

March 2011 – 17 store visits

We cannot help if we do not have information and we cannot build a stronger network if we have no idea where to start. More importantly, we cannot continue to ask each week for the job to be done. The reporting is not meant to be a burden but the catalyst for even greater success. Isn't this a large part of the reason why everyone needs the office day each week?

Look forward to your comments.

Thank you

Chuck Anderson
National Sales Director
Breitling USA
Hangar 7
206 Danbury Rd
Wilton, CT 06897
USA
Office 203-762-1180 Ext 371
Fax 410-956-6606
charles.anderson@breitlingusa.com
Please check our website at www.breitling.com

BREITLING_5567

A-682

CONFIDENTIAL

Message

From: Chuck Anderson [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=CHARLES]
Sent: 4/11/2011 1:25:40 PM
To: Rick Lambert [rick.lambert@breitlingusa.com]
CC: Thierry Prissert [thierry.prissert@breitlingusa.com]; Marie Bodman [marie.bodman@breitlingusa.com]
Subject: Call reports

Rick,

Good morning. I trust you are back settled after your trip with your children and hope it was enjoyable.

I am writing about, as the subject line suggests --- call reports. We are in a similar and familiar territory with this subject. This year we have had 12 weeks of reporting and have received only 4 weeks of reports from you for a total of 29 store visits. Most recently we have not received reports for these weeks – March 14-18, March 28-April 1. We received reports for two weeks in March and only reports for two weeks in Jan and Feb combined.

Reports in 2011

Jan 2011 – 4 store visits

Feb 2011 – 8 store visits

March 2011 – 17 store visits

We cannot help if we do not have information and we cannot build a stronger network if we have no idea where to start. More importantly, we cannot continue to ask each week for the job to be done. The reporting is not meant to be a burden but the catalyst for even greater success. Isn't this a large part of the reason why everyone needs the office day each week?

Look forward to your comments.

Thank you

Chuck Anderson
National Sales Director
Breitling USA
Hangar 7
206 Danbury Rd
Wilton, CT 06897
USA
Office 203-762-1180 Ext 371
Fax 410-956-6606
charles.anderson@breitlingusa.com
Please check our website at www.breitling.com

BREITLING_5567

A-683

CONFIDENTIAL

Message

From: Jacob Gumer [jacobgumer@yahoo.com]
Sent: 11/5/2010 7:36:13 PM
To: Chuck Anderson [charles.anderson@breitlingusa.com]
Subject: Breitling concerns

Chuck,

I am writing you to voice some concerns and problems I am having with our sales representative, Rick. When the B01 was being introduced last year, I spoke with Rick and told him that we were interested in stocking the B01. After an extended period of time and numerous consumers inquiring about them, I decided to contact you and we placed the order ourselves.

This past May or sometime around then, Rick stopped in to take inventory and give me a suggested order. After about a month of not receiving any suggested order or even hearing from Rick, I decided to place the order myself. I ended up ordering a Gents Cockpit at the time not knowing that the cockpit was being replaced with the Galactic 41. Again, something my rep probably would not have suggested had he made an order.

Rick stopped in about 3 weeks ago to take inventory and give me a suggested order. He was in the store for about 30 minutes and somehow he forgot to mention that he was opening a new Breitling account about 3 miles away. We have been the only Breitling dealer in Louisville for almost 20 years, and I had to hear a radio commercial informing me another Breitling dealer was opening up. This is unacceptable and unfair to me and my store who have been a loyal Breitling supporter. On top of that, I still have not heard back from Rick with my suggested order and return of older stock models. I'm sure yourself and Marie would like to see as many orders possible.

I don't know what to do, I like Rick personally and think he is a very nice guy, but he is not doing his job. I don't like calling and emailing you with these frustrations I'm having, but you have always treated me well and did what was in the best interest of Gumer and Co. Before you took over our account, Rick was our sales rep and things did not go well. He basically did not service our account our inventory was old and we were never informed of new pieces. As a result, our old pieces did not sell and we almost lost our Breitling account. Now, more than ever, as new competition moves into our market, I need to restock our inventory with some new pieces.

One suggestion that I know you asked of Rick was to call us once a month to see what sold and re-order. He has never called one time to see if anything sold. Once again, I apologize for rambling or perhaps being to harsh, but something has to change. I'm happy to work with Rick as long as we get the same attention and service he hopefully gives his other accounts.

Sincerely,
Jacob Gumer

BREITLING_5571

A-684

****CONFIDENTIAL****

Message

From: Marie Bodman [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=MARIEB]
Sent: 12/17/2009 7:56:05 AM
To: Chuck Anderson [charles.anderson@breitlingusa.com]; Rick Lambert [rick.lambert@breitlingusa.com]
CC: Marie Bodman [marie.bodman@breitlingusa.com]
Subject: Re: Gumer

Rick,

Your behaviour is unacceptable and I am seriously disappointed. For years now you have focused on the same few jewelers and ignored the majority of the others. Selling Breitling is not only about going to the football games with Orrs or having special connections with Tom or Mastercraft . Its about a balanced traveling schedule that you failed to realize because either your personal life schedule or your emotional affinities are stronger than your duties and responsibilities.

We have the same discussion every year but this time you better be prepared for a serious shake up when I depart - if not before -

Marie

Sent wirelessly via BlackBerry from T-Mobile.

From: "Chuck Anderson" <charles.anderson@breitlingusa.com>
Date: Wed, 16 Dec 2009 21:39:49 -0500
To: Rick Lambert<rick.lambert@breitlingusa.com>
Cc: Marie Bodman<marie.bodman@breitlingusa.com>
Subject: Gumer

Rick,

I heard from Jacob Gumer again today and he said he has not heard from you. I left a message for you a couple weeks ago letting you know he expressed interest in the B01 package and that you should, based on his request, contact him to put an order together. He came off DNS on Dec 3 and part of this product could have shipped.

We understand it is not the biggest account, but it is and can be a \$100,000 to \$125,000 door with very little effort. The Tag rep checks in monthly, they provide a sell out and place a reorder. Just as we spoke about when we visited together on April 14 this year with Jacob. They are frustrated and are concerned this relationship has gone back in the same direction it went previously. We have to take every sale we can from every door, leaving nothing on the table. His order is below.

The following four pieces have a PO of SHIP 1-15-10 Jacob
B B01 C790 AOP
A B01 C788 ACP
A B01 B967 ACP
A B01 C789 OR

The following pieces have a PO of ST 12-16-9 JG and can ship immediately
A B01 G684 DP2DB
A B01 B956 ACP

BREITLING_5588

A-685

CONFIDENTIAL

Message

From: Marie Bodman [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=MARIEB]
Sent: 5/13/2011 4:28:37 PM
To: Chuck Anderson [charles.anderson@breitlingusa.com]
Subject: FW: 1 st Quarter 2011
Attachments: Visit By Week 2011recap1.xlsx

This is what I just sent to Rick

Marie

From: Marie Bodman
Sent: Friday, May 13, 2011 12:14 PM
To: Rick Lambert
Subject: FW: 1 st Quarter 2011

Dearest Rick,

I am not sure how to start this email or what to say really; the facts are brutal and plain and the ultimate results will be as brutal and plain; **YOU WILL LOSE YOUR JOB** at the end of the year or even before if you do not make an effort and work on your administrative duties the way it is expected from you; I know that last year you made a fantastic effort to open more doors, I also know that we gave you a substantial salary increase and ultimately I know that you like your job and your relationship with Breitling and your coworkers.

You know of my position and the affection that I have for you and I would feel guilty if I had not warned you of what I have heard in the corridors this past week..
So here it is .. do whatever you want with this warning but " I told you so".

Kindest regards,

Marie

Breitling USA
Hangar 7
206 Danbury Road
Wilton, CT 06897

Phone: 203.762.1180 ext. 317
Fax: 203.762.1178
Check our website at www.breitling.com

BREITLING_5539

A-686

****CONFIDENTIAL****

Message

From: Chuck Anderson [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=CHARLES]
Sent: 10/18/2011 12:00:31 PM
To: Rick Lambert [rick@breitlingusa.com]
CC: Thierry Prissert [tprissert@breitlingusa.com]
Subject: Call reports

Rick,

I hope you had a good weekend. I was looking over the reporting and we, to say the least, are in desperate need of some reports. Since the break in early July. We have received reports for only 3 weeks out of the 14 that have passed. So far year to date, we have reports for only 14 weeks out of 36. Unfortunately, we have had this exchange in the past and it does not seem to change and I do not know what it is. The majority is able to keep current each week with an occasional week that week that goes but is made up the following – is it the work load? Is the way you approach your visits that perhaps we can fine tune to help you accomplish the reporting being done while you are at the point of sale? These reports should take no more than one to two hours on the office day everyone is provided. These are purely designed to help all us grow the business and find our shortfalls. Without them we are left in the dark and the shortfall reflects badly on you.

I sent you an email about 3 weeks on your territory and where we felt the needs were. I also mentioned that a level of dedication over and above the norm would be needed for you to achieve your goal. What that means is there may not be time for an office day here or there and some days may be much longer than what you may be used to. We don't expect you to be a slave but do expect to have the job requirements upheld.

This is our exchange on Sept 26th

"I also have to ask where we stood with your call reports. The last reports I show are from 8/29-9/2 – they were just comments with no new pictures or updated inventories. The ones received prior to that were the week of 7/12-7/15 besides the Osh Kosh update. We have had several weeks with no reports and need the constant flow of information each week to make a difference and help you. Working on that this week. I will update from most recent to least in the next day or so. Getting the new computer has been a huge benefit and helps."

Please let us know what you need from us.

Chuck Anderson
Sales Director
Breitling USA
Hangar 7
206 Danbury Rd
Wilton, CT 06897
USA
Office 203-762-1180 Ext 371
Fax 888-875-2729
charles.anderson@breitlingusa.com
Please check our website at www.breitling.com

BREITLING_5527

A-687

****CONFIDENTIAL****

Message

From: Thierry Prissert [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=TPRISSERT]
Sent: 6/3/2013 7:12:24 PM
To: Rick Lambert [rick.lambert@breitlingusa.com]
CC: Chuck Anderson [charles.anderson@breitlingusa.com]
Subject: Using tools

Sir Rick,

David Kings told us you have nt debriefed him on the mystery shopping
Not right !!
You have to do what we ask :
Mystery shopping debrief
Breitling challenge (name last in the contest ..)

Please focus on the sell out and nature of he visit
You are better in writing order and follow up this year but need to also use all the tool at you
disposition
Thank you

Ps: hope you had a good time with your daughter

Thierry Prissert
President

Breitling USA
Hangar 7
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180 ext. 343
Fax: 203.762.1178
Email:thierry.prissert@breitlingusa.com
Check our website at: www.breitling.com

BREITLING_5461

A-688

****CONFIDENTIAL****

Message

From: Thierry Prissert [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=TPRISSERT]
Sent: 8/29/2014 7:21:58 PM
To: Rick Lambert [rick.lambert@breitlingusa.com]
CC: Chuck Anderson [charles.anderson@breitlingusa.com]
Subject: Re: Travel with Rick Aug 25-28, 2014

Hi Rick

I would like you to really think and reflect on that email so we can talk about it in Reno
Lots of very simple things are not being done and this hurts your , ours numbers and business
You alway honestly acknowledge your shortfall but don't correct them
And this NEED to change
I wish you a good labor day week end enjoy your family !
Thank you

Ps: I truly and sincerely hope you can find a way to reinvent your passion and yourself (at work)
Cheers

Thierry Prissert
President

Breitling USA
Hangar 7
206 Danbury Road
Wilton, CT 06897
USA

Phone: 203.762.1180 ext. 317
Fax: 203.762.1178
Email: thierry.prissert@breitlingusa.com
Check our website at: www.breitling.com

On Aug 29, 2014, at 11:33 AM, "Rick Lambert" <rick.lambert@breitlingusa.com> wrote:
Hi

Thanks. I received it yesterday. I'll compare with my notes to see if anything was overlooked. I doubt it ;)

Rick

Sent from my iPhone

On Aug 29, 2014, at 11:27 AM, "Chuck Anderson" <charles.anderson@breitlingusa.com> wrote:
I sent this last night but I am not sure it went. If you already received I apologize.

Rick

BREITLING_5400

A-689

CONFIDENTIAL

Message

From: Chuck Anderson [/O=BREITLINGUSA/OU=CT/CN=RECIPIENTS/CN=CHARLES]
Sent: 10/18/2011 12:00:31 PM
To: Rick Lambert [rick@breitlingusa.com]
CC: Thierry Prissert [tprissert@breitlingusa.com]
Subject: Call reports

Rick,

I hope you had a good weekend. I was looking over the reporting and we, to say the least, are in desperate need of some reports. Since the break in early July. We have received reports for only 3 weeks out of the 14 that have passed. So far year to date, we have reports for only 14 weeks out of 36. Unfortunately, we have had this exchange in the past and it does not seem to change and I do not know what it is. The majority is able to keep current each week with an occasional week that week that goes but is made up the following – is it the work load? Is the way you approach your visits that perhaps we can fine tune to help you accomplish the reporting being done while you are at the point of sale? These reports should take no more than one to two hours on the office day everyone is provided. These are purely designed to help all us grow the business and find our shortfalls. Without them we are left in the dark and the shortfall reflects badly on you.

I sent you an email about 3 weeks on your territory and where we felt the needs were. I also mentioned that a level of dedication over and above the norm would be needed for you to achieve your goal. What that means is there may not be time for an office day here or there and some days may be much longer than what you may be used to. We don't expect you to be a slave but do expect to have the job requirements upheld.

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Please let us know what you need from us.

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BREITLING_5527

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREDERICK M. CARGIAN,

Claimant,

against

15 CV 01084 (GBD)(HP)
Affidavit: Frederick M. Cargian

BREITLING, USA, INC.,

Respondent.

FREDERICK M. CARGIAN, being duly sworn, deposes and says:

1. I am the Plaintiff in this action and submit this affidavit in response to Defendant's Motion for Summary Judgement.

2. I was born November 23, 1960 and was 53 years old when my employment as a Sales Rep at Breitling USA ("Breitling" or "Defendant") was terminated. I am gay, a fact well known to my colleagues at Breitling, including management.

EMPLOYMENT 1990 THROUGH 2010

3. In February 1990, I was hired by Marie Bodman ("Bodman") President of Breitling as National Training Manager. This was the first training program for Breitling, and continues to be the platform upon which the training program, in effect when I left, was built. In this job I traveled throughout the United States conducting seminars and individual training of the sales

associates and managers in the stores to which we sold. The concept was to educate our sales personnel at the retail outlets on the watch functions that were complicated, the history of Breitling since its inception in 1884 and sales techniques so that we had the best qualified representatives for our product.

4. When I first joined Breitling it had a minimal presence or brand recognition in the United States, the office only having been opened in 1989. At the time, there were 6 or 7 staff employees. The sales rep that Breitling used at that time were independent contractors who represented any number of products. Our sales were between \$2 and \$4 million per year. By 2013 this grew to about 140 staff and sales of over \$100 million a year.

5. In 1992, I was promoted to Sales Representative (“sales rep” or “rep”) covering the Northeast Region which, at the time, ran from Maine to Richmond, Virginia. I continued to function as the Training Manager as well, which meant I was doing two jobs, training Breitling Associates across the country as well as selling in my own very large region. I was relieved of my responsibilities as Training Manager in about 1995 or 1996.

6. The major role of the sales rep was to sell in his/her region. There were ancillary duties associated, such as working with marketing personnel, training, maintaining inventory assuring that customer locations were well maintained, all of which were for the purpose of enhancing sales.

7. For the main part, success as a sales rep was measured by year over year sales, not attaining of goals. Every month each rep would receive a print out for the entire sales force showing how that month’s sales compared with the same month the prior year. At the end of the year we would receive a year over year synopsis of our performance. Exh. A, Pl. 0000281-282. At our sales meetings, Anderson also focused on year over year performance. Sales goals, on

the other hand, related to compensation, which was totally controlled by management. The reps bonus was based on the extent to which s/he met the goal. Though sales reps may have been asked for our input, it was always a tug of war with management always prevailing. It was a money negotiation. The setting of difficult goals is the perfect mechanism to criticize a rep the company wants to get rid of.

8. I played a significant role in the growth of the Breitling. Attached as Exh A is a chart that I created from Breitling's official sales reports, which are also attached. From 2001 to 2009 sales reps only had access to our individual sales. Starting 2008 we received the reports for all reps which enabled me to do a comparative analysis of my production from that point until 2011 when Thierry Prissert ("Prissert") stopped supplying reps with the sales goals of the other reps. We did continue to receive reports reflecting the year over year results of all reps.

9. A review of Exhibit A shows that from 2002 through 2007 I increased my sales over the prior year from anywhere between 15% and 46%. Three of those years I was over my sales goal (which we called budget) by 118-130%. The two other years I attained 96% and 99% of budget. 2008 and 2009 was the recession and all sales went down; none made budget. By 2010 I again increased my sales by 40% and again had the highest gross sales of all reps. Over the years I was consistently able to make budget and, more important, consistently raised my sales over the prior year until Prissert became President and set unachievable goals for me.

10. In addition in the early 1990s, I opened the Tourneau account nationally. Tourneau is the largest luxury watch retailer in the world. The Corporate offices, located in New York, does the buying for its stores throughout the country. This was and is the single largest retail account for Breitling account. At one point there were as many as 37 individual doors (stores) to which we sold. The gross sales nationally went as high as \$26.6M.in a year. I continued to

service that Corporate account until my termination, as well as the eight (8) individual Tourneau Stores in the Northeast Region, though I was denied bonus credit for the work. Discussed ¶¶ *infra*.

11. As a consequence of my good work, and the growth of the company, President Bodman rewarded me with regular and significant salary increases. To the best of my recollection, my starting salary in 1990 was about \$35,000. Bodman increased my salary regularly with my final raise in 2008 from \$210,000 to \$230,000. This was my salary until 2013 when Prissert decreased it to \$196,000 in 2013.

12. There is no question but that Bodman had high regard for me and my work. Of course, over the course of 20 years, as my boss there would be critiques of me and others. But the bottom line is that I was the sales rep that she rewarded with the highest base salary and I believe the highest bonus potential. I was also the sales rep to whom she assigned the Tourneau Corporate account ¶¶ *infra*, and whom she called upon to help in general in the New York area. For example, when Breitling decided to open a boutique in New York, I was the one who she enlisted to help find a location, despite the fact that I knew it would harm my sales. Finally, upon my termination Bodman provided a letter of reference lauding me for my “dedication to the job” “integrity” “attention to detail” and “knowledge”. Exh. B. This is particularly impressive since at the time, as now, she is an employee of Breitling SA, the corporate parent.

13. I was also recognized by our trade association as “Favorite Watch Rep” and was given the Sully Award by Chuck Anderson (“Anderson”) and Bodman for highest increase in sales in 2010. Exhs. C & D..

EMPLOYMENT 2011 TO TERMINATION

14. In 2011, Prissert became the President of Breitling. My first meaningful encounter with him as President was at the review meeting in January or February of 2011 when I received my sales goals for 2011. At that meeting, I was given a totally unrealistic sales goal. My goal was increased by \$12 million representing a 92.2% increase in my goals over the prior year. My goal was higher in percentage and absolute number than any of the other reps.

15. Bodman, who remained on staff for a transition, and Anderson who became the full time Sales Manager under Prissert, were also at that meeting, but it was Prissert who had the ultimate responsibility for setting the unobtainable goals. As I testified at my deposition, it was my understanding that Prissert, Anderson and Bodman were all involved in setting the goals. However, it was Prissert, whom I learned controlled the issue. Since they had been my prior bosses whom I knew, I went to both Bodman and Anderson to complain about the unrealistic goal. Both told me that it was Prissert's decision and they had no control to change it. Exh. . Cargian Tr. 222:25-223:16; 225:15-226:14.

16 In addition to my sales responsibility for my expanded territory, I continued to have major responsibility and did substantial work for the Tourneau Corporate Account for which I did not receive bonus credit. Corporate bought for all Tourneau stores, I did the selling nationally, although the regional reps got the credit and bonus. For the main part, these sales were larger than the sales in most Breitling regions. My work included: weekly or bi-monthly meetings with the buyer, the assistant buyers and the buyer for the three Tourneau outlet doors, plus follow up on orders; analyzing sales data; together with Breitling management attending bi-annual review meetings with Tourneau; quarterly advertising and marketing meeting with our Marketing Director; overseeing accounts receivable; negotiating premium display positioning ;

providing monthly recap of sales; training Tourneau's telemarketing department, resolving sales service issues. In general I spent between 4 to 10 hours a week on corporate Tourneau matters.

17. The rationale that I was given for this exorbitant increase—that my territory increased—is contradicted by the record. Prissert Decl. ¶ 32. First, at my deposition, I misstated when I said that I was given Delaware in 2011. That change actually occurred in 2009, a fact admitted to by Defendant. Goodman Aff. Exh. Resp to Admissions ¶ 13. It is true that No. Virginia, Maryland and DC, which Anderson had represented, were assigned to me. However that only represented a net addition of 5 new doors. Although originally there was a transfer of 11 new doors from Anderson, simultaneously, my New Jersey territory was transferred to Annie Sommer ("Sommer"), which represented the loss of 5 doors. Also, when the new territory was assigned, Breitling, who controls to whom we can sell, closed two of the stores in the new territory for whatever their reason.

18. Also, Josh Haley ("Haley") was given Anderson's very lucrative Florida territory, an increase also of 5 new doors, yet his goals were raised only \$7 million contrasted to my \$14M, representing a 60% increase contrasted to my 92% increase. Also, Breitling submitted figures which claim that Haley had 47 doors compared to my 40 doors, yet he had a significantly lower goal.. Defendant's Exh. K, Breitling 9063.

19. 2012 was a difficult year for Breitling USA, and all of the sales reps. It particularly presented many challenges to me since I still had an unfairly high sales goal.

a. Until 2012 sales goals and bonuses were based on sales to Tourneau stores in your region. Until then I grossed about \$4M in sales annually until it became a house account for which I received no credit for business or for bonus. Although this effected all of the regions,

it had the greatest impact on my business since my area produced the largest sales, by at least \$2M.

b. Although the reps no longer received sales credit or bonus for the Tourneau sales, we still had to service the Tourneau stores in our area, which means visiting them once a month to ensure that they maintained the sales cases in appealing fashion; conducting training, dealing with complaints on repairs or business, transmitting marketing and advertising program, educating staff on new models, and ensuring that the stores had current marketing material. Again, this was true for all the reps, but I had 7 stores compared with others who had 1 to 5 thus more of my time had to be spent on stores for which I received no bonus credit. Exh. C.

c. In addition, I continued to service and assist in selling the corporate Tourneau account, which took about 4-10 hours per week for which I received no credit.

d. In 2012 Breitling opened a discount boutique in Woodbury Mall, part of my territory. This boutique was a house account. It was both competitive with my customers and deprived me of selling remainders which I had previously done. I estimate that I lost at least \$2 M the first year.

e. Breitling had opened a prestigious Boutique on East 57th Street. Again this was a house account. This Boutique competed with customers in the area to whom I had sold, such as Kenjo, which was just across the street, and Wempe's which was around the corner. Again I would estimate a loss of about 2.5M the first year.

f. In September of 2012 the east coast, particularly New York was hit by hurricane sandy which had a significant effect on business in general.

20. From time to time the sales reps would receive a Special Bonus, in addition to the regular bonus. These special bonuses under Bodman were usually distributed when Breitling had a particularly good year.

21 Breitling did not have an especially good year in 2012, thus why special bonuses were awarded is a question, particularly since plaintiff received one of the lowest special bonuses.. The overall increase in sales was 2.5% as compared with 2011 where the increase was 25.3%. or 2010 when the increase was 34%. Cargian Aff.,Exh A, Pl. 0000280. The reps were never told that there was a formula used for determining the amount of the “special bonus”

22. Mid-December 2012 I learned that I was being demoted. Contrary to Prissert’s statements, the promotion of Isaac Schafrath (“Schafrath”) came before the division of territories, and Schafrath was told before anything was said to me. In December 2012 I was called in for a meeting with Prissert at the Connecticut office. On my way, I met Schafrath who told me that he had been promoted. From our conversation, I had the impression that he knew for a while.

23. I then went into my meeting with Prissert who told me that Schafrath was being given Northern Va.,Maryland and D.C., which were my territories, and because I had a reduced territory my salary would be reduced by \$35,000, and my bonus potential by \$10,000. He said something to the effect that it was too much work for me, although I had not said my territory was too much work. He also assigned me to do Corporate Sales, that is trying to get corporate clients to buy a large quantity of watches to give as gifts to their customers or employees. This was a new project assigned to me, not one that looked particularly lucrative. A whole new marketing strategy was required, which, along with Sommer, I had to devise without help from the marketing department. As evidence that this assignment was but a means to make me fail,

this program was never continued after my termination. It should, however, be noted that because I am a very good salesman and have many contacts, I was indeed able to sell Cadillac on the idea.

24. Although I liked Schafrath and supported his desire for advancement, I never supported him in any way for immediate promotion to sales rep, a position that he was clearly not ready for. I did recommend that he look into Inside Sales or Training, which had been the stepping stones for me, Haddad and Sommer. Susan McDonald (“McDonald”) has been the Manager of Inside Sales since the mid-1990s. Inside sales is an excellent background for promo to sales rep because of its exposure to clients, knowledge of the product, knowledge of sales techniques. She had more experience than Schafrath.

25. Although Prissert was aware of the difficult business climate in 2012, particularly in New York City, and despite significantly reducing my territory, he did not take this into account when once again setting my goals unrealistically high. He increased my goals by 14% while the other reps (except Sommer) were increased 8%-10%.

26. On about December 17, 2013 I was called to a meeting with Prissert and Amstutz and told that my services were being terminated effective 12/31/13, but that I was to cease performing any duties for the company that day. When I asked the reason Prissert said “we just are not on the same page”. He also said something to the effect that “you are a really smart guy—you could be doing bigger things, more important jobs, this job may be too small for you.” Nothing was said about my performance

27. In fact, although again everyone’s sales were down, my sales performance in 2013, measured by increase over the prior year, was better than Criddle, whose sales were down 20.7% , Haley, whose sales were down 17.3%, and Haddad whose sales were down 14.7%. My sales

were down 13.8% In fact, no one increased sales, except Lambert and the House, but both had only about a \$500,000 increase. Exh.A.

28. Schafrath was retained as my headcount replacement.

DISCRIMINATORY DISCIPLINARY TREATMENT

29. It is absolutely untrue, as Prissert claims, that I ever violated company policy by giving cash gifts to support staff at Christmas time. Prissert Aff. ¶ 45. I, along with other reps, gave holiday gifts to our personal assistant and to Ms. McDonald, the Inside Sales Manager. The only difference is that some of them gave gift cards, basically cash to purchase items at a store, or gifts themselves. I always thought people appreciated the cash more to do what as they wanted.

30. Nothing about my gift giving violated company policy. Our employment contract provides that reps are obligated to follow the rules and procedures of the Employee Handbook. Def. Exh. I. There is nothing in the Employees Handbook that prohibited these gifts, and to my knowledge there is still nothing in Handbook. See Figueroa Tr. 53:5-8. Moreover, Bodman was always aware that I gave cash gifts and I believe Anderson also knew. Neither ever raised an issue. Prissert, as the new President, was free to change the rules, and I immediately stopped the practice as directed. However, since my behavior was always approved by the prior President and there was nothing in the Handbook that prohibited my giving cash gifts, only discriminatory animus accounts for Prissert's papering my file with a reprimand.

31. I did not yell and curse at Prissert in front of colleagues and customers as he alleges. Prissert Aff. ¶¶ 46-47. In September of 2012 at the annual Reno Air Show, where Breitling traditionally takes many of its best customers and all of the reps, there was a dinner and bowling event scheduled for our customers. It is the responsibility of the reps, marketing personnel and

management to entertain the clients. After dinner, because we could not find the other staff members, and the restaurant was pressing us to leave, Sommer and I took it upon ourselves to escort about 40 of the Breitling customers to the bowling event which was about 5 blocks away. When we arrived there we found Prissert, together with Sales Manager Anderson, and sales reps Rick Lambert (“Lambert”) and Beth Haddad (“Haddad”) already bowling, without any customers. I was mad. We were doing all of the work, with Prissert and Anderson simply playing as if they were guests. I did say something to the effect of “What the f”. However, it was not directed at Prissert or anyone in particular. It was simply my frustration getting the best of me. The National Bowling Stadium, where the incident occurred, was huge with 78 lanes and Prissert and the others were tucked in a corner at least 15 feet away, very possibly more. Plus the bouncing bowling balls made it extremely noisy. I do not recall the clients being there since they had mainly left to get their shoes. It was a fleeting moment and I do not believe Prissert even heard my comments. As Sommers testified at her deposition, he was so far away and the remark was not directed at him. Sommer Tr. 87:16-89:13.

32. Nonetheless, without making any attempt to discuss with me the incident or to hear my side of the story, within a day I received a Warning Letter by e-mail and hard copy on letterhead, signed by Prissert himself, not the HR Manager, misstating the facts and reprimanding me. It was only after the Warning Letter was issued that Prissert met with me. Although I did apologize for losing my temper, I clearly explained the circumstances; and complained that it was unfair to leave Sommer and me with all of the responsibilities for the clients, who, for the main part, were not even our customers, while he with others played without any concern for the clients. I explained that this was just a general “what the f” not addressed to anyone in particular. Using the “f” word is hardly unusual at our work place, and Prissert along

with others indulge. Prissert did not apologize for leaving us to do the work, nor did he even address the issue.

33. As will be demonstrated by the exhibits attached to my attorney's affirmation, I was treated much more harshly than one of my colleagues, who committed major fraud and deception on the company, but who was not terminated.

34. Prissert claims that one of the reasons I was a bad employee is that I was disrespectful at the sales meeting in 2013. That is not true. I did however try to make a point about what to me was unfair treatment especially as it affected me. At that meeting Prissert had announced that the reps would be losing the comp time that they had accumulated. Those were days off to compensate for extra time worked. We were also told that the mandatory vacation week at Christmas time, and the mandatory week off in July were now going to be charged to our individual vacation. In other words, the company closed those two weeks, and until 2012 employees were paid for the days off and still were entitled to our full vacation. Also, I learned at this meeting that I was being given a 14% increase in my goals where the other reps were given 8-10% increases for the year, which meant the less likelihood of getting a significant bonus. These losses, together with earlier being told my salary was reduced by \$35,000, was a substantial loss in compensation. I, therefore, did sarcastically say shouldn't the work week be reduced to go with the reduction in compensation. Although I did feel that I was being mistreated, I nonetheless continued to work as hard as ever, ending the year better than 3 of my colleagues.

TREATMENT AS ONE OF THE GIRLS

35. Prissert maintains a boys club atmosphere in the workplace which excluded me and the “girls” from his inner circle. It mainly focused around sports and sports gambling which were always subject of conversations between Prissert and a number of the male reps. It was clear that the women and me were never invited into this presidents more intimate circle of conversation. It may be hard to describe, but human experience tells us when we are being excluded or frozen out. It is not coincidence that the women and I all had the same reaction. perception is fully corroborated by deposition testimony given by Sommer, Roman, and Vessely; and by the written email of complaint by Haddad. Goodman Aff. Exh.

36. There is a general sexist ambiance in Breitling facilities that permeates the workplace. The sexist collateral material that the sales reps had to distribute to customers, were provided by the parent company and we were ordered to distribute. Goodman Aff. Exh. There was also the very provocative statue displayed at the 57th St. Boutique. I took the pictures of the statue, one of which is on the Breitling website, which are attached as Exh.E. On several occasions I did tell Bodman then subsequently Prissert that there were complaints and the material was inappropriate. I received no response, and we continued to be directed to distribute the material.

37. Exclusion from the president’s inner circle resulted in specific work place discrimination:

a. In July, 2013, Breitling had a premier event for major customers held at the Bentley factory in Crewe, England. Breitling and Bentley developed a partnership where Breitling designed a series of up to 20 watches with a Bentley logo. Sales arrangements for the Bentley line were different then ordinary watch sales. Stores had to dedicate extensive space and signage before Breitling would allow it to carry the Bentley watches. Each store had to sign separately to carry the Bentley line in which it made these extensive commitments. It was a very

expensive undertaking for the stores and therefore a difficult sell. As a consequence, there was a limited number of Bentley doors. The chart Anderson created shows that I had 25 Bentley doors. Def. Exh. K.

The Crewe event was a way to entertain our top clients, while promoting their sales of the Bentley watch. This was a major networking opportunity to impress our customers; to forge relationships; and to increase our sales for which a rep would receive bonus credit... All of the male reps were invited to participate, although Brian Criddle could not attend because of a family wedding. The only reps not invited were the two women and me. I was excluded despite the fact that a number of my customers were invited, and despite the fact that as Anderson's chart shows, I had 25 Bentley doors, while Rick Lambert and Peter Cawthorne had only 22 and 14 respectively. I also have another strength. I am a car enthusiast with great knowledge of the Bentley lines as well as most every other car. I, therefore, could have shared lots of good information.

b. There is a Breitling marketing event at the annual air show in Buochs, Switzerland. Before 2011 only the President and marketing folk attended from the U.S. Starting 2011 Prissert brought Anderson and several of the male representatives. I was never asked to attend nor were any of the female reps.

c. In 2011, I was assigned to share a hotel room at a business conference in Basel, Switzerland with my female colleague, Sommer. Neither of us requested that arrangement and it is my understanding that management at Breitling submitted the room assignments to Breitling SA, which makes the arrangements. Sommer was particularly upset with the arrangement. I wrote to Monica Pirens of the Swiss corporate office to see if we could at least get a large suite type room that would allow for more privacy. When I said in that letter that for 18 years we had


been sharing rooms, what I was clearly referring to is the fact that the annual meeting in Basel is so crowded that participants always had to share rooms. More often than not I was assigned to share a room with Rick Lambert. Once, about 10 years earlier, Sommer and I were assigned to share a room, but I assume Bodman made sure that that did not happen again while she was still President.

38. In 2011, I did request to be relieved of the newly assigned South Virginia territory. It was not because it was too much work, but because of the travel. I would lose a day traveling to the new area from my other territory, which was not quite worth it, since there were only a few accounts.


FREDERICK M. CARGIAN

Sworn to before me this

21st day of March, 2016


Notary Public

JANICE GOODMAN
Notary Public, State of New York
No. 02GO6591630
Qualified in New York County
Commission Expires May 31, 2018

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EXHIBIT A

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<u>Rep Name</u>		<u>Year</u>		<u>Year</u>	<u>% Incr/Decr</u>	<u>% of Budget</u>
		2002		2001		
Fred	\$	7,526,610	\$	6,391,381	18%	96%
		2004		2003		
Fred	\$	11,179,513	\$	7,655,360	46%	130%
		2005		2004		
Fred	\$	14,847,853	\$	11,179,513	33%	114%
		2006		2005		
Fred	\$	20,030,848	\$	14,847,853	35%	118%
		2007		2006		
Fred	\$	23,118,360	\$	20,138,782	15%	99%
		2008		2007		
Fred	\$	16,395,124	\$	23,213,614	-29%	80%
Annie	\$	10,281,663	\$	15,073,765	-32%	90%
Chuck	\$	11,019,998	\$	13,892,962	-21%	85%
Josh	\$	13,207,664	\$	19,735,383	-33%	75%
Rick	\$	8,952,897	\$	11,063,246	-19%	81%
Patrick	\$	11,091,668	\$	14,228,382	-22%	80%
Brian	\$	18,924,157	\$	26,489,555	-29%	83%
Beth	\$	13,122,778	\$	17,256,564	-24%	87%
Total Reps	\$	102,995,949	\$	140,953,471	-27%	
		2009		2008		
Fred	\$	11,162,298	\$	15,897,886	-30%	79%
Annie	\$	6,144,644	\$	11,319,169	-46%	100% *
Chuck	\$	3,729,684	\$	5,729,310	-35%	103%
Josh	\$	9,613,384	\$	17,613,769	-45%	100%
Rick	\$	5,704,523	\$	9,836,151	-42%	81%
Patrick	\$	6,487,762	\$	11,230,904	-42%	81%
Brian	\$	11,031,090	\$	17,935,795	-38%	114%
Beth	\$	7,725,960	\$	12,750,270	-39%	97%
Total Reps	\$	61,599,345	\$	102,313,254	-40%	
		2010		2009		
Fred	\$	14,643,582	\$	10,460,106	40%	94%
Annie	\$	9,151,274	\$	6,465,126	42%	95%
Chuck	\$	6,200,847	\$	3,774,580	64%	111%
Josh	\$	12,550,437	\$	9,336,981	34%	93%
Rick	\$	9,323,723	\$	6,147,330	52%	100%
Patrick	\$	7,683,735	\$	6,117,948	26%	81%

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Brian	\$	12,928,861	\$	11,295,602	14%	78%
Beth	\$	9,792,314	\$	7,748,883	26%	83%
Total Reps	\$	82,274,773	\$	61,346,556	34%	

		2011		2010		
Fred	\$	18,769,314	\$	17,917,166	4.8%	79%
Annie	\$	13,737,773	\$	9,879,683	39.1%	101%
Josh	\$	17,954,705	\$	13,106,233	37.0%	103%
Rick	\$	11,234,872	\$	9,998,534	12.4%	84%
Patrick	\$	10,856,462	\$	8,055,513	34.8%	103%
Brian	\$	16,689,488	\$	13,303,180	25.5%	90%
Beth	\$	13,476,977	\$	9,705,195	38.9%	102%
Total Reps	\$	102,719,591	\$	81,965,504	25.3%	

		2012		2011		
Fred	\$	12,899,581	\$	13,838,824	-6.8%	
Annie	\$	11,937,231	\$	11,978,270	-0.3%	
Josh	\$	16,627,343	\$	15,687,692	6.0%	
Rick	\$	11,321,437	\$	10,455,914	8.3%	
Patrick	\$	10,004,033	\$	9,949,220	0.6%	
Brian	\$	14,637,893	\$	13,979,123	4.7%	
Beth	\$	11,846,238	\$	11,018,598	7.5%	
Total Reps	\$	89,273,756	\$	86,907,641	2.7%	
House	\$	19,163,438	\$	18,854,429	1.6%	
Grand Total	\$	108,437,194	\$	105,762,070	2.5%	

		2013		2012		
Fred	\$	8,452,072	\$	9,809,465	-13.8%	
Annie	\$	7,672,937	\$	8,066,780	-4.9%	
Isaac	\$	6,775,464	\$	7,479,382	-9.4%	
Josh	\$	13,801,563	\$	16,683,105	-17.3%	
Rick	\$	11,202,689	\$	10,745,949	4.3%	
Patrick	\$	9,930,484	\$	10,018,340	-0.9%	
Brian	\$	11,176,011	\$	14,090,582	-20.7%	
Beth	\$	9,806,681	\$	11,494,068	-14.7%	
Total Reps	\$	78,817,901	\$	88,387,671	-10.8%	
House	\$	20,840,050	\$	20,049,078	3.9%	
Grand Total	\$	99,657,951	\$	108,436,749	-8.1%	

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Fred Cargian Breitling	Northeast 1 Territory Yearly Sales
2001	\$ 6,391,381
2002	\$ 7,526,610
2003	\$ 7,655,360
2004	\$ 11,179,513
2005	\$ 14,847,853
2006	\$ 20,030,848
2007	\$ 23,118,360
2008	\$ 16,395,124
2009	\$ 11,162,298
2010	\$ 14,643,582
2011	\$ 18,769,314
2012	\$ 12,899,581
2013	\$ 8,452,072
Last 13 years total	\$ 173,071,896

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BREITLING USA NORTHEAST 1 SALES REPORT AS OF DECEMBER 31, 2002

	2002 VS 2001	12/31/2001	12/31/2002	2001 TOTAL	% OF 2002 BDGT	PROJECTED	SALES TO GO
A.R. MORRIS	-48%	\$ 192,043.00	\$ 129,649.00	\$ 192,043.00	60.30%	\$ 215,000.00	\$85,351.00
B AND A JEWELERS	46%	\$ 34,598.00	\$ 64,378.00	\$ 34,598.00	128.76%	\$ 50,000.00	-\$ 14,378.00
BERNIE ROBBINS JEWELERS	23%	\$ 65,635.00	\$ 85,731.00	\$ 65,635.00	107.16%	\$ 80,000.00	-\$ 5,731.00
BOCCARDO JEWELERS	28%	\$ 79,660.00	\$ 110,263.00	\$ 79,660.00	122.51%	\$ 90,000.00	-\$ 20,263.00
CASH ACCOUNTS	46%	\$ 48,148.00	\$ 89,328.00	\$ 48,148.00	#DIV/0!	\$ 0.00	\$ 89,328.00
FINKS	100%	\$ 0.00	\$ 11,811.00	\$ 0.00	7.87%	\$ 150,000.00	\$ 138,189.00
FREEDMAN JEWELERS	-25%	\$ 85,781.00	\$ 68,559.00	\$ 85,781.00	62.33%	\$ 110,000.00	\$ 41,441.00
GOYBERGS (JAYROBERTS 2001)	-47%	\$ 729,490.00	\$ 495,288.00	\$ 729,490.00	61.91%	\$ 800,000.00	\$ 304,712.00
HENRY WILSON	33%	\$ 65,426.00	\$ 98,093.00	\$ 65,426.00	130.79%	\$ 75,000.00	-\$ 23,093.00
J. BROWN JEWELERS	35%	\$ 71,004.00	\$ 109,706.00	\$ 71,004.00	121.90%	\$ 90,000.00	-\$ 19,706.00
KENJO	-10%	\$ 699,145.00	\$ 633,318.00	\$ 699,145.00	90.47%	\$ 700,000.00	\$ 66,682.00
KRAVIT JEWELERS	28%	\$ 44,014.00	\$ 61,023.00	\$ 44,014.00	93.88%	\$ 65,000.00	\$ 5,977.00
LENKERSDORFER	-32%	\$ 128,803.00	\$ 97,355.00	\$ 128,803.00	68.08%	\$ 143,000.00	\$ 45,645.00
LEON BEN-ARI	39%	\$ 80,800.00	\$ 131,698.00	\$ 80,800.00	146.33%	\$ 90,000.00	-\$ 41,698.00
LILJENQUIST & BECKSTEAD	21%	\$ 439,527.00	\$ 559,339.00	\$ 439,527.00	113.00%	\$ 495,000.00	-\$ 64,339.00
LONDON JEWELERS	14%	\$ 133,776.00	\$ 156,090.00	\$ 133,776.00	104.06%	\$ 150,000.00	-\$ 6,090.00
LYNN JEWELERS	-7%	\$ 103,863.00	\$ 96,749.00	\$ 103,863.00	84.13%	\$ 115,000.00	\$ 18,251.00
MANN'S JEWELERS	16%	\$ 78,399.00	\$ 93,389.00	\$ 78,399.00	106.12%	\$ 88,000.00	-\$ 5,389.00
MAYFAIR JEWELERS, INC.	49%	\$ 105,285.00	\$ 207,111.00	\$ 105,285.00	165.69%	\$ 125,000.00	-\$ 82,111.00
MOONLITE INT., INC.	28%	\$ 121,293.00	\$ 169,195.00	\$ 121,293.00	125.33%	\$ 135,000.00	-\$ 34,195.00
RADCLIFFE JEWELERS	1%	\$ 412,590.00	\$ 414,820.00	\$ 412,590.00	90.18%	\$ 460,000.00	\$ 45,180.00
SCHERER'S JEWELERS	20%	\$ 51,755.00	\$ 64,505.00	\$ 51,755.00	107.51%	\$ 60,000.00	-\$ 4,505.00
SCHWARZSCHILD	35%	\$ 143,271.00	\$ 221,601.00	\$ 143,271.00	110.80%	\$ 200,000.00	-\$ 21,601.00
TOURNEAU	10%	\$ 1,873,899.00	\$ 2,083,992.00	\$ 1,873,899.00	93.24%	\$ 2,235,000.00	\$ 151,008.00
WEMPE	29%	\$ 150,526.00	\$ 212,286.00	\$ 150,526.00	114.75%	\$ 185,000.00	-\$ 27,286.00
NEW BUSINESS						\$ 208,295.00	
TOTAL	8%	\$ 5,938,731.00	\$ 6,465,277.00	\$ 5,938,731.00	90.88%	\$ 7,114,295.00	\$ 649,018.00
NEW ACCOUNTS							
ALICIA'S GOLDEN DREAM	#DIV/0!	\$ 0.00	\$ 210,248.00	\$ 0.00	280.33%	\$ 75,000.00	-\$ 135,248.00
BAILLEY, BANKS & BIDDLE-KOP	#DIV/0!	\$ 0.00	\$ 321,578.00	\$ 0.00	230.18%	\$ 139,705.00	-\$ 181,873.00
MICHAEL C. FINA	#DIV/0!	\$ 0.00	\$ 148,907.00	\$ 0.00	124.09%	\$ 120,000.00	-\$ 28,907.00
RADCLIFFE CREATIVE SPCLTY	#DIV/0!	\$ 0.00	\$ 98,629.00	\$ 0.00	120.28%	\$ 82,000.00	-\$ 16,629.00
TOTAL	#DIV/0!	\$ 0.00	\$ 779,362.00	\$ 0.00	187.03%	\$ 416,705.00	-\$ 362,657.00
CLOSED							
JOSEPH EDWARDS	-59%	\$ 420,544.00	\$ 264,701.00	\$ 420,544.00	101.81%	\$ 260,000.00	-\$ 4,701.00
RON GORDON	-86%	\$ 32,106.00	\$ 17,270.00	\$ 32,106.00	47.97%	\$ 36,000.00	\$ 18,730.00
TOTAL	-61%	\$ 452,650.00	\$ 281,971.00	\$ 452,650.00	95.26%	\$ 296,000.00	\$ 14,029.00
GRAND TOTALS	15%	\$ 6,391,381.00	\$ 7,526,610.00	\$ 6,391,381.00	96.16%	\$ 7,827,000.00	\$ 300,390.00

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	2004 VS 2003	12/31/2003	12/31/2004	2003 TOTAL	% OF 2004 BDGT	PROJECTED	SALES TO GO
ALICIA'S GOLDEN DREAM	40%	\$365,084.00	\$511,801.00	\$365,084.00	127.95%	\$400,000.00	-\$11,801.00
B AND A JEWELERS	50%	\$32,240.00	\$48,447.00	\$32,240.00	96.89%	\$50,000.00	\$1,553.00
BAILEY, BANKS & BIDDLE-KOP	15%	\$333,559.00	\$383,267.00	\$333,559.00	105.00%	\$365,000.00	-\$18,267.00
BERNIE ROBBINS - NJ	-39%	\$113,143.00	\$69,402.00	\$113,143.00	55.52%	\$125,000.00	\$55,598.00
BERNIE ROBBINS - PA	28%	\$77,380.00	\$98,744.00	\$77,380.00	103.94%	\$95,000.00	-\$3,744.00
BOCCARDO JEWELERS	7%	\$125,422.00	\$134,795.00	\$125,422.00	96.28%	\$140,000.00	\$5,205.00
BRANDEIS	45%	\$228,164.00	\$330,013.00	\$228,164.00	143.48%	\$230,000.00	-\$100,013.00
CASH ACCOUNTS/MISC	-27%	\$107,655.00	\$78,585.00	\$107,655.00	87.32%	\$90,000.00	-\$11,415.00
FORDS	19%	\$137,154.00	\$162,800.00	\$137,154.00	101.75%	\$160,000.00	-\$2,800.00
FREEDMAN JEWELERS	56%	\$62,777.00	\$97,675.00	\$62,777.00	130.23%	\$75,000.00	-\$22,675.00
GOVBORG	53%	\$450,772.00	\$691,636.00	\$450,772.00	125.75%	\$550,000.00	-\$141,636.00
HAMILTON, NJ	31%	\$122,163.00	\$159,743.00	\$122,163.00	106.50%	\$150,000.00	-\$9,743.00
HENRY WILSON	-40%	\$115,951.00	\$70,100.00	\$115,951.00	58.42%	\$120,000.00	\$49,900.00
JAY ROBERTS	40%	\$435,927.00	\$611,304.00	\$435,927.00	135.85%	\$450,000.00	-\$161,304.00
KENJO	43%	\$795,072.00	\$1,135,266.00	\$795,072.00	113.53%	\$1,000,000.00	-\$135,266.00
KRAVIT JEWELERS	-30%	\$124,784.00	\$86,735.00	\$124,784.00	69.39%	\$125,000.00	\$38,265.00
LEON BEN-ARI	77%	\$151,357.00	\$268,318.00	\$151,357.00	157.83%	\$170,000.00	-\$98,318.00
LEONARDO - RB	71%	\$121,502.00	\$208,109.00	\$121,502.00	126.13%	\$165,000.00	-\$43,109.00
LONDON JEWELERS	67%	\$234,306.00	\$390,401.00	\$234,306.00	147.32%	\$265,000.00	-\$125,401.00
L. SIMPSON & CO.	80%	\$153,906.00	\$277,392.00	\$153,906.00	123.29%	\$225,000.00	-\$52,392.00
LORLIL	-29%	\$69,987.00	\$49,445.00	\$69,987.00	98.89%	\$50,000.00	\$555.00
MANN'S JEWELERS	75%	\$55,435.00	\$97,138.00	\$55,435.00	149.44%	\$65,000.00	-\$32,138.00
MAYFAIR JEWELERS, INC.	-15%	\$235,408.00	\$199,163.00	\$235,408.00	99.58%	\$200,000.00	\$837.00
MICHAEL C. FINA	66%	\$97,224.00	\$161,692.00	\$97,224.00	107.79%	\$150,000.00	-\$11,692.00
MOONLITE INT. INC.	40%	\$183,563.00	\$256,165.00	\$183,563.00	128.08%	\$200,000.00	-\$56,165.00
RON GORDON	-14%	\$25,490.00	\$21,959.00	\$25,490.00	87.84%	\$25,000.00	\$3,041.00
SCHERERS JEWELERS	36%	\$59,595.00	\$80,902.00	\$59,595.00	107.87%	\$75,000.00	-\$5,902.00
SHERMAN & SONS	-11%	\$178,813.00	\$159,585.00	\$178,813.00	79.79%	\$200,000.00	\$40,415.00
TOURNEAU	77%	\$2,263,263.00	\$3,999,402.00	\$2,263,263.00	148.13%	\$2,700,000.00	-\$1,299,402.00
WEMPE	71%	\$198,264.00	\$339,529.00	\$198,264.00	135.81%	\$250,000.00	-\$89,529.00
TOTAL	46%	\$7,655,360.00	\$11,179,513.00	\$7,655,360.00	126.11%	\$8,865,000.00	-\$2,314,513.00
NEW ACCOUNTS 2004						\$255,000.00	
NEW BUSINESS						\$255,000.00	
TOTAL	N/A	\$0.00	\$0.00	\$0.00	0.00%	\$255,000.00	\$255,000.00
CLOSED 2004	N/A	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
TOTAL	N/A	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
GRAND TOTALS	46%	\$7,655,360.00	\$11,179,513.00	\$7,655,360.00	122.58%	\$9,120,000.00	-\$2,059,513.00

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STORES 26

BREITLING USA NORTHEAST 1 SALES REPORT AS OF DECEMBER 31, 2005

	2005 VS 2004	12/31/2004	12/31/2005	2004 TOTAL	% OF 2005 BDGT	PROJECTED	SALES TO GO
ALICIA'S GOLDEN DREAM	-7%	\$511,801.00	\$478,320.00	\$511,801.00	84.66%	\$565,000.00	\$86,680.00
B AND A JEWELERS	164%	\$48,447.00	\$127,948.00	\$48,447.00	232.63%	\$55,000.00	-\$72,948.00
BAILEY, BANKS & BIDDLE-KOP	-4%	\$383,267.00	\$366,573.00	\$383,267.00	86.25%	\$425,000.00	\$58,427.00
BERNIE ROBBINS - PA	10%	\$98,744.00	\$109,039.00	\$98,744.00	103.85%	\$105,000.00	-\$4,039.00
BERNIE ROBBINS - NJ	200%	\$69,402.00	\$208,252.00	\$69,402.00	245.00%	\$85,000.00	-\$123,252.00
BOCCARDO JEWELERS	13%	\$134,795.00	\$152,266.00	\$134,795.00	101.51%	\$150,000.00	-\$2,266.00
BRANDEIS	29%	\$200,496.00	\$258,904.00	\$330,013.00	70.93%	\$365,000.00	\$106,096.00
CASH ACCOUNTS/MISC.	-54%	\$78,585.00	\$36,296.00	\$78,585.00	42.70%	\$85,000.00	-\$48,704.00
FORDS	77%	\$162,800.00	\$287,975.00	\$162,800.00	155.66%	\$185,000.00	-\$102,975.00
FREDMAN JEWELERS	78%	\$97,675.00	\$174,292.00	\$97,675.00	151.56%	\$115,000.00	-\$59,292.00
GOVBERS	20%	\$691,636.00	\$828,260.00	\$691,636.00	97.44%	\$850,000.00	\$21,740.00
HAMILTON, NJ 50%	118%	\$159,743.00	\$348,381.00	\$159,743.00	199.07%	\$175,000.00	-\$173,381.00
HENRY WILSON	33%	\$70,100.00	\$93,380.00	\$70,100.00	109.86%	\$85,000.00	-\$8,380.00
JAY ROBERTS	17%	\$611,304.00	\$714,755.00	\$611,304.00	102.11%	\$700,000.00	-\$14,755.00
KENJO	7%	\$1,135,266.00	\$1,220,164.00	\$1,135,266.00	93.86%	\$1,300,000.00	\$79,836.00
LEON BEN-ARI	84%	\$268,318.00	\$492,406.00	\$268,318.00	169.80%	\$290,000.00	-\$202,406.00
LEONARDO - RB 50%	23%	\$208,109.00	\$256,698.00	\$208,109.00	111.61%	\$230,000.00	-\$26,698.00
LONDON JEWELERS	15%	\$390,401.00	\$450,515.00	\$390,401.00	100.11%	\$450,000.00	-\$51.50
LORLIL	-10%	\$49,445.00	\$44,589.00	\$49,445.00	81.07%	\$55,000.00	\$10,411.00
L. SIMPSON & CO.	173%	\$277,392.00	\$757,029.00	\$277,392.00	232.93%	\$325,000.00	-\$432,029.00
MANN'S JEWELERS	-37%	\$97,138.00	\$61,192.00	\$97,138.00	55.63%	\$110,000.00	\$48,808.00
MAYFAIR JEWELERS, INC.	20%	\$199,163.00	\$238,245.00	\$199,163.00	105.89%	\$225,000.00	-\$13,245.00
MICHAEL C. FINA	28%	\$161,692.00	\$206,456.00	\$161,692.00	91.76%	\$225,000.00	\$18,544.00
MOONLITE INT. INC.	65%	\$256,165.00	\$422,342.00	\$256,165.00	148.19%	\$285,000.00	-\$137,342.00
RON GORDON	46%	\$21,959.00	\$32,051.00	\$21,959.00	128.20%	\$25,000.00	-\$7,051.00
SCHERER'S JEWELERS	2%	\$80,902.00	\$82,634.00	\$80,902.00	91.82%	\$90,000.00	\$7,366.00
SHERMAN & SONS	27%	\$159,585.00	\$202,933.00	\$159,585.00	109.69%	\$185,000.00	-\$17,933.00
TOURNEAU	24%	\$3,999,402.00	\$4,952,383.00	\$3,999,402.00	112.55%	\$4,400,000.00	-\$552,383.00
WEMPE	8%	\$339,529.00	\$365,075.00	\$339,529.00	97.35%	\$375,000.00	\$9,925.00
TOTAL	27%	\$10,963,261.00	\$13,969,353.00	\$11,092,778.00	111.62%	\$12,515,000.00	-\$1,454,353.00
NEW ACCOUNTS 2005						\$55,000.00	
NEW BUSINESS							
BRANDEIS TROPICANA		\$129,517.00	\$231,172.00			\$200,000.00	-\$191,808.00
THROGGS	N/A		\$391,808.00	\$0.00	195.90%	\$255,000.00	-\$367,980.00
TOTAL	381%	\$129,517.00	\$622,980.00	\$0.00	244.31%	\$255,000.00	
CLOSED 2005							
KRAVIT JEWELERS	-84%	\$86,735.00	\$13,601.00	\$86,735.00	14.32%	\$95,000.00	\$81,399.00
TOTAL	-84%	\$86,735.00	\$13,601.00	\$86,735.00	14.32%	\$95,000.00	\$81,399.00
GRAND TOTALS	31%	\$11,179,513.00	\$14,605,934.00	\$11,179,513.00	113.53%	\$12,865,000.00	-\$1,740,934.00

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BREITLING USA NORTHEAST 1 SALES REPORT AS OF DECEMBER 31, 2006

	2006 VS 2005	12/31/2005	12/31/2006	2005 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
ALICIA'S GOLDEN DREAM	66%	\$478,320.00	\$795,692.00	\$478,320.00	159.14%	\$500,000.00	-\$295,692.00
B AND A JEWELERS	-29%	\$127,948.00	\$90,684.00	\$127,948.00	90.68%	\$100,000.00	\$9,316.00
BAILLEY, BANKS & BIDDLE-KOP	41%	\$364,548.00	\$513,304.00	\$364,548.00	128.33%	\$400,000.00	-\$113,304.00
BERNIE ROBBINS - PA	6%	\$109,039.00	\$115,547.00	\$109,039.00	92.44%	\$125,000.00	\$9,453.00
BERNIE ROBBINS - NJ	11%	\$208,252.00	\$231,862.00	\$208,252.00	100.81%	\$230,000.00	-\$1,862.00
BOCCARDO JEWELERS	63%	\$152,266.00	\$247,497.00	\$152,266.00	141.43%	\$175,000.00	-\$72,497.00
BRANDEIS	230%	\$258,904.00	\$853,869.00	\$258,904.00	284.62%	\$300,000.00	-\$553,869.00
BRANDEIS TROPICANA	-55%	\$231,172.00	\$104,062.00	\$231,172.00	41.62%	\$250,000.00	\$145,898.00
CASH ACCOUNTS/MISC	-57%	\$49,897.00	\$21,583.00	\$49,897.00	43.17%	\$50,000.00	-\$28,417.00
FORDS	25%	\$287,975.00	\$360,465.00	\$287,975.00	110.91%	\$325,000.00	-\$35,465.00
FREEDMAN JEWELERS	6%	\$174,292.00	\$185,268.00	\$174,292.00	92.63%	\$200,000.00	\$14,732.00
GOYBERGS	55%	\$828,260.00	\$1,285,664.00	\$828,260.00	138.99%	\$925,000.00	-\$360,664.00
HAMILTON, NJ .50%	27%	\$348,381.00	\$443,839.00	\$348,381.00	118.36%	\$375,000.00	-\$68,839.00
HENRY WILSON	39%	\$93,380.00	\$130,018.00	\$93,380.00	130.02%	\$100,000.00	-\$30,018.00
JAY ROBERTS	81%	\$714,755.00	\$1,294,277.00	\$714,755.00	152.27%	\$850,000.00	-\$444,277.00
KENJO	2%	\$1,220,164.00	\$1,248,909.00	\$1,220,164.00	83.26%	\$1,500,000.00	\$251,091.00
LEON BEN-ARI	15%	\$492,406.00	\$568,541.00	\$492,406.00	103.37%	\$550,000.00	-\$18,541.00
LEONARDO - RB .50%	72%	\$256,698.00	\$442,168.00	\$256,698.00	147.39%	\$300,000.00	-\$142,168.00
LONDON JEWELERS	87%	\$450,515.00	\$844,067.00	\$450,515.00	168.81%	\$500,000.00	-\$344,067.00
LORELLI	190%	\$44,589.00	\$129,409.00	\$44,589.00	215.68%	\$60,000.00	-\$69,409.00
L SIMPSON & CO	7%	\$757,029.00	\$807,790.00	\$757,029.00	95.03%	\$850,000.00	\$42,210.00
MANN'S JEWELERS	51%	\$61,192.00	\$92,514.00	\$61,192.00	123.35%	\$75,000.00	-\$17,514.00
MAYFAIR JEWELERS, INC.	13%	\$238,245.00	\$269,259.00	\$238,245.00	107.70%	\$250,000.00	-\$19,259.00
MICHAEL C. FINA	21%	\$206,456.00	\$249,340.00	\$206,456.00	99.74%	\$250,000.00	\$660.00
MOONLITE INT. INC.	14%	\$422,342.00	\$482,605.00	\$422,342.00	107.25%	\$450,000.00	-\$32,605.00
NORTHEASTERN	99%	\$80,106.00	\$159,366.00	\$80,106.00	199.21%	\$80,000.00	-\$79,366.00
RON GORDON	-64%	\$32,051.00	\$11,474.00	\$32,051.00	32.78%	\$35,000.00	\$23,526.00
SCHERER'S JEWELERS	11%	\$82,634.00	\$91,576.00	\$82,634.00	91.58%	\$100,000.00	\$8,424.00
SHERMAN & SONS	43%	\$202,933.00	\$289,367.00	\$202,933.00	128.61%	\$225,000.00	-\$64,367.00
THROGGS	77%	\$391,808.00	\$691,711.00	\$391,808.00	153.71%	\$450,000.00	-\$241,711.00
TOURNEAU	28%	\$5,116,221.00	\$6,564,404.00	\$5,116,221.00	109.41%	\$6,000,000.00	-\$564,404.00
WEMPE	14%	\$365,075.00	\$414,717.00	\$365,075.00	103.68%	\$400,000.00	-\$14,717.00
TOTAL	35%	\$14,847,853.00	\$20,030,848.00	\$14,847,853.00	117.97%	\$16,980,000.00	-\$3,050,848.00
NEW ACCOUNTS 2006							
NEW BUSINESS						\$20,000.00	
TOTAL	N/A	\$0.00	\$0.00	\$0.00	0.00%	\$20,000.00	\$20,000.00
CLOSED 2006							
TOTAL	N/A	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
GRAND TOTALS	35%	\$14,847,853.00	\$20,030,848.00	\$14,847,853.00	117.83%	\$17,000,000.00	-\$3,030,848.00

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BREITLING USA NORTHEAST 1 SALES REPORT AS OF DECEMBER 31, 2007

	2007 VS 2006	12/31/2006	12/31/2007	2006 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
ALICIAS GOLDEN DREAM	5%	\$795,692.00	\$834,261.00	\$795,692.00	139.04%	\$600,000.00	-\$234,261.00
B AND A JEWELERS	262%	\$90,684.00	\$328,565.00	\$90,684.00	262.85%	\$125,000.00	-\$203,565.00
BAILEY, BANKS & BIDDLE-KOP	-11%	\$527,583.00	\$466,920.00	\$513,304.00	66.70%	\$700,000.00	\$233,080.00
BERNIE ROBBINS - PA	57%	\$115,547.00	\$180,921.00	\$115,547.00	144.74%	\$125,000.00	-\$55,921.00
BERNIE ROBBINS - NJ	2%	\$230,656.00	\$235,974.00	\$231,862.00	67.42%	\$350,000.00	\$114,026.00
BOCCARDO JEWELERS	7%	\$247,497.00	\$331,562.00	\$247,497.00	120.57%	\$275,000.00	-\$56,562.00
BRANDEIS	-41%	\$853,869.00	\$503,333.00	\$853,869.00	57.53%	\$875,000.00	\$371,647.00
BRANDEIS TROPICANA	56%	\$104,062.00	\$161,863.00	\$104,062.00	129.49%	\$125,000.00	-\$86,863.00
CASH ACCOUNTS/MISC	-66%	\$21,583.00	\$7,403.00	\$21,583.00	#DIV/0!	\$0.00	\$7,403.00
FORDS	57%	\$360,465.00	\$566,888.00	\$360,465.00	133.39%	\$425,000.00	-\$141,888.00
FREEDMAN JEWELERS	-39%	\$185,268.00	\$113,347.00	\$185,268.00	50.38%	\$225,000.00	\$111,653.00
GOVBERGS	7%	\$1,285,664.00	\$1,379,265.00	\$1,285,664.00	98.52%	\$1,400,000.00	\$20,735.00
HAMILTON, NJ 50%	21%	\$443,839.00	\$55,760.00	\$443,839.00	93.18%	\$575,000.00	\$39,240.00
HENRY WILSON	68%	\$130,018.00	\$218,410.00	\$130,018.00	174.75%	\$125,000.00	-\$93,410.00
JAY ROBERTS	19%	\$1,294,277.00	\$1,542,749.00	\$1,294,277.00	110.20%	\$1,400,000.00	-\$142,749.00
KENO	22%	\$1,248,909.00	\$1,529,547.00	\$1,248,909.00	109.25%	\$1,400,000.00	-\$129,547.00
LEON BEN-ARI	17%	\$568,541.00	\$663,452.00	\$568,541.00	102.07%	\$650,000.00	-\$13,452.00
LEONARDO - RB 50%	-35%	\$442,168.00	\$288,994.00	\$442,168.00	57.80%	\$500,000.00	\$211,006.00
LONDON JEWELERS	3%	\$844,067.00	\$872,489.00	\$844,067.00	91.84%	\$950,000.00	\$77,511.00
LORILIL	17%	\$129,409.00	\$151,102.00	\$129,409.00	100.73%	\$150,000.00	-\$1,102.00
L. SIMPSON & CO.	-25%	\$807,790.00	\$632,960.00	\$807,790.00	105.49%	\$600,000.00	-\$32,960.00
MAVNS JEWELERS	-11%	\$92,514.00	\$82,282.00	\$92,514.00	82.28%	\$100,000.00	\$17,180.00
MAYFAIR JEWELERS, INC.	45%	\$269,259.00	\$389,367.00	\$269,259.00	141.59%	\$275,000.00	-\$114,367.00
MOONLITE INT. INC.	-15%	\$482,605.00	\$408,814.00	\$482,605.00	71.10%	\$575,000.00	\$166,186.00
NORTHEASTERN	-1%	\$159,367.00	\$158,099.00	\$159,366.00	79.05%	\$200,000.00	\$41,901.00
RON GORDON	38%	\$11,474.00	\$15,792.00	\$11,474.00	63.17%	\$25,000.00	\$9,208.00
SCHERER'S JEWELERS	120%	\$91,376.00	\$201,272.00	\$91,376.00	201.27%	\$100,000.00	-\$101,272.00
SHERMAN & SONS	8%	\$289,367.00	\$312,685.00	\$289,367.00	125.07%	\$250,000.00	-\$62,683.00
THROGGS	-6%	\$691,711.00	\$651,051.00	\$691,711.00	93.01%	\$700,000.00	\$48,949.00
TOURNEAU	27%	\$6,659,284.00	\$8,456,399.00	\$6,564,404.00	103.13%	\$8,200,000.00	-\$256,399.00
WEMPE	100%	\$414,717.00	\$829,475.00	\$414,717.00	165.89%	\$500,000.00	-\$329,473.00
TOTAL	16%	\$19,889,442.00	\$23,051,017.00	\$19,781,508.00	102.45%	\$22,500,000.00	-\$551,017.00
NEW ACCOUNTS						\$500,000.00	
NEW BUSINESS						\$500,000.00	
TOTAL	N/A	\$0.00	\$0.00	\$0.00	0.00%	\$500,000.00	\$500,000.00
CLOSED 2007							
MICHAEL C. FINA	-73%	\$249,340.00	\$67,343.00	\$249,340.00	22.45%	\$300,000.00	\$232,657.00
TOTAL	-73%	\$249,340.00	\$67,343.00	\$249,340.00	22.45%	\$300,000.00	\$232,657.00
GRAND TOTALS	15%	\$20,138,782.00	\$23,118,360.00	\$20,030,848.00	99.22%	\$23,300,000.00	\$181,640.00

\$23,000,000.00

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BREITLING USA NORTHEAST 1 SALES REPORT AS OF DECEMBER 31, 2008

	2007 VS 2006	12/31/2007	12/31/2008	2007 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
ALICIAS GOLDEN DREAM	-9%	\$834,261.00	\$755,022.00	\$834,261.00	83.89%	\$900,000.00	\$144,978.00
B AND A JEWELERS	-39%	\$328,565.00	\$198,868.00	\$328,565.00	95.43%	\$200,000.00	\$1,132.00
BAILEY, BANKS & BIDDLE-KOP	-14%	\$466,920.00	\$401,153.00	\$466,920.00	66.86%	\$600,000.00	\$198,847.00
BERNIE ROBBINS - 2 DOORS	-35%	\$416,895.00	\$269,844.00	\$416,895.00	49.06%	\$550,000.00	\$280,156.00
BOCCARDO JEWELERS	-46%	\$331,562.00	\$177,776.00	\$331,562.00	88.89%	\$200,000.00	\$22,224.00
BRANDEIS	-43%	\$503,353.00	\$286,027.00	\$503,353.00	63.56%	\$450,000.00	\$163,973.00
BRANDEIS TROPICANA	N/A	\$161,863.00	-\$41,559.00	\$161,863.00	#DIV/0!	\$0.00	\$41,559.00
CASH ACCOUNTS/MISC	2531%	\$7,403.00	\$194,803.00	\$7,403.00	1298.69%	\$15,000.00	\$179,803.00
FORDS	-14%	\$566,888.00	\$488,305.00	\$566,888.00	81.38%	\$600,000.00	\$111,695.00
FREEDMAN JEWELERS	-45%	\$113,347.00	\$62,734.00	\$113,347.00	62.73%	\$100,000.00	\$37,266.00
GOYBERGS	-27%	\$1,379,265.00	\$1,009,835.00	\$1,379,265.00	91.80%	\$1,100,000.00	\$90,165.00
HAMILTON, NJ 50%	-51%	\$535,760.00	\$259,959.00	\$535,760.00	74.27%	\$350,000.00	\$90,041.00
HENRY WILSON	-49%	\$218,410.00	\$111,329.00	\$218,410.00	74.22%	\$150,000.00	\$38,671.00
JAY ROBERTS	-76%	\$1,542,749.00	\$373,705.00	\$1,542,749.00	74.74%	\$500,000.00	\$126,295.00
KENO	-35%	\$1,529,547.00	\$991,133.00	\$1,529,547.00	76.24%	\$1,300,000.00	\$308,867.00
LEON BEN-ARI	-37%	\$663,452.00	\$416,161.00	\$663,452.00	69.36%	\$600,000.00	\$183,839.00
LEONARDO - RB 50%	9%	\$288,994.00	\$313,928.00	\$288,994.00	78.48%	\$400,000.00	\$86,072.00
LONDON JEWELERS	-22%	\$827,489.00	\$644,514.00	\$827,489.00	80.56%	\$800,000.00	\$155,486.00
LORILL	-29%	\$151,102.00	\$106,835.00	\$151,102.00	106.84%	\$100,000.00	-\$6,835.00
L. SIMPSON & CO.	-3%	\$632,960.00	\$612,677.00	\$632,960.00	81.69%	\$750,000.00	\$137,323.00
MAJNS JEWELERS	17%	\$82,282.00	\$96,095.00	\$82,282.00	96.10%	\$100,000.00	\$3,905.00
MAYFAIR JEWELERS, INC.	-55%	\$389,367.00	\$176,921.00	\$389,367.00	70.77%	\$250,000.00	\$73,079.00
MOONLITE INT. INC.	8%	\$408,814.00	\$443,078.00	\$408,814.00	73.85%	\$600,000.00	\$156,922.00
NORTHEASTERN	57%	\$158,099.00	\$247,565.00	\$158,099.00	90.02%	\$275,000.00	\$27,435.00
RON GORDON	-8%	\$15,792.00	\$14,464.00	\$15,792.00	57.86%	\$25,000.00	\$10,536.00
SCHERER'S JEWELERS	-75%	\$201,272.00	\$50,739.00	\$201,272.00	101.48%	\$50,000.00	-\$739.00
SHERMAN & SONS	-39%	\$312,683.00	\$189,434.00	\$312,683.00	63.14%	\$300,000.00	\$110,566.00
THROGGS	-17%	\$651,051.00	\$537,182.00	\$651,051.00	63.20%	\$850,000.00	\$312,818.00
TOURNEAU	-28%	\$8,596,653.00	\$6,193,947.00	\$8,596,653.00	88.48%	\$7,000,000.00	\$806,053.00
WEMPE	-3%	\$829,473.00	\$803,880.00	\$829,473.00	73.08%	\$1,100,000.00	\$296,120.00
TOTAL	-29%	\$23,146,271.00	\$16,386,354.00	\$23,191,271.00	81.06%	\$20,215,000.00	\$3,828,646.00
NEW ACCOUNTS							
NEW BUSINESS						\$425,000.00	
TOTAL	N/A	\$0.00	\$0.00	\$0.00	0.00%	\$425,000.00	\$425,000.00
CLOSED 2008							
MICHAEL C FINA	-87%	\$67,343.00	\$8,770.00	\$67,343.00	#DIV/0!	\$0.00	-\$8,770.00
TOTAL	-87%	\$67,343.00	\$8,770.00	\$67,343.00	79.43%	\$20,640,000.00	-\$8,770.00
GRAND TOTALS	-29%	\$23,213,614.00	\$16,395,124.00	\$23,191,271.00	79.43%	\$20,640,000.00	\$4,244,876.00

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BREITLING USA NORTHEAST 2 SALES REPORT AS OF DECEMBER 31, 2008

ACCOUNT NAME	2007 VS 2008	12/31/2007	12/31/2008	2007 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
BAILEY BANKS & BIDDLE * 1	27%	\$527,580.00	\$670,012.00	\$527,580.00	115.52%	\$580,000.00	-\$90,012.00
BETTERIDGE JEWELERS	-15%	\$384,682.00	\$327,262.00	\$384,682.00	68.18%	\$480,000.00	\$152,738.00
CASH ACCOUNTS	53%	\$63,368.00	\$96,997.00	\$63,368.00	#DIV/0!	\$0.00	-\$96,997.00
EB HORN	-26%	\$597,598.00	\$439,254.00	\$597,598.00	87.85%	\$500,000.00	\$60,746.00
FASSEAS JEWELERS	-7%	\$326,958.00	\$304,434.00	\$326,958.00	69.98%	\$435,000.00	\$130,566.00
GOLDSTEIN, SWANK & GORDON	-31%	\$287,066.00	\$198,602.00	\$287,066.00	79.44%	\$250,000.00	\$51,398.00
GRENON S OF NEWPORT	-17%	\$879,648.00	\$727,338.00	\$879,648.00	85.57%	\$850,000.00	\$122,662.00
HARSTANS	-14%	\$345,922.00	\$298,233.00	\$345,922.00	85.21%	\$350,000.00	\$51,767.00
HARTGERS DIAMONDS	-25%	\$396,258.00	\$295,802.00	\$396,258.00	98.60%	\$300,000.00	\$4,198.00
KIKY	-51%	\$255,618.00	\$125,785.00	\$255,618.00	114.35%	\$110,000.00	-\$15,785.00
LAVIANO JEWELERS	-27%	\$402,150.00	\$295,536.00	\$402,150.00	84.44%	\$350,000.00	\$54,464.00
LENOX JEWELERS	-40%	\$756,872.00	\$450,679.00	\$756,872.00	75.11%	\$600,000.00	\$149,321.00
LEONARDE JEWELERS *	9%	\$288,994.00	\$313,928.00	\$288,994.00	78.48%	\$400,000.00	\$86,072.00
LONG'S JEWELERS	-71%	\$2,409,738.00	\$709,333.00	\$2,409,738.00	59.11%	\$1,200,000.00	\$490,667.00
LUX BOND & GREEN	-41%	\$440,557.00	\$259,376.00	\$440,557.00	103.75%	\$250,000.00	-\$9,376.00
MARTIN JEWELERS	1%	\$245,346.00	\$248,361.00	\$245,346.00	107.98%	\$230,000.00	-\$18,361.00
NORTHEASTERN 1/2	57%	\$158,099.00	\$247,565.00	\$158,099.00	110.03%	\$225,000.00	-\$22,565.00
OROLOGIO-2 LOC	-23%	\$525,118.00	\$402,169.00	\$525,118.00	80.43%	\$500,000.00	\$97,831.00
PERRYWINKLES 2 LOC	23%	\$222,934.00	\$273,179.00	\$222,934.00	91.06%	\$300,000.00	\$26,821.00
ROSS-SIMON CH	-50%	\$228,129.00	\$114,430.00	\$228,129.00	104.03%	\$110,000.00	-\$4,430.00
ROSS-SIMON, NI-2 LOC	-31%	\$474,919.00	\$327,196.00	\$474,919.00	116.86%	\$280,000.00	-\$47,196.00
ROSS-SIMON, PROV	-2%	\$271,463.00	\$264,966.00	\$271,463.00	220.81%	\$120,000.00	-\$144,966.00
ROSS-SIMON, W. HARTFORD	-27%	\$136,467.00	\$99,402.00	\$136,467.00	82.84%	\$120,000.00	\$20,598.00
R&M WOODROW JEWELERS	-22%	\$213,741.00	\$165,954.00	\$213,741.00	75.43%	\$220,000.00	\$54,046.00
SAHAGIAN JEWELERS	-20%	\$75,860.00	\$60,627.00	\$75,860.00	93.27%	\$65,000.00	\$4,373.00
T & R JEWELERS	-17%	\$545,973.00	\$453,853.00	\$545,973.00	82.52%	\$550,000.00	\$96,147.00
TOURNEAU	-24%	\$2,216,262.00	\$1,689,979.00	\$2,216,262.00	99.41%	\$1,700,000.00	\$10,021.00
TOTAL	-28%	\$13,677,320.00	\$9,860,252.00	\$13,677,320.00	89.03%	\$11,075,000.00	\$1,214,748.00
NEW ACCOUNTS							
NEW BUSINESS	N/A	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
COPPER	N/A	\$0.00	\$165,804.00	\$0.00	103.63%	\$160,000.00	-\$5,804.00
ROSS-SIMON, STAMFORD	N/A	\$0.00	\$223,072.00	\$0.00	111.54%	\$200,000.00	-\$23,072.00
RADCLIFFE NANTUCKET	N/A	\$0.00	\$38,281.00	\$0.00	0.00%	\$0.00	-\$38,281.00
TOTAL	N/A	\$0.00	\$427,157.00	\$0.00	118.65%	\$360,000.00	-\$67,157.00
CLOSED 2008							
FORTUNOFF	N/A	\$1,396,445.00	-\$5,746.00	\$1,396,445.00	0.00%	\$0.00	\$5,746.00
TOTAL	0%	\$1,396,445.00	-\$5,746.00	\$1,396,445.00	0.00%	\$0.00	\$5,746.00
GRAND TOTAL	-32%	\$15,073,765.00	\$10,281,663.00	\$15,073,765.00	89.91%	\$11,435,000.00	\$1,153,337.00

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BREITLING USA ATL SALES REPORT AS OF DECEMBER 31, 2008

ACCOUNT NAME	2008 VS 2007	12/31/2007	12/31/2008	2007 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
AR MORRIS (2)	-19%	\$633,461.00	\$514,297.00	\$633,461.00	93.51%	\$550,000.00	\$35,703.00
CARLYLE - TENN (2)	-19%	\$675,840.00	\$544,407.00	\$675,840.00	77.77%	\$700,000.00	\$155,593.00
CASH & MISC	1286%	\$1,076.00	\$42,654.00	\$3,076.00	0.00%		\$0.00
CONGRESS (5)	-64%	\$1,513,143.00	\$548,110.00	\$1,513,143.00	54.81%	\$1,000,000.00	\$451,890.00
FINKS (10)	-23%	\$2,595,437.00	\$1,992,672.00	\$2,595,437.00	83.03%	\$2,400,000.00	\$407,328.00
GEISS & SONS - GR	-28%	\$156,357.00	\$112,729.00	\$156,357.00	90.18%	\$125,000.00	\$12,271.00
GEISS & SONS - HH	175%	\$47,503.00	\$130,602.00	\$47,503.00	145.11%	\$90,000.00	-\$40,602.00
GEISS & SONS - SP	23%	\$32,741.00	\$40,413.00	\$32,741.00	#DIV/0!		-\$40,413.00
G & H JEWELERS	5%	\$95,179.00	\$100,032.00	\$95,179.00	80.03%	\$125,000.00	\$24,968.00
GUMER & CO	29%	\$89,935.00	\$115,630.00	\$89,935.00	92.50%	\$125,000.00	\$9,370.00
J BROWN JEWELERS	-22%	\$393,964.00	\$306,318.00	\$393,964.00	87.52%	\$350,000.00	\$43,682.00
LENKERSDORFER	4%	\$748,988.00	\$775,836.00	\$748,988.00	96.98%	\$800,000.00	\$24,164.00
LILJENQUIST & BECKSTEAD - ANN	-27%	\$385,075.00	\$282,156.00	\$385,075.00	94.05%	\$300,000.00	\$17,844.00
LILJENQUIST & BECKSTEAD - BETH	-26%	\$344,596.00	\$254,633.00	\$344,596.00	92.59%	\$275,000.00	\$20,367.00
LILJENQUIST & BECKSTEAD - FO	3%	\$250,358.00	\$258,381.00	\$250,358.00	103.35%	\$250,000.00	-\$8,381.00
LILJENQUIST & BECKSTEAD - OC	5%	\$67,585.00	\$71,070.00	\$67,585.00	118.45%	\$60,000.00	-\$11,070.00
LILJENQUIST & BECKSTEAD - MCL	-27%	\$684,707.00	\$498,779.00	\$684,707.00	83.13%	\$600,000.00	\$101,221.00
PRECIOUS GEM	-59%	\$240,836.00	\$97,729.00	\$240,836.00	78.18%	\$125,000.00	\$27,271.00
RADCLIFFE JEWELERS - TOWSON	25%	\$1,230,003.00	\$757,146.00	\$1,230,003.00	89.08%	\$850,000.00	\$92,854.00
RADCLIFFE JEWELERS - PIKE	25%	\$465,107.00	\$582,528.00	\$465,107.00	93.20%	\$625,000.00	\$42,472.00
REEDS - NC	-44%	\$255,474.00	\$143,059.00	\$255,474.00	114.45%	\$125,000.00	-\$18,099.00
REEDS - SC	-52%	\$273,717.00	\$130,162.00	\$273,717.00	65.08%	\$200,000.00	\$69,838.00
REEDS - VA	-54%	\$173,787.00	\$79,985.00	\$173,787.00	53.32%	\$150,000.00	\$70,015.00
ROME REGENCY	0%	\$298,132.00	\$298,132.00	\$298,132.00	118.88%	\$250,000.00	-\$47,201.00
ROSS SIMON - DURHAM	-8%	\$152,885.00	\$140,884.00	\$152,885.00	80.51%	\$175,000.00	\$34,116.00
ROSS SIMON - RALEIGH	-39%	\$305,543.00	\$186,966.00	\$305,543.00	83.10%	\$225,000.00	\$38,034.00
TOURNEAU (2)	-29%	\$895,540.00	\$635,087.00	\$895,540.00	79.39%	\$800,000.00	\$164,913.00
WINDSOR JEWELERS/JEWEL DIMEN	-7%	\$478,084.00	\$443,561.00	\$478,084.00	93.38%	\$475,000.00	\$31,439.00
TOTAL	-25%	\$13,487,053.00	\$10,083,007.00	\$13,487,053.00	85.81%	\$11,750,000.00	\$1,666,993.00
NEW ACCOUNTS							
PROVIDENT FT MYERS		\$407,704.00	\$0.00	\$0.00	58.24%	\$700,000.00	
KING NASH		\$371,047.00	\$0.00	\$0.00	92.76%	\$400,000.00	
TOTALS	N/A	\$0.00	\$778,751.00	\$0.00	111.25%	\$700,000.00	-\$78,751.00
Closed 2008							
REEDS - PROM	-81%	\$164,183.00	\$30,558.00	\$164,183.00	15.28%	\$200,000.00	\$169,442.00
LYNN JEWELERS	-47%	\$241,726.00	\$127,682.00	\$241,726.00	51.07%	\$250,000.00	\$122,318.00
TOTALS	-61%	\$405,909.00	\$158,240.00	\$405,909.00	35.16%	\$450,000.00	\$291,760.00
GRAND TOTAL	-21%	\$13,892,962.00	\$11,019,998.00	\$13,892,962.00	85.43%	\$12,900,000.00	\$1,880,002.00

\$ 15,100,000.00

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BREITLING USA SOUTHEAST SALES REPORT AS OF DECEMBER 31, 2008

	2007 VS 2006	12/31/2007	12/31/2008	2007 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
ACKERMAN	-20%	\$348,131.00	278,637.00	348,131.00	79.61%	\$350,000.00	\$71,363.00
BAILEY BANKS 4 LOC	-68%	\$2,016,936.00	638,309.00	2,016,936.00	31.92%	\$2,000,000.00	\$1,361,691.00
BROWN AND CO	-46%	\$992,972.00	534,426.00	992,972.00	89.07%	\$600,000.00	\$65,574.00
CARLYLESE	-39%	\$854,111.00	516,924.00	854,111.00	68.92%	\$750,000.00	\$233,076.00
CASH	-26%	\$103,281.00	76,652.00	4,455.00	#DIV/0!		-\$76,652.00
GAUSE AND SON	-45%	\$296,092.00	162,228.00	296,092.00	81.11%	\$200,000.00	\$37,772.00
H & H	-70%	\$789,367.00	239,277.00	789,367.00	95.71%	\$250,000.00	\$10,723.00
HAMILTON	-51%	\$555,760.00	259,959.00	535,760.00	64.99%	\$400,000.00	\$140,041.00
HAROLD FREEMAN	-32%	\$214,243.00	145,698.00	214,243.00	58.28%	\$250,000.00	\$104,302.00
JR DUNN	-34%	\$692,784.00	456,370.00	692,784.00	70.21%	\$650,000.00	\$193,630.00
KING	-48%	\$1,119,534.00	581,081.00	1,119,534.00	77.48%	\$750,000.00	\$168,919.00
MAHARAJAS	-13%	\$249,278.00	216,096.00	249,278.00	72.03%	\$300,000.00	\$83,904.00
MA YORS	-16%	\$3,943,784.00	3,321,453.00	3,943,784.00	83.04%	\$4,000,000.00	\$678,547.00
MIAMI LAKES	-53%	\$816,865.00	383,895.00	816,865.00	85.31%	\$450,000.00	\$66,105.00
PROVIDENTJ	-18%	\$649,446.00	533,069.00	\$649,446.00	82.01%	\$650,000.00	\$116,931.00
RAINBOW	-2%	\$630,622.00	620,411.00	630,622.00	82.72%	\$750,000.00	\$129,589.00
RONAY	-10%	\$175,366.00	157,488.00	175,366.00	157.49%	\$100,000.00	-\$57,488.00
ROSS GA	-38%	\$406,116.00	250,659.00	406,116.00	71.62%	\$350,000.00	\$99,341.00
SOL TIME	-3%	\$900,064.00	872,259.00	900,064.00	72.69%	\$1,200,000.00	\$327,741.00
TARA	-35%	\$318,069.00	206,038.00	318,069.00	82.42%	\$250,000.00	\$43,962.00
TOURNEAU - 4 LOC	-37%	\$2,973,618.00	1,869,382.00	2,973,618.00	74.78%	\$2,500,000.00	\$630,618.00
WESTON JEWELERS	-16%	\$544,217.00	458,032.00	544,217.00	91.61%	\$500,000.00	\$41,968.00
WINDSOR AG	-35%	\$164,727.00	106,946.00	164,727.00	142.59%	\$75,000.00	-\$31,946.00
TOTAL	-35%	\$19,735,383.00	12,885,289.00	\$19,636,557.00	74.37%	\$17,325,000.00	\$4,439,711.00
NEW ACCOUNTS							
BEREI	N/A	\$0.00	322,375.00	\$325,000.00	99.19%	\$325,000.00	\$2,625.00
NEW BUSINESS							
TOTAL	N/A	\$0.00	322,375.00	\$325,000.00	99.19%	\$325,000.00	\$2,625.00
CLOSED 2008							
	N/A				#DIV/0!		\$0.00
	N/A	\$0.00	0.00	0.00	#DIV/0!	\$0.00	\$0.00
	N/A		0.00		#DIV/0!		\$0.00
TOTAL	N/A	\$0.00	0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
GRAND TOTALS	-33%	\$19,735,383.00	13,207,664.00	\$19,961,557.00	74.83%	17,650,000.00	\$4,442,336.00

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BREITLING USA NORTH CENTRAL SALES REPORT AS OF DECEMBER 31, 2008

ACCOUNT NAME	2007 VS 2008	12/31/2007	12/31/2008	2007 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
BAILEY BANKS & BIDDLE 3 LOC	1%	\$960,179.00	\$966,914.00	\$960,179.00	80.58%	\$1,200,000.00	\$233,086.00
BORSHEIMS	-61%	\$879,209.00	\$346,227.00	\$879,209.00	49.46%	\$700,000.00	\$353,773.00
BRINKER'S	-16%	\$137,467.00	\$114,978.00	\$137,467.00	49.99%	\$230,000.00	\$115,022.00
BURDEEN'S	4%	\$542,193.00	\$564,497.00	\$542,193.00	86.85%	\$650,000.00	\$85,503.00
CASH	62%	\$87,778.00	\$142,486.00	\$87,778.00	#DIV/0!	\$0.00	-\$142,486.00
G. ALLAN JEWELERS	-21%	\$128,298.00	\$100,974.00	\$128,298.00	67.32%	\$150,000.00	\$49,026.00
GEORGE KOUBITER & SONS	16%	\$175,041.00	\$202,518.00	\$175,041.00	90.01%	\$225,000.00	\$22,482.00
J B HUDSON JEWELERS 2 LOC	-56%	\$844,116.00	\$370,195.00	\$844,116.00	74.04%	\$500,000.00	\$129,805.00
JAMES FREE 2LOC	-59%	\$568,789.00	\$230,802.00	\$568,789.00	76.93%	\$300,000.00	\$69,198.00
JOHNSON FAMILY 2 LOC	-12%	\$314,332.00	\$277,016.00	\$314,332.00	79.15%	\$350,000.00	\$72,984.00
KARAGOSIAN & SON	3%	\$168,845.00	\$173,499.00	\$168,845.00	91.32%	\$190,000.00	\$16,501.00
LAWRENCE SCHREIBMAN GEMS	23%	\$105,285.00	\$129,116.00	\$105,285.00	86.08%	\$150,000.00	-\$20,884.00
LEWIS JEWELERS	-6%	\$670,443.00	\$630,486.00	\$670,443.00	84.06%	\$750,000.00	\$119,514.00
MARSHALL PIERCE 2 LOC	12%	\$401,155.00	\$451,188.00	\$401,155.00	82.03%	\$550,000.00	\$98,812.00
MASTERCRAFT	-31%	\$557,281.00	\$386,802.00	\$557,281.00	73.68%	\$525,000.00	\$138,198.00
NEWSTAR JEWELERS 2 LOC	16%	\$257,401.00	\$297,908.00	\$257,401.00	85.12%	\$350,000.00	\$52,092.00
ORR'S	11%	\$431,515.00	\$477,785.00	\$431,515.00	95.56%	\$500,000.00	\$22,215.00
RAZNY JEWELERS 2 LOC	-46%	\$688,562.00	\$369,617.00	\$688,562.00	73.92%	\$500,000.00	\$130,383.00
REISING INTERNATIONAL	61%	\$90,858.00	\$146,031.00	\$90,858.00	132.76%	\$110,000.00	-\$36,031.00
REIS-NICHOLS, INC.	-1%	\$377,383.00	\$374,735.00	\$377,383.00	93.68%	\$400,000.00	\$25,265.00
ROYAL JEWELERS	-65%	\$320,887.00	\$111,965.00	\$320,887.00	49.76%	\$225,000.00	\$113,035.00
SCHWANKE KASTEN CO.	-4%	\$436,227.00	\$417,232.00	\$436,227.00	83.45%	\$500,000.00	\$82,768.00
SYDEL & SYDEL	-31%	\$153,293.00	\$105,171.00	\$153,293.00	60.10%	\$175,000.00	\$69,829.00
TOURNEAU IL	-25%	\$1,312,750.00	\$988,512.00	\$1,312,750.00	82.38%	\$1,200,000.00	\$211,488.00
TOTALS	-21%	\$10,609,287.00	\$8,376,654.00	\$10,609,287.00	80.31%	\$10,430,000.00	\$2,053,346.00
NEW ACCOUNTS 2008							
NEW BUSINESS		\$0.00	\$0.00	\$0.00		\$0.00	
JOSEPH	N/A	\$0.00	\$233,039.00	\$0.00	84.74%	\$275,000.00	\$41,961.00
PICCIONES	N/A	\$0.00	\$300,572.00	\$0.00	85.88%	\$350,000.00	\$49,428.00
TOTALS	N/A	\$0.00	\$533,611.00	\$0.00	85.38%	\$625,000.00	\$91,389.00
CLOSED 2008							
GINSBERG JEWELERS	-60%	\$63,621.00	\$25,653.00	\$63,621.00	#DIV/0!	\$0.00	-\$25,653.00
MANN JEWELERS	-91%	\$236,298.00	\$21,150.00	\$236,298.00	#DIV/0!	\$0.00	-\$21,150.00
M.S. ARONSTAM	N/A	\$46,492.00	-\$13,654.00	\$46,492.00	#DIV/0!	\$0.00	\$13,654.00
TRABERT & HOFFER	-91%	\$107,548.00	\$9,483.00	\$107,548.00	#DIV/0!	\$0.00	-\$9,483.00
TOTALS	0%	\$453,950.00	\$42,632.00	\$171,169.00	#DIV/0!	\$0.00	-\$35,136.00
GRAND TOTALS	-19%	\$11,063,246.00	\$8,952,897.00	\$10,780,456.00	80.99%	\$11,055,000.00	\$2,102,103.00

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STORES 25

BREITLING USA SOUTH CENTRAL SALES REPORT AS DECEMBER 31, 2008

ACCOUNT NAME	2008 VS 2007	12/31/2007	12/31/2008	2007 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
ALBRITON'S (JACKSON, MO)	30%	\$345,508.00	\$448,647.00	\$345,508.00	112.16%	\$400,000.00	-\$48,647.00
BACHENDORF (3)	-18%	\$1,599,731.00	\$1,304,730.00	\$1,599,731.00	86.98%	\$1,500,000.00	\$195,270.00
BAILEY, BANKS & BIDDLE 6 LOC	-3%	\$2,438,361.00	\$2,366,075.00	\$2,438,361.00	94.64%	\$2,500,000.00	\$133,925.00
BC CLARK	-22%	\$189,682.00	\$147,143.00	\$189,682.00	98.10%	\$150,000.00	\$2,857.00
CASH	4036%	\$737.00	\$30,482.00	\$737.00	#DIV/0!	\$0.00	-\$30,482.00
CLARKSON	120%	\$127,961.00	\$281,056.00	\$127,961.00	93.69%	\$300,000.00	\$18,944.00
DONOHOS	-11%	\$594,727.00	\$531,352.00	\$594,727.00	66.42%	\$800,000.00	\$268,648.00
DUNCAN & BOYD	-55%	\$184,158.00	\$82,584.00	\$184,158.00	55.06%	\$150,000.00	\$67,416.00
HALTOM'S (2)	-13%	\$1,053,453.00	\$914,166.00	\$1,053,453.00	70.32%	\$1,300,000.00	\$385,834.00
HAMILTON	-9%	\$195,134.00	\$178,490.00	\$195,134.00	71.40%	\$250,000.00	\$71,510.00
KRIGEL (HANNOUNSH)	-74%	\$299,373.00	\$78,704.00	\$299,373.00	28.62%	\$275,000.00	\$196,296.00
LACY & CO.	0%	\$141,408.00	\$141,232.00	\$141,408.00	112.99%	\$125,000.00	-\$16,232.00
LEE MICHAELS (2)	N/A	\$243,481.00	-\$178,255.00	\$243,481.00	-178.26%	\$100,000.00	\$278,255.00
LEWIS	-16%	\$505,625.00	\$447,702.00	\$505,625.00	77.32%	\$550,000.00	\$124,740.00
MATI (2)	-35%	\$692,673.00	\$431,031.00	\$692,673.00	99.49%	\$450,000.00	\$2,298.00
MEIEROTTO	-38%	\$692,864.00	\$431,031.00	\$692,864.00	71.84%	\$600,000.00	\$168,969.00
MODERN TIME	-15%	\$128,709.00	\$109,799.00	\$128,709.00	109.80%	\$100,000.00	-\$9,799.00
MOODY'S (3)	-42%	\$677,368.00	\$390,994.00	\$677,368.00	86.89%	\$450,000.00	\$59,006.00
MORETTIS	5%	\$148,123.00	\$155,445.00	\$148,123.00	88.83%	\$175,000.00	\$19,555.00
R D EISEMAN	-69%	\$277,734.00	\$166,193.00	\$277,734.00	66.48%	\$250,000.00	\$83,807.00
REMONT CORP	-30%	\$383,910.00	\$267,219.00	\$383,910.00	66.80%	\$400,000.00	\$132,781.00
ROBERSON'S	-25%	\$90,191.00	\$68,075.00	\$90,191.00	68.08%	\$100,000.00	\$31,925.00
ROMANCE DIAMOND	-7%	\$110,098.00	\$102,171.00	\$110,098.00	102.17%	\$100,000.00	-\$2,171.00
RUSSELL KORMAN	-26%	\$552,769.00	\$406,410.00	\$552,769.00	90.31%	\$450,000.00	\$43,590.00
SAM MAJORS	-47%	\$120,740.00	\$63,395.00	\$120,740.00	50.72%	\$125,000.00	\$61,605.00
SIMONS	-32%	\$376,636.00	\$254,471.00	\$376,636.00	72.71%	\$350,000.00	\$95,529.00
TOURNEAU (2)	-22%	\$1,033,724.00	\$803,726.00	\$1,033,724.00	87.96%	\$913,741.00	\$110,015.00
ZADOKS	-14%	\$779,187.00	\$673,851.00	\$779,187.00	103.67%	\$650,000.00	-\$23,851.00
TOTAL	-22%	\$14,234,065.00	\$11,092,148.00	\$14,234,065.00	82.08%	\$13,513,741.00	\$2,421,593.00
NEW ACCOUNTS	N/A	\$0.00		\$0.00		\$300,000.00	\$300,000.00
TOTAL	N/A	\$0.00	\$0.00	\$0.00	0.00%	\$300,000.00	\$300,000.00
COLEMAN		-\$5,683.00	-\$480.00				
TOTAL	N/A	-\$5,683.00	-\$480.00	\$0.00	0.00%	\$0.00	\$480.00
GRAND TOTAL	-22%	\$14,228,382.00	\$11,091,668.00	\$14,234,065.00	80.29%	\$13,813,741.00	\$2,722,073.00
						\$15,850,000.00	

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DOORS 42
STORES 24

BREITLING USA WEST 1 SALES REPORT AS OF DECEMBER 31, 2008

ACCOUNT NAME	2006 VS 2007	12/31/2007	12/31/2008	2007 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
AMERICAN JEWELRY CO.	-58%	\$117,226.00	\$49,730.00	\$117,226.00	66.31%	\$75,000.00	\$25,270.00
BAILEY BANKS I DOOR	-10%	\$671,247.00	\$603,559.00	\$671,247.00	80.47%	\$750,000.00	\$146,441.00
BARRY PETERSON	84%	\$38,797.00	\$71,373.00	\$38,797.00	79.30%	\$90,000.00	\$18,627.00
BENBRIDGE	-23%	\$328,386.00	\$252,328.00	\$328,386.00	72.09%	\$350,000.00	\$97,672.00
BRYANT & SONS	-6%	\$239,337.00	\$223,295.00	\$239,337.00	128.74%	\$175,000.00	-\$50,295.00
CASH/PERSONAL	46%	\$54,507.00	\$79,820.00	\$16,984.00	#DIV/0!	\$0.00	-\$79,820.00
CLASSIC DESIGNS	-21%	\$756,860.00	\$599,851.00	\$756,860.00	85.69%	\$700,000.00	\$100,149.00
DARVA JEWELERS	-8%	\$172,656.00	\$158,774.00	\$172,656.00	105.85%	\$150,000.00	-\$8,774.00
HING WA LEE	0%	\$1,675,225.00	\$1,673,238.00	\$1,675,225.00	88.07%	\$1,900,000.00	\$226,762.00
HOROLOGIO	-20%	\$1,654,829.00	\$1,321,989.00	\$1,654,829.00	77.76%	\$1,700,000.00	\$378,011.00
JBROOKS	24%	\$724,279.00	\$899,245.00	\$724,279.00	112.41%	\$800,000.00	-\$99,245.00
K. NORRIS JEWELERS	-16%	\$520,108.00	\$438,720.00	\$520,108.00	109.68%	\$400,000.00	-\$38,720.00
LEOR	-13%	\$2,265,857.00	\$1,974,094.00	\$2,265,857.00	116.12%	\$1,700,000.00	-\$274,094.00
MIRAGE/ALL STORES	-33%	\$877,942.00	\$584,431.00	\$877,942.00	73.05%	\$800,000.00	\$215,569.00
MORGAN'S JEWELERS	-30%	\$439,992.00	\$309,271.00	\$439,992.00	73.64%	\$420,000.00	\$110,729.00
POLACHEK JEWELERS	-32%	\$1,072,814.00	\$727,668.00	\$1,072,814.00	85.61%	\$850,000.00	\$122,332.00
SCHILBER'S JEWELRY CASTLE	-49%	\$115,778.00	\$59,123	\$115,778.00	90.96%	\$65,000.00	\$5,877.00
SIMMONS	-51%	\$340,489.00	\$165,622.00	\$340,489.00	82.81%	\$200,000.00	\$34,378.00
T-BIRD JEWELERS	-40%	\$218,641.00	\$130,456.00	\$218,641.00	86.97%	\$150,000.00	\$19,544.00
THOENIGS	-38%	\$146,546.00	\$91,422.00	\$146,546.00	91.42%	\$100,000.00	\$8,578.00
TOURNEAU	-43%	\$7,188,237.00	\$4,061,690.00	\$7,188,237.00	73.85%	\$5,500,000.00	\$1,438,310.00
TOWNE JEWELERS	-61%	\$395,138.00	\$154,518.00	\$395,138.00	77.26%	\$200,000.00	\$45,482.00
TRADITIONAL JEWELERS	-56%	\$1,119,407.00	\$490,261.00	\$1,119,407.00	70.04%	\$700,000.00	\$209,739.00
WESTIME	-32%	\$1,842,018.00	\$1,258,383.00	\$1,842,018.00	78.65%	\$1,600,000.00	\$341,617.00
WYNN	N/A	\$1,185,272.00	-\$66,031.00	\$1,185,272.00	-22.01%	\$300,000.00	\$366,031.00
TOTAL	-32%	\$24,161,588.00	\$16,314,830.00	\$24,124,065.00	82.92%	\$19,675,000.00	\$3,360,170.00
NEW ACCOUNTS							
New Accounts (Bindi, etc)	N/A	\$0.00	\$0.00	\$0.00	0.00%	\$880,000.00	\$880,000.00
GOLDSMITH	N/A	\$0.00	\$227,256.00	\$0.00	103.30%	\$220,000.00	-\$7,256.00
HOURS/MINUTES	N/A	\$0.00	\$457,830.00	\$0.00	174.60%	\$262,209.00	-\$195,621.00
MILANO	N/A	\$0.00	\$305,415.00	\$0.00	101.81%	\$300,000.00	-\$5,415.00
TOTALS	N/A	\$0.00	\$990,501.00	\$0.00	59.59%	\$1,662,209.00	\$671,708.00
CLOSED 2008							
ANSHINDO	-90%	\$230,725.00	\$22,307.00	\$230,725.00	100.00%	\$22,307.00	\$0.00
FELDMAR WATCH CO	-24%	\$2,097,242.00	\$1,596,519.00	\$2,097,242.00	102.63%	\$1,555,553.00	\$0.00
TOTALS	-30%	\$2,327,967.00	\$1,618,826.00	\$2,327,967.00	82.92%	\$1,577,860.00	-\$40,966.00
GRAND TOTAL	-29%	\$26,489,555.00	\$18,924,157.00	\$26,452,032.00	82.58%	\$22,915,069.00	\$3,990,912.00

\$22,915,069.00

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ACCOUNT NAME	BREITLING USA WEST 2 SALES REPORT AS OF DECEMBER 31, 2008				2007 VS 2008	12/31/2007	12/31/2008	2007 TOTAL	% OF BDGT	PROJECTED	STORES: 46	SALES TO GO
	2007	2008	% CHG	% OF BDGT								
ALVIN GOLDFARB JEWELER	4%	\$980,246.00	\$1,021,455.00	\$980,246.00	92.86%	\$1,100,000.00	\$78,545.00					
BAILEY BANKS & BIDDLE 3 LOC	-50%	\$900,318.00	\$450,535.00	\$900,318.00	75.09%	\$600,000.00	\$149,465.00					
BETTERIDGE YAIL	-16%	\$168,612.00	\$141,055.00	\$168,612.00	78.36%	\$180,000.00	\$38,945.00					
BRECKENRIDGE	-51%	\$216,318.00	\$105,729.00	\$216,318.00	70.49%	\$150,000.00	\$44,271.00					
CARIBBEAN GEMS	30%	\$480,928.00	\$624,757.00	\$480,928.00	99.96%	\$625,000.00	\$243.00					
CARL GREVE 2LOC	-22%	\$595,176.00	\$463,914.00	\$595,176.00	84.35%	\$550,000.00	\$86,086.00					
CARONEL	81%	\$178,115.00	\$322,502.00	\$178,115.00	99.23%	\$325,000.00	\$2,495.00					
CASH	-9%	\$68,315.00	\$62,054.00	\$68,315.00	22.98%	\$270,000.00	\$207,946.00					
CHATEL	-36%	\$278,345.00	\$178,430.00	\$278,345.00	89.22%	\$200,000.00	\$21,570.00					
CHRISTOPHER JAMES	-71%	\$312,893.00	\$90,859.00	\$312,893.00	60.57%	\$150,000.00	\$59,141.00					
DACOLE	-10%	\$348,300.00	\$313,742.00	\$348,300.00	89.64%	\$350,000.00	\$36,258.00					
DAVIDS	-45%	\$76,810.00	\$41,932.00	\$76,810.00	55.91%	\$75,000.00	\$33,068.00					
DAVIDSON & LICHT 2 LOC	-42%	\$526,529.00	\$306,079.00	\$526,529.00	102.03%	\$300,000.00	\$6,079.00					
GANEM 2 LOC	-35%	\$1,444,791.00	\$935,058.00	\$1,444,791.00	116.88%	\$800,000.00	\$135,058.00					
GLEIM JEWELERS	-49%	\$548,597.00	\$281,210.00	\$548,597.00	80.35%	\$350,000.00	\$68,790.00					
GOLDEN TIME JEWELERS	-32%	\$145,966.00	\$99,015.00	\$145,966.00	66.01%	\$150,000.00	\$50,985.00					
HAMRA	-28%	\$590,705.00	\$427,460.00	\$590,705.00	77.72%	\$550,000.00	\$122,540.00					
HARLAND	195%	\$166,523.00	\$490,961.00	\$166,523.00	115.52%	\$425,000.00	\$65,961.00					
HELLER	-40%	\$253,821.00	\$151,828.00	\$253,821.00	101.22%	\$150,000.00	\$1,828.00					
HOCHFIELD	-66%	\$396,412.00	\$135,854.00	\$396,412.00	67.93%	\$200,000.00	\$64,146.00					
HURDLES	18%	\$63,159.00	\$74,795.00	\$63,159.00	83.11%	\$90,000.00	\$15,205.00					
HYDE PARK JEWELERS	-38%	\$1,482,051.00	\$921,768.00	\$1,482,051.00	83.80%	\$1,100,000.00	\$178,232.00					
JEWEL GALLERY BY MACYS	-12%	\$939,460.00	\$826,167.00	\$939,460.00	82.62%	\$1,000,000.00	\$173,833.00					
JEWELRY DESIGN CENTER	-9%	\$118,158.00	\$107,730.00	\$118,158.00	86.18%	\$125,000.00	\$17,270.00					
JULIANNA'S FINE JEWELRY	-13%	\$200,899.00	\$174,568.00	\$200,899.00	77.59%	\$225,000.00	\$50,432.00					
KENNY G & CO.	-45%	\$292,524.00	\$160,686.00	\$292,524.00	91.82%	\$175,000.00	\$14,314.00					
LOGHAM	-34%	\$382,932.00	\$251,561.00	\$382,932.00	83.85%	\$300,000.00	\$48,439.00					
OC TANNER	-25%	\$445,073.00	\$331,885.00	\$445,073.00	82.97%	\$400,000.00	\$68,115.00					
OC TANNER CORP	28%	\$29,859.00	\$38,267.00	\$29,859.00	#DIV/0!	\$0.00	-\$38,267.00					
PRINCESS WORLD	20%	\$237,924.00	\$285,071.00	\$237,924.00	103.66%	\$275,000.00	-\$10,071.00					
PRINCESS SKAGWAY	-37%	\$413,492.00	\$261,071.00	\$413,492.00	0.00%	\$300,000.00	\$38,929.00					
ROYAL MAUI	-44%	\$1,050,946.00	\$584,304.00	\$1,050,946.00	73.04%	\$800,000.00	\$215,696.00					
SHEFFIELDS	-23%	\$276,156.00	\$211,832.00	\$276,156.00	0.00%	\$200,000.00	-\$11,832.00					
TOURNEAU	-16%	\$2,357,104.00	\$1,973,436.00	\$2,357,104.00	85.80%	\$2,300,000.00	\$326,564.00					
TOTAL	-24%	\$16,967,457.00	\$12,847,573.00	\$16,967,457.00	86.87%	\$14,790,000.00	\$1,942,427.00					
NEW ACCOUNTS 2008												
CI CHARLES	N/A	\$0.00	\$251,744.00	\$0.00	71.95%	\$350,000.00	\$98,256.00					
TOTAL	N/A	\$0.00	\$251,744.00	\$0.00	0.00%	\$350,000.00	\$98,256.00					
CLOSED 2008												
LOGHAM LAJOLLA	-92%	\$289,107.00	\$23,461.00	\$289,107.00	#DIV/0!	\$0.00	-\$23,461.00					
TOTAL	0%	\$289,107.00	\$23,461.00	\$289,107.00	0.00%	\$0.00	-\$23,461.00					
GRAND TOTALS	-24%	\$17,256,564.00	\$13,122,778.00	\$17,256,564.00	86.68%	\$15,140,000.00	\$2,017,222.00					

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DOORS 40
STORES 23

BREITLING SALES COMP NE1 12/31/09

	2009 VS 2008	12/31/2008	12/31/2009	2008 TOTAL	% OF BDGT	PROJECTED	SALES TO GO	2009 UNITS	2008 UNITS	MARIE
ALICIA'S GOLDEN DREAM	-39%	\$755,022.00	\$464,310.00	\$755,022.00	58.04%	\$800,000.00	\$335,690.00	128	221	\$500,000.00
AR MORRIS	-71%	\$364,341.00	\$107,386.00	\$364,341.00	39.05%	\$275,000.00	\$167,614.00	34	118	\$150,000.00
B AND A JEWELLERS	-22%	\$198,868.00	\$155,812.00	\$198,868.00	77.91%	\$200,000.00	\$44,188.00	46	74	\$125,000.00
BERNIE ROBBINS (2 Doors)	-51%	\$269,844.00	\$133,457.00	\$269,844.00	66.73%	\$200,000.00	\$66,543.00	44	95	\$175,000.00
BOCCARDO JEWELERS	15%	\$177,776.00	\$203,873.00	\$177,776.00	81.55%	\$250,000.00	\$46,127.00	58	82	\$300,000.00
CASH	-28%	\$192,365.00	\$137,967.00	\$192,365.00	110.37%	\$125,000.00	\$12,967.00	42	52	\$125,000.00
FREEDMAN JEWELERS	12%	\$62,734.00	\$70,426.00	\$62,734.00	70.43%	\$100,000.00	\$29,574.00	28	21	\$100,000.00
GOVBERGS (2 Doors)	64%	\$1,009,835.00	\$1,652,486.00	\$1,009,835.00	165.25%	\$1,000,000.00	-\$652,486.00	477	405	\$650,000.00
HAMILTON, NJ 50%	-44%	\$259,959.00	\$145,407.00	\$259,959.00	41.54%	\$350,000.00	\$204,593.00	67	79	\$150,000.00
HENRY WILSON BOTH	2%	\$111,329.00	\$113,842.00	\$111,329.00	75.89%	\$150,000.00	\$36,158.00	38	39	\$150,000.00
JAY ROBERTS	-35%	\$373,705.00	\$244,130.00	\$373,705.00	48.83%	\$500,000.00	\$255,870.00	69	176	\$250,000.00
KENJO (2 Doors)	-9%	\$991,133.00	\$904,370.00	\$991,133.00	106.40%	\$850,000.00	-\$54,370.00	296	310	\$900,000.00
BENARI	-42%	\$416,161.00	\$242,530.00	\$416,161.00	53.90%	\$450,000.00	\$207,470.00	79	161	\$185,000.00
LONDON JEWELERS	-37%	\$644,514.00	\$404,520.00	\$644,514.00	57.79%	\$700,000.00	\$295,480.00	167	274	\$400,000.00
LORILIL	-57%	\$106,835.00	\$46,246.00	\$106,835.00	46.25%	\$100,000.00	\$53,754.00	17	33	\$75,000.00
L. SIMPSON & CO.	4%	\$612,677.00	\$636,608.00	\$612,677.00	84.88%	\$750,000.00	\$113,392.00	201	187	\$400,000.00
MANN'S JEWELLERS	-59%	\$96,095.00	\$39,547.00	\$96,095.00	39.55%	\$100,000.00	\$60,453.00	13	32	\$80,000.00
MAYFAIR JEWELLERS, INC.	-20%	\$176,921.00	\$141,191.00	\$176,921.00	70.60%	\$200,000.00	\$58,809.00	46	60	\$250,000.00
MOONLITE INT. INC.	-29%	\$443,078.00	\$315,182.00	\$443,078.00	63.04%	\$500,000.00	\$184,818.00	98	119	\$225,000.00
NORTHEASTERN 50%	-44%	\$247,565.00	\$138,676.00	\$247,565.00	50.43%	\$275,000.00	\$136,324.00	44	80	\$150,000.00
RON GORDON	-81%	\$14,464.00	\$2,742.00	\$14,464.00	13.71%	\$20,000.00	\$17,258.00	1	5	\$25,000.00
SCHERER'S JEWELERS	94%	\$50,739.00	\$98,441.00	\$50,739.00	78.75%	\$125,000.00	\$26,559.00	34	28	\$100,000.00
THROGGS (2 Doors)	N/A	\$537,182.00	-\$122,852.00	\$537,182.00	-20.48%	\$600,000.00	\$722,852.00	-33	205	\$150,000.00
TOURNEAU (8 Doors)	-33%	\$6,193,947.00	\$4,135,460.00	\$6,193,947.00	90.89%	\$4,550,000.00	\$414,540.00	150	253	\$3,000,000.00
WEMPE	-43%	\$803,880.00	\$461,446.00	\$803,880.00	57.68%	\$800,000.00	\$338,554.00	150	253	\$500,000.00
TOTAL	-28%	\$15,110,969.00	\$10,873,203.00	\$15,110,969.00	77.83%	\$13,970,000.00	\$3,096,797.00	2144	3109	\$9,115,000.00
NEW DOORS										
CARAT N' KARAT	N/A	\$0.00	\$243,645.00	\$0.00	97.46%	\$250,000.00	\$6,355.00	66	0	\$250,000.00
TOTAL	N/A	\$0.00	\$243,645.00	\$0.00	97.46%	\$250,000.00	\$6,355.00	66	0	\$500,000.00
CLOSED 2009										
MICHAEL C FINA	-100%	\$8,770.00	\$0.00	\$8,770.00		\$0.00	\$0.00	0	2	\$0.00
AR MORRIS GR	-76%	\$149,956.00	\$36,640.00	\$149,956.00	#DIV/0!	\$0.00	-\$36,640.00	14	58	
BAILEY, BANKS & BIDDLE-KOP	-98%	\$383,723.00	\$6,216.00	\$383,723.00	#DIV/0!	\$0.00	-\$6,216.00	1	120	
BRANDEIS	-99%	\$286,027.00	\$2,594.00	\$286,027.00	#DIV/0!	\$0.00	-\$2,594.00	1	8	
BRANDEIS TROPICANA	-100%	-\$41,559.00	\$0.00	-\$41,559.00	#DIV/0!	\$0.00	\$0.00	0	172	
TOTAL	-94%	\$786,917.00	\$45,450.00	\$786,917.00	#DIV/0!	\$0.00	-\$45,450.00	15	3281	\$95,000.00
GRAND TOTALS	-30%	\$15,897,886.00	\$11,162,298.00	\$15,897,886.97	78.50%	\$14,220,000.00	\$3,057,702.00	2225	3281	\$9,710,000.00

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ACCOUNT NAME	BREITLING USA NORTHEAST 2 SALES REPORT AS OF DECEMBER 31, 2009				DOORS 43 STORES		25		SALES TO GO	LYTD PCS 12/31/2008	YTD PCS 12/31/2009	PCS 08 VS 09
	2009 VS 2008	12/31/2008	12/31/2009	PROJ 2010	2008 TOTAL	% OF BGDG	PROJECTED	REVENUE 7/31				
BETTERIDGE JEWELERS	-57%	\$327,262.00	\$140,693.00	\$200,000.00	\$327,262.00	93.80%	\$150,000.00	\$9,307.00	110	45	-59%	
CASH ACCOUNTS	-45%	\$96,997.00	\$53,203.00	\$0.00	\$96,997.00	#DIV/0!	\$0.00	-\$3,203.00	32	23	-28%	
COOPER	-20%	\$165,804.00	\$131,867.00	\$150,000.00	\$165,804.00	105.49%	\$125,000.00	-\$6,867.00	59	46	-22%	
EB HORN	-50%	\$439,254.00	\$218,199.00	\$250,000.00	\$439,254.00	87.28%	\$250,000.00	\$31,801.00	152	74	-51%	
FASSEAS JEWELERS	-30%	\$304,434.00	\$212,193.00	\$250,000.00	\$304,434.00	77.16%	\$275,000.00	\$62,807.00	109	65	-40%	
FORDS	-49%	\$488,305.00	\$248,999.00	\$275,000.00	\$488,305.00	124.50%	\$300,000.00	-\$88,999.00	151	87	-42%	
GRENON'S OF NEWPORT	-85%	\$727,338.00	\$107,926.00	\$125,000.00	\$727,338.00	126.97%	\$85,000.00	-\$22,926.00	208	55	-74%	
HARTIGERS DIAMONDS	-53%	\$295,802.00	\$138,915.00	\$175,000.00	\$295,802.00	55.37%	\$250,000.00	\$111,085.00	65	43	-49%	
KIKY	-28%	\$125,785.00	\$90,710.00	\$110,000.00	\$125,785.00	120.95%	\$75,000.00	-\$15,710.00	40	30	-25%	
LAVIANO JEWELERS	-65%	\$295,536.00	\$204,568.00	\$250,000.00	\$295,536.00	104.14%	\$100,000.00	-\$14,142.00	91	33	-64%	
LENOX JEWELERS	-55%	\$450,679.00	\$450,679.00	\$450,000.00	\$450,679.00	204.57%	\$100,000.00	-\$104,568.00	133	75	-44%	
LEONARDO + 2	-35%	\$627,857.00	\$406,756.00	\$450,000.00	\$627,856.00	95.71%	\$425,000.00	\$18,244.00	182	138	-24%	
LONG'S JEWELERS	-79%	\$709,333.00	\$152,290.00	\$350,000.00	\$709,333.00	#DIV/0!	\$0.00	-\$152,290.00	278	94	-66%	
LUX BOND & GREEN	-85%	\$259,376.00	\$40,017.00	\$125,000.00	\$259,376.00	40.02%	\$100,000.00	\$59,983.00	71	18	-75%	
MARTIN JEWELERS	-44%	\$248,361.00	\$279,250.00	\$160,000.00	\$248,361.00	93.08%	\$300,000.00	\$20,750.00	81	84	4%	
NORTHEASTERN 50%	-29%	\$247,565.00	\$138,676.00	\$175,000.00	\$247,565.00	92.45%	\$150,000.00	\$11,324.00	80	44	-45%	
OROLOGIO PARAMJUS	-25%	\$157,833.00	\$112,378.00	\$125,000.00	\$157,833.00	140.47%	\$80,000.00	-\$32,378.00	63	39	-38%	
OROLOGIO SHORT HILLS	-25%	\$244,336.00	\$184,201.00	\$225,000.00	\$244,336.00	184.20%	\$100,000.00	-\$84,201.00	100	68	-32%	
PERRYWINKLES 2 LOC	-61%	\$273,179.00	\$105,578.00	\$150,000.00	\$273,179.00	84.46%	\$125,000.00	\$19,422.00	90	38	-58%	
R&M WOODROW JEWELERS	-24%	\$165,954.00	\$125,600.00	\$150,000.00	\$165,954.00	76.12%	\$165,000.00	\$39,400.00	54	42	-22%	
ROSS-SIMON CH	-73%	\$114,430.00	\$31,076.00	\$0.00	\$114,430.00	47.81%	\$65,000.00	\$33,924.00	48	13	-73%	
ROSS-SIMON W. HARTFORD	5%	\$99,402.00	\$104,301.00	\$125,000.00	\$99,402.00	104.30%	\$100,000.00	-\$4,301.00	34	36	6%	
ROSS-SIMON CT STAMFORD	-74%	\$223,072.00	\$57,809.00	\$85,000.00	\$223,072.00	37.81%	\$100,000.00	\$42,191.00	86	22	-74%	
ROSS-SIMON NJ	-41%	\$212,672.00	\$126,460.00	\$175,000.00	\$212,672.00	158.08%	\$80,000.00	-\$46,460.00	66	45	-32%	
ROSS-SIMON, PROV	-71%	\$264,692.00	\$77,238.00	\$100,000.00	\$264,692.00	103.01%	\$75,000.00	-\$2,238.00	114	36	-68%	
SAHAGIAN JEWELERS	-13%	\$60,627.00	\$52,811.00	\$75,000.00	\$60,627.00	70.41%	\$75,000.00	\$22,189.00	19	15	-21%	
SHERMAN & SONS FLAGTN	N/A	\$107,003.00	\$20,777.00	\$0.00	\$107,003.00	-41.55%	\$50,000.00	\$70,777.00	40	4	-110%	
SHERMAN & SONS SOMERSET	-23%	\$82,431.00	\$65,076.00	\$100,000.00	\$82,431.00	84.10%	\$75,000.00	\$11,924.00	33	24	-27%	
T & R JEWELERS	-19%	\$453,853.00	\$368,068.00	\$400,000.00	\$453,853.00	73.61%	\$300,000.00	\$131,932.00	132	83	-37%	
TOURNEAU	-16%	\$1,768,626.20	\$1,480,334.88	\$1,850,000.00	\$1,768,626.00	118.45%	\$1,250,000.00	-\$230,334.88	2741	1411	-49%	
TOTAL	-45%	\$10,037,798.20	\$5,536,577.88	\$6,755,000.00	\$10,037,797.00	102.06%	\$5,475,000.00	-\$111,577.88	2741	1411	-49%	
NEW ACCOUNTS												
NEW BUSINESS	N/A	\$0.00	\$0.00	\$150,000.00	\$0.00	0.00%	\$50,000.00	\$50,000.00	#DIV/0!	0	1.04	#DIV/0!
BARMANIAN-FRAMINGHAM	N/A	\$0.00	\$347,996.00	\$300,000.00	\$0.00	99.43%	\$350,000.00	\$2,004.00	0	1.04	#DIV/0!	
BARMANIAN-NASHUA	N/A	\$0.00	\$289,703.00	\$275,000.00	\$0.00	82.77%	\$350,000.00	\$60,297.00	0	1.02	#DIV/0!	
GARY MICHAELS	N/A	\$0.00	\$196,516.00	\$200,000.00	\$0.00	98.26%	\$200,000.00	\$3,484.00	0	6.6	#DIV/0!	
TOTAL	N/A	\$0.00	\$834,215.00	\$925,000.00	\$0.00	111.23%	\$750,000.00	-\$84,215.00	0	206	#DIV/0!	
CLOSED 2009												
GOLDSTEIN, SWANK & GORDON	N/A	\$198,602.00	-\$136,201.00	\$0.00	\$198,602.00	#DIV/0!	\$0.00	\$136,201.00	62	-40	-165%	
BAILEY BANKS & BIDDLE *	-99%	\$670,012.00	\$7,945.32	\$0.00	\$670,012.00	#DIV/0!	\$0.00	-\$7,945.32	100	4.3	-143%	
HARSTANS	N/A	\$298,233.00	-\$134,364.00	\$0.00	\$298,233.00	#DIV/0!	\$0.00	\$134,364.00	100	4.3	-70%	
ROSS-SIMON, PARAMUS	-68%	\$114,524.00	\$56,471.00	\$0.00	\$114,524.00	#DIV/0!	\$0.00	-\$36,471.00	43	1.3	-134%	
TOTAL	N/A	\$1,281,371.00	-\$226,148.68	\$0.00	\$1,281,371.00	#DIV/0!	\$0.00	\$226,148.68	205	-70	-134%	
GRAND TOTAL	-46%	\$11,319,169.20	\$6,144,644.20	\$7,680,000.00	\$11,319,168.00	99.51%	\$6,175,000.00	\$30,355.80	2946	1547	-47%	

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DOORS 17
STORES 7

BREITLING USA ATL SALES REPORT AS OF DECEMBER 31, 2009

ACCOUNT NAME	UNITS 2009	UNITS 2008	2009 VS 2008 \$	12/31/2008	12/31/2009	2008 TOTAL	% OF BDGT	PROJ	SALES TO GO
CASH & MISC	10	17	-37%	\$42,634.00	\$26,737.00	\$42,634.00	0.00%	\$	-\$26,737.00
				\$179,340.48	\$70,914.06	\$179,340.48	70.91%	\$ 100,000.00	\$29,085.94
G & H JEWELERS	1	23	-97%	\$100,032.00	\$2,930.00	\$100,032.00	110.32%	\$ 2,656.00	-\$274.00
J BROWN	43	94	-48%	\$306,318.00	\$158,634.00	\$306,318.00	262.54%	\$ 60,423.00	
LENKERSDORFER	163	246	-35%	\$775,836.00	\$501,828.00	\$775,836.00	111.52%	\$ 450,000.00	-\$51,828.00
LILJENQUIST & BECKSTEAD - ANN	69	92	-7%	\$282,156.00	\$261,036.00	\$282,156.00	116.02%	\$ 225,000.00	-\$36,036.00
LILJENQUIST & BECKSTEAD - BETH	44	97	-43%	\$254,633.00	\$145,672.00	\$254,633.00	97.11%	\$ 150,000.00	\$4,328.00
LILJENQUIST & BECKSTEAD - FO	68	96	-6%	\$258,381.00	\$244,154.00	\$258,381.00	139.52%	\$ 175,000.00	-\$69,154.00
LILJENQUIST & BECKSTEAD - OC	9	23	-56%	\$71,070.00	\$31,478.00	\$71,070.00	62.96%	\$ 50,000.00	\$18,522.00
LILJENQUIST & BECKSTEAD - MCL	105	167	-32%	\$498,779.00	\$338,397.00	\$498,779.00	112.87%	\$ 300,000.00	-\$38,397.00
PROVIDENT FT MEYERS	18	94	-79%	\$407,704.00	\$84,272.00	\$407,704.00	56.18%	\$ 150,000.00	\$63,728.00
RADCLIFFE TOWSON	160	267	-34%	\$757,146.00	\$500,880.00	\$757,146.00	83.48%	\$ 600,000.00	\$99,120.00
RADCLIFFE PIKESVILLE	68	193	-63%	\$582,528.00	\$214,681.00	\$582,528.00	71.56%	\$ 300,000.00	\$83,319.00
TOURNEAU (2)			-28%	\$664,642.97	\$477,648.07	\$664,642.97	119.41%	\$ 400,000.00	-\$77,648.07
TOTAL	758	1409	-41%	\$5,181,200.45	\$3,059,461.13	\$5,181,200.45	103.25%	\$2,963,079.00	-\$96,382.13
NEW ACCOUNTS									
SMYTH JEWELERS	92	0		\$0.00	\$306,116.00			\$ 275,000.00	
CONGRESS SANIBEL	47	0		\$0.00	\$142,982.00				
LITTLE SWITZERLAND KEY WEST	57	0		\$0.00	\$205,320.00			\$ 400,000.00	
TOTALS	196	0	N/A	\$0.00	\$654,418.00	\$0.00	96.95%	\$675,000.00	\$20,582.00
Closed 2009									
CONGRESS (5)	3	196	-97%	\$548,110.00	\$15,805.00	\$548,110.00	#DIV/0!		-\$15,805.00
TOTALS	3	196	-97%	\$548,110.00	\$15,805.00	\$548,110.00	#DIV/0!	\$	-\$15,805.00
GRAND TOTAL	957	1,605	-35%	\$5,729,310.45	\$3,729,684.13	\$5,729,310.45	102.52%	\$3,638,079.00	-\$91,605.13

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DOORS 55
STORES 32

BREITLING USA SOUTHEAST SALES REPORT AS OF DECEMBER 31, 2009

	2008 VS. 2009	12/31/08	12/31/09	2008 TOTAL	% OF BDGT	PROJECTED	SALES TO GO	UNITS 2008	UNITS 2009
ACKERMAN	-18%	278,637.00	229,496.00	278,637.00	114.75%	\$200,000.00	-\$29,496.00	104	80
BERE'	-96%	322,375.00	249,555.00	322,375.00	4.00%	\$250,000.00	\$445.00	111	81
BROWN AND CO 2 Loc	-9%	534,426.00	483,893.00	534,426.00	87.98%	\$550,000.00	\$66,107.00	176	155
CASH	-37%	76,632.00	48,338.00	76,632.00	64.45%	\$75,000.00	\$26,662.00	15	18
FINKS (5 doors) JH 59%	-60%	1,175,676.00	464,881.00	1,175,676.00	92.98%	\$500,000.00	\$35,119.00	412	223
GAUSE AND SON 2 Loc	-33%	162,228.00	108,243.00	162,228.00	135.30%	\$80,000.00	-\$28,243.00	58	45
GEISS & SONS Greenville	-21%	112,729.00	88,897.00	112,729.00	104.58%	\$85,000.00	-\$3,897.00	36	26
GEISS & SONS HiltonHead	-61%	130,602.00	51,168.00	130,602.00	0.00%	\$60,000.00	\$8,832.00	19	10
GEISS & SONS Spartanburg	-74%	40,413.00	10,525.00	40,413.00	4.00%	\$20,000.00	\$9,475.00	14	3
H & H	-12%	239,277.00	211,419.00	239,277.00	70.47%	\$300,000.00	\$88,581.00	72	86
HAMILTON 50%	-44%	259,959.00	145,407.00	259,959.00	116.33%	\$125,000.00	-\$20,407.00	81	60
HAROLD FREEMAN	-50%	145,698.00	72,669.00	145,698.00	58.14%	\$125,000.00	\$52,331.00	51	21
JR DUNN	-31%	456,370.00	313,751.00	456,370.00	89.64%	\$350,000.00	\$56,249.00	126	83
KING Miami	-58%	581,081.00	242,586.00	581,081.00	97.03%	\$250,000.00	\$7,414.00	131	72
KING Nashville	-66%	371,047.00	126,828.00	371,047.00	126.83%	\$100,000.00	-\$26,828.00	85	49
MAHARAJAS 2 Loc	-84%	216,096.00	35,206.00	216,096.00	46.94%	\$75,000.00	\$39,794.00	81	10
MAYORS (8)	-59%	3,321,453.00	1,368,224.00	3,321,453.00	91.21%	\$1,500,000.00	\$131,776.00	1,201	433
MIAMI LAKES	-78%	383,895.00	84,873.00	383,895.00	84.87%	\$100,000.00	\$15,127.00	112	33
PROVIDENTJ	-49%	533,069.00	272,791.00	533,069.00	77.94%	\$350,000.00	\$77,209.00	86	62
RAINBOW	-53%	620,411.00	289,657.00	620,411.00	72.41%	\$400,000.00	\$110,343.00	198	93
REEDS NC	-46%	143,059.00	77,845.00	143,059.00	70.77%	\$110,000.00	\$32,155.00	54	32
REEDS SC	-81%	130,162.00	24,524.00	130,162.00	49.05%	\$30,000.00	\$23,476.00	37	10
RONE REGENCY	-65%	297,201.00	102,626.00	297,201.00	82.10%	\$125,000.00	\$22,374.00	90	30
ROSS SIMON Atlanta	-81%	250,659.00	46,560.00	250,659.00	37.25%	\$125,000.00	\$78,440.00	72	33
ROSS SIMON Durham	14%	140,884.00	160,974.00	140,884.00	0.00%	\$125,000.00	-\$35,974.00	53	51
ROSS SIMON Raleigh	-43%	186,966.00	103,826.00	186,966.00	84.66%	\$125,000.00	\$19,174.00	60	39
SOL TIME	-50%	872,259.00	440,314.00	872,259.00	110.08%	\$400,000.00	-\$40,314.00	288	157
TARA	-29%	206,038.00	147,149.00	206,038.00	98.10%	\$150,000.00	\$2,851.00	69	46
TOURNEAU - 6 LOC	-31%	1,956,378.00	1,350,634.10	1,956,378.00	192.95%	\$700,000.00	-\$650,634.10	124	92
WESTON JEWELERS	-28%	458,032.00	330,743.00	458,032.00	101.77%	\$325,000.00	-\$5,743.00	54	25
WINDSOR AG	-43%	106,946.00	61,067.00	106,946.00	81.42%	\$75,000.00	\$13,933.00	54	25
WINDSOR Winston Salem	-56%	443,561.00	195,763.00	443,561.00	71.19%	\$275,000.00	\$79,237.00	152	72
TOTAL	-48%	15,154,239.00	7,942,432.10	\$15,154,239.00	98.30%	\$8,080,000.00	\$137,567.90	4,222	2,230
NEW ACCOUNTS									
Steel's Jewelry		\$0.00	230,954.00	\$0.00		\$225,000.00	-\$5,954.00	0	70
Old Northeast Jewelers 2 Loc	N/A	\$0.00	758,810.00	\$0.00	116.74%	\$650,000.00	-\$108,810.00	0	221
Markman's		\$0.00	121,920.00	\$0.00		\$0.00	-\$121,920.00	0	48
WM DORI	N/A	0.00	282,962.00	0.00	87.07%	\$325,000.00	\$42,038.00	0	72
TOTAL	N/A	\$0.00	1,394,646.00	\$0.00	116.22%	1,200,000.00	\$96,655.00	0	411
CLOSED 2009									
RONAY CLOSED	-100%	157,488.00	0.00	157,488.00	0.00%	\$0.00	\$0.00	56	0
Starboard	N/A	\$0.00	203,345.00	\$0.00	67.78%	\$300,000.00	\$96,655.00	0	67
BAILEY BANKS 2 Loc	-98%	1,240,711.00	22,202.00	1,240,711.00	#DIV/0!	\$0.00	-\$22,202.00	0	0
CARLYLE FL 4 Loc	-96%	544,407.00	21,011.00	544,407.00	#DIV/0!	\$0.00	-\$21,011.00	181	8
CARLYLE TN 2 Loc	-94%	516,924.00	29,748.00	516,924.00	#DIV/0!	\$0.00	-\$29,748.00	179	9
TOTAL	-89%	\$2,459,530.00	276,306.00	\$2,459,530.00	92.10%	\$,000,000.00	\$0.00	416	84
GRAND TOTALS	-45%	\$17,613,769.00	\$9,613,384.10	\$17,613,769.00	100.35%	9,580,000.00	-\$33,384.10	4,638	2,725

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DOORS 34
STORES 28

BREITLING USA NORTH CENTRAL SALES REPORT AS OF DECEMBER 2009

ACCOUNT NAME	2008/52009	12/31/2008	12/31/2009	2010 PROJ	2008 TOTAL	% OF BDGT	PROJECTED	SALES TO GO	08 PIECES	09 PIECES
BAILEY BANKS & BIDDLE 3 LOC	-97%	\$1,018,727.00	\$25,501.00	\$	\$1,018,727.00	#DIV/0!	\$	-\$25,501.00		
BORSHEIMS	-16%	\$346,227.00	\$290,161.00	\$	\$346,227.00	96.72%	\$	\$9,839.00	137	100
BURDEENS	-23%	\$564,497.00	\$432,197.00	\$	\$564,497.00	96.04%	\$	\$17,803.00	169	125
CASH	-53%	\$142,486.00	\$67,064.00	\$	\$142,486.00	#DIV/0!	\$	-\$67,064.00	40	24
CLARKSON	-75%	\$281,056.00	\$71,219.00	\$	\$281,056.00	56.98%	\$	\$53,781.00	117	13
G. ALLAN JEWELERS	14%	\$100,974.00	\$114,691.00	\$	\$100,974.00	91.75%	\$	\$10,309.00	37	45
GEORGE KOUJETER & SONS	-30%	\$202,518.00	\$140,998.00	\$	\$202,518.00	80.57%	\$	\$34,002.00	67	40
GUMER & CO	-60%	\$115,630.00	\$46,278.00	\$	\$115,630.00	46.28%	\$	\$33,722.00	45	17
J.B HUDSON JEWELERS 2 LOC	-68%	\$370,195.00	\$118,947.00	\$	\$370,195.00	47.58%	\$	\$131,053.00	132	123
JAMES FREE	-53%	\$230,802.00	\$107,622.00	\$	\$230,802.00	61.59%	\$	\$67,378.00	80	37
JOHNSON FAMILY 2 LOC	-32%	\$277,016.00	\$187,452.00	\$	\$277,016.00	93.73%	\$	\$12,548.00	91	63
JOSEPH	-88%	\$233,039.00	\$28,095.00	\$	\$233,039.00	18.73%	\$	\$121,905.00	78	9
KARAGOSIAN & SON	-63%	\$173,499.00	\$64,077.00	\$	\$173,499.00	51.26%	\$	\$60,923.00	60	20
LAWRENCE SCHREIBMAN GEMS	-75%	\$129,116.00	\$32,504.00	\$	\$129,116.00	43.34%	\$	-\$42,496.00	48	13
LEWIS JEWELERS	-48%	\$630,486.00	\$326,550.00	\$	\$630,486.00	81.64%	\$	\$73,450.00	187	100
MARSHALL PIERCE 2 LOC	-51%	\$451,188.00	\$222,742.00	\$	\$451,188.00	89.19%	\$	\$27,258.00	138	71
MASTERCRAFT	-81%	\$386,802.00	\$74,953.00	\$	\$386,802.00	49.97%	\$	\$75,047.00	155	28
NEWSTAR JEWELERS 2 LOC	-37%	\$297,908.00	\$188,658.00	\$	\$297,908.00	75.46%	\$	\$61,342.00	65	53
ORRS	-28%	\$477,785.00	\$344,508.00	\$	\$477,785.00	68.90%	\$	\$155,492.00	157	86
PICCONES	-44%	\$300,572.00	\$167,654.00	\$	\$300,572.00	95.80%	\$	\$7,346.00	74	43
RAZNY JEWELERS 2 LOC	-16%	\$369,617.00	\$310,503.00	\$	\$369,617.00	62.19%	\$	\$189,497.00	122	102
REISING INTERNATIONAL	-71%	\$146,031.00	\$41,804.00	\$	\$146,031.00	41.80%	\$	\$58,196.00	59	14
REIS-NICHOLS, INC	-25%	\$374,735.00	\$280,548.00	\$	\$374,735.00	93.52%	\$	\$19,452.00	126	84
ROYAL JEWELERS	18%	\$111,965.00	\$131,924.00	\$	\$111,965.00	58.63%	\$	\$93,076.00	39	40
SCHWANKE KASTEN CO.	5%	\$417,232.00	\$437,479.00	\$	\$417,232.00	109.37%	\$	-\$37,479.00	150	149
SDMONS	-43%	\$254,471.00	\$145,401.00	\$	\$254,471.00	72.70%	\$	\$54,599.00	92	44
TOURNEAU IL 2 LOC	-42%	\$990,306.00	\$571,182.00	\$	\$990,306.00	63.46%	\$	\$328,818.00		
TOTALS	-47%	\$9,394,880.00	\$4,970,712.00	\$6,405,000.00	\$9,394,880.00	75.31%	\$6,600,000.00	\$1,629,288.00	2465	1443
NEW ACCOUNTS 2009										
NEW BUSINESS		\$0.00	\$0.00	\$450,000.00			\$450,000.00			
JEFFREY MANN	N/A	\$0.00	\$158,526.00	\$150,000.00	\$0.00	#DIV/0!	\$	-\$158,526.00		56
STAFFORD		\$0.00	\$335,664.00	\$200,000.00						84
ALBERTS	N/A	\$0.00	\$224,700.00	\$150,000.00	\$0.00	#DIV/0!	\$	-\$224,700.00		66
TOTALS	N/A	\$0.00	\$718,890.00	\$950,000.00	\$0.00	159.75%	\$450,000.00	-\$383,226.00	0	206
CLOSED 2009										
GINSBERG JEWELERS	-56%	\$25,653.00	\$11,386.00	\$0.00	\$25,653.00	#DIV/0!	\$0.00	-\$11,386.00	8	5
HAMILTON	N/A	\$178,490.00	-\$16,533.00	\$	\$178,490.00	#DIV/0!	\$		70	-3
BRINKERS	-100%	\$114,978.00	\$278.00	\$	\$114,978.00	#DIV/0!	\$	-\$278.00	40	0
MANN JEWELERS	-100%	\$211,150.00	\$0.00	\$0.00	\$211,150.00	#DIV/0!	\$0.00	\$0.00	5	
M.S. ARONSTAM	-114%	-\$13,654.00	\$1,940.00	\$0.00	-\$13,654.00	#DIV/0!	\$0.00	-\$1,940.00	-11	1
TRABERT & HOFFER	-100%	\$9,483.00	\$0.00	\$0.00	\$9,483.00	#DIV/0!	\$0.00	\$0.00	4	
SYDEL & SYDEL	-83%	\$105,171.00	\$17,850.00	\$	\$105,171.00	#DIV/0!	\$	-\$17,850.00	41	6
TOTALS	-97%	\$441,271.00	\$14,921.00	\$0.00	\$441,271.00	#DIV/0!	\$0.00	-\$11,386.00	157	9
GRAND TOTALS	-42%	\$9,836,151.00	\$5,704,523.00	\$7,355,000.00	\$9,836,151.00	80.92%	\$7,050,000.00	\$1,345,477.00	2622	1649

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DOORS 43
STORES 25

BREITLINGUSA SCENTRAL SALES AS OF DECEMBER 31, 2009

ACCOUNT NAME	2009 VS 2008	12/31/2008	12/31/2009	2008 TOTAL	% OF BDGT	PROJECTED	SALES TO GO	UNITS 08	UNITS 09
ALBRITTONS (JACKSON, MO)	-59%	\$448,647.00	\$183,258.00	\$448,647.00	73.30%	\$ 250,000.00	\$66,742.00	166	66
BACHENDORE (3)	-69%	\$1,304,730.00	\$400,448.00	\$1,304,730.00	66.74%	\$ 600,000.00	\$199,532.00	418	121
BC CLARK	-46%	\$147,143.00	\$78,862.00	\$147,143.00	60.66%	\$ 130,000.00	\$51,138.00	57	20
CASH	27%	\$30,482.00	\$38,647.00	\$30,482.00	#DIV/0!	\$ -	-\$38,647.00	12	14
DONOHOS	-12%	\$531,352.00	\$467,833.00	\$531,352.00	110.08%	\$ 425,000.00	-\$42,833.00	108	88
DUNCAN & BOYD	-65%	\$82,584.00	\$28,702.00	\$82,584.00	38.27%	\$ 75,000.00	\$46,298.00	30	10
FINKS (4) 32%	-60%	\$637,655.00	\$252,139.00	\$637,655.00	56.03%	\$ 450,000.00	\$197,861.00	224	121
HALTOM'S (3)	-60%	\$914,166.00	\$367,868.00	\$914,166.00	73.57%	\$ 500,000.00	\$132,132.00	322	135
LACY & CO.	-51%	\$141,232.00	\$68,608.00	\$141,232.00	54.89%	\$ 125,000.00	\$56,392.00	48	28
LEWIS	-80%	\$425,260.00	\$85,694.00	\$425,260.00	38.09%	\$ 225,000.00	\$139,306.00	112	47
MATI (2) 70%	-66%	\$447,702.00	\$154,350.00	\$447,702.00	51.45%	\$ 300,000.00	\$145,650.00	147	75
MEIEROTTO	62%	\$431,031.00	\$698,004.00	\$431,031.00	93.07%	\$ 750,000.00	\$51,996.00	141	176
MODERN TIME	-24%	\$109,799.00	\$83,990.00	\$109,799.00	83.99%	\$ 100,000.00	\$16,010.00	45	25
MOODY'S (3)	4%	\$390,994.00	\$406,535.00	\$390,994.00	73.92%	\$ 550,000.00	\$143,465.00	159	70
MORETTIS	-46%	\$155,445.00	\$84,180.00	\$155,445.00	56.12%	\$ 150,000.00	\$65,820.00	59	29
PRECIOUS GEM	-57%	\$97,729.00	\$41,861.00	\$97,729.00	41.86%	\$ 100,000.00	\$58,139.00	33	20
R D EISEMAN	14%	\$166,193.00	\$189,585.00	\$166,193.00	126.39%	\$ 150,000.00	-\$39,585.00	83	70
REEDS VA	-58%	\$79,985.00	\$33,932.00	\$79,985.00	67.86%	\$ 50,000.00	\$16,068.00	31	11
REMONT CORP.(2)	-66%	\$267,219.00	\$89,527.00	\$267,219.00	44.76%	\$ 200,000.00	\$110,473.00	74	35
ROBERSON'S	77%	\$68,075.00	\$120,273.00	\$68,075.00	96.22%	\$ 125,000.00	\$4,727.00	24	45
ROMANCE DIAMOND	-8%	\$102,171.00	\$94,284.00	\$102,171.00	62.86%	\$ 150,000.00	\$55,716.00	27	29
RUSSELL KORMAN	-28%	\$406,410.00	\$291,915.00	\$406,410.00	88.46%	\$ 330,000.00	\$38,085.00	123	119
SAM MAJORS	23%	\$63,395.00	\$78,107.00	\$63,395.00	78.11%	\$100,000.00	\$21,893.00	25	26
TOURNEAU (2)	-37%	\$841,130.00	\$530,027.00	\$841,130.00	123.26%	\$ 430,000.00	-\$100,027.00	184	118
ZADOKS	-20%	\$673,851.00	\$541,945.00	\$673,851.00	120.43%	\$ 450,000.00	-\$91,945.00	184	118
TOTAL	-40%	\$8,964,380.00	\$5,410,574.00	\$8,964,380.00	80.57%	\$6,715,000.00	\$1,304,426.00	2,652	1,496
NEW ACCOUNTS									
MARKHAM FINE JEWELERS	N/A	\$0.00	\$429,149.00	\$0.00		\$500,000.00	\$70,851.00	0	120
MATHEWS JEWELERS		\$0.00	\$184,401.00	\$0.00		\$200,000.00	\$29,000.00	0	58
SHANNON JEWELRY		\$0.00	\$273,748.00	\$0.00		\$200,000.00	\$0.00	0	81
BOOZERS PREMIER DIAMONDS		\$0.00	\$180,607.00	\$0.00		\$200,000.00	\$39,000.00	0	52
New business		\$0.00	\$0.00	\$0.00		\$200,000.00		0	
TOTAL	N/A	\$0.00	\$1,067,905.00	\$0.00	82.15%	\$1,300,000.00	\$99,851.00	0	311
CLOSED 2009									
HANNOUSH	N/A	\$78,704.00	-\$17,556.00	\$78,704.00		\$0.00			
LEE MICHAELS		-\$178,255.00	\$182.00	-\$178,255.00		\$0.00			
BAILEY, BANKS & BIDDLE 6 LOC	-99%	\$2,366,075.00	\$26,657.00	\$2,366,075.00	#DIV/0!	\$ -	-\$26,657.00	0	0
TOTAL	-100%	\$2,266,524.00	\$9,283.00	\$2,266,524.00	0.00%	\$0.00	-\$9,283.00	0	0
GRAND TOTAL	-42%	\$11,230,904.00	\$6,487,622.00	\$11,230,904.00	80.95%	\$8,015,000.00	\$1,527,238.00	2,652	1,807

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DOORS 47
STORES 24

BREITLING USA WEST 1 SALES REPORT AS OF DECEMBER 31, 2009

ACCOUNT NAME	2009 VS 2008	12/31/2008	12/31/2009	2010 PROJ	2008 TOTAL	% OF BDGT	PROJECTED	SALES TO GO	UNITS 08	UNITS 09
AMERICAN JEWELRY CO.	13%	\$49,730.00	\$56,139.00	\$75,000.00	\$49,730.00	74.85%	\$75,000.00	\$18,861.00	16	23
BARRY PETERSON	-62%	\$71,137.00	\$26,898.00	\$0.00	\$71,137.00	107.59%	\$25,000.00	-\$1,898.00	29	10
BENBRIDGE 2 doors	-7%	\$252,328.00	\$235,501.00	\$400,000.00	\$252,328.00	471.00%	\$50,000.00	-\$185,501.00	74	85
BRYANT & SONS	-72%	\$225,295.00	\$63,760.00	\$100,000.00	\$225,295.00	85.01%	\$75,000.00	\$11,240.00	69	19
CASH/PERSONAL	-65%	\$79,820.00	\$38,041.00	\$0.00	\$79,820.00	#DIV/0!	\$0.00	-\$28,041.00		
CLASSIC DESIGNS	-97%	\$599,851.00	\$15,260.00	\$200,000.00	\$599,851.00	#DIV/0!	\$0.00	-\$15,260.00	228	46
DARVA JEWELERS	-91%	\$158,774.00	\$13,971.00	\$0.00	\$158,774.00	27.94%	\$50,000.00	\$36,029.00	48	5
GOLDSMITH	-4%	\$227,256.00	\$217,486.00	\$175,000.00	\$227,256.00	144.99%	\$150,000.00	-\$67,486.00	0	77
HING WA LEE 3 doors	-73%	\$1,673,238.00	\$447,914.00	\$700,000.00	\$1,673,238.00	74.65%	\$600,000.00	\$152,086.00	565	164
HOROLOGIO	-52%	\$1,321,989.00	\$638,205.00	\$800,000.00	\$1,321,989.00	98.19%	\$650,000.00	\$11,795.00	376	215
HOURS MINUTES SECONDS	-45%	\$457,830.00	\$253,036.00	\$200,000.00	\$457,830.00	253.04%	\$100,000.00	-\$153,036.00	125	73
HYDE PARK - LV % OF SELL OUT	-57%	\$441,442.00	\$188,115.00	\$250,000.00	\$441,442.00	75.25%	\$250,000.00	\$61,885.00		
JBROOKS 2 doors	-70%	\$899,245.00	\$271,038.00	\$400,000.00	\$899,245.00	90.35%	\$300,000.00	\$28,962.00	278	91
K. NORRIS JEWELERS	-67%	\$438,720.00	\$146,745.00	\$200,000.00	\$438,720.00	195.66%	\$75,000.00	-\$71,745.00	132	35
LEOR 5 doors	-42%	\$1,974,094.00	\$1,151,236.00	\$1,200,000.00	\$1,974,094.00	115.12%	\$1,000,000.00	-\$151,236.00	440	250
MILANO	-65%	\$305,415.00	\$106,727.00	\$250,000.00	\$305,415.00	106.73%	\$100,000.00	-\$6,727.00	79	34
MIRAGE/ALL STORES 3 doors	12%	\$384,431.00	\$653,579.00	\$800,000.00	\$384,431.00	118.83%	\$550,000.00	-\$103,579.00	232	167
MORGAN'S JEWELERS 2 doors	-20%	\$309,271.00	\$247,069.00	\$250,000.00	\$309,271.00	110.21%	\$225,000.00	-\$22,969.00	100	76
POLACHECK JEWELERS	-47%	\$727,668.00	\$386,862.00	\$450,000.00	\$727,668.00	96.72%	\$400,000.00	\$13,138.00	211	124
SCHILBERS JEWELRY CASTLE	-79%	\$59,123.00	\$12,181.00	\$50,000.00	\$59,123.00	24.36%	\$50,000.00	\$37,819.00	23	2
SIMMONS	-33%	\$165,622.00	\$110,959.00	\$150,000.00	\$165,622.00	147.95%	\$75,000.00	-\$35,959.00	49	27
T-BIRD JEWELERS	-60%	\$130,456.00	\$51,871.00	\$100,000.00	\$130,456.00	148.20%	\$35,000.00	-\$16,871.00	46	20
THOENIGS	-47%	\$91,422.00	\$48,803.00	\$75,000.00	\$91,422.00	97.61%	\$50,000.00	\$1,197.00	32	14
TOURNEAU - 4 doors	-40%	\$4,250,711.00	\$2,552,861.00	\$3,000,000.00	\$4,250,711.00	102.11%	\$2,500,000.00	-\$52,861.00		
TOWNE JEWELERS	-27%	\$154,518.00	\$112,155.00	\$125,000.00	\$154,518.00	56.08%	\$200,000.00	\$87,847.00	49	36
TRADITIONAL JEWELERS	-34%	\$490,261.00	\$321,858.00	\$400,000.00	\$490,261.00	64.37%	\$500,000.00	\$178,142.00	212	95
WESTIME 2 doors	-29%	\$1,238,383.00	\$890,888.00	\$1,000,000.00	\$1,238,383.00	118.79%	\$750,000.00	-\$140,888.00	375	297
WYNN	-423%	-\$66,031.00	\$213,088.00	\$250,000.00	-\$66,031.00	85.24%	\$250,000.00	\$36,912.00	59	68
TOTAL	-45%	\$17,352,235.00	\$9,463,144.00	\$11,640,000.00	\$17,352,235.00	104.16%	\$9,085,000.00	-\$378,144.00	3,847	2,053
NEW ACCOUNTS										
C&S JEWELERS	N/A	\$0.00	\$146,789.00	\$175,000.00	\$0.00	83.88%	\$175,000.00	\$28,211.00	0	47
GOLDEN NUGGET	N/A	\$0.00	\$229,243.00	\$150,000.00	\$0.00	114.62%	\$200,000.00	-\$29,243.00	0	77
HIGHLLOW	N/A	\$0.00	\$256,403.00	\$200,000.00	\$0.00	111.48%	\$230,000.00	-\$26,403.00	0	73
JEWEL SHOP	N/A	\$0.00	\$312,899.00	\$250,000.00	\$0.00	125.16%	\$250,000.00	-\$62,899.00	0	103
NQ JEWELLERS	N/A	\$0.00	\$346,150.00	\$175,000.00	\$0.00	106.51%	\$325,000.00	-\$21,150.00	0	87
NEW ACCOUNTS 2010										
RADIANCE	N/A	\$0.00	\$267,530.00	\$250,000.00	\$0.00	152.87%	\$175,000.00	-\$92,530.00	0	45
TOTALS	N/A	\$0.00	\$1,559,014.00	\$1,650,000.00	\$0.00	257.69%	\$605,000.00	\$0.00	0	197
CLOSED 2009										
BAILEY BANKS 1 DOOR	-99%	\$603,560.00	\$8,932.00	\$0.00	\$603,560.00	#DIV/0!	\$0.00	-\$8,932.00		
TOTALS	-99%	\$603,560.00	\$8,932.00	\$0.00	\$603,560.00	104.16%	\$9,085,000.00	\$9,076,068.00	0	0
GRAND TOTAL	-38%	\$17,935,795.00	\$11,031,090.00	\$13,250,000.00	\$17,935,795.00	113.84%	\$9,690,000.00	-\$1,341,090.00	3,847	2,250

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DOORS: 44

STORES: 33

BREITLING USA WEST 2 SALES REPORT AS OF DECEMBER 31, 2009

ACCOUNT NAME	2009 VS 2008	12/31/2008	12/31/2009	2010 PROJ	2008 TOTAL	% OF BDGT	PROJECTED	SALES TO GO	YTD UNITS 08	YTD UNITS 09
ALVIN GOLDFARB JEWELER-2 doors	-73%	\$1,021,455.00	\$279,260.00	\$350,000.00	\$1,021,455.00	69.82%	\$400,000.00	\$120,740.00	337	91
BETTERIDGE VAIL	-55%	\$141,055.00	\$65,729.00	\$100,000.00	\$141,055.00	84.97%	\$75,000.00	\$11,271.00	49	25
BRECKENRIDGE	84%	\$105,729.00	\$194,977.00	\$250,000.00	\$105,729.00	77.99%	\$250,000.00	\$55,023.00	35	54
CARIBBEAN GEMS	-58%	\$624,757.00	\$260,881.00	\$300,000.00	\$624,757.00	104.35%	\$325,000.00	-\$10,881.00	115	60
CARL GREVE 2 doors	0%	\$463,914.00	\$463,914.00	\$325,000.00	\$463,914.00	143.32%	\$325,000.00	-\$140,781.00	154	148
CARONEL 2 doors	52%	\$322,505.00	\$491,022.00	\$325,000.00	\$322,505.00	109.12%	\$450,000.00	-\$41,022.00	143	216
CASHMILITARY/NEW	-25%	\$62,054.00	\$46,549.00	\$0.00	\$62,054.00	23.27%	\$200,000.00	\$153,451.00	30	25
CHATEL	-49%	\$178,430.00	\$91,824.00	\$125,000.00	\$178,430.00	73.46%	\$125,000.00	\$33,176.00	54	26
CJ CHARLES	-46%	\$351,744.00	\$189,317.00	\$225,000.00	\$351,744.00	85.60%	\$220,000.00	\$31,683.00	93	37
DACOLE	-38%	\$313,742.00	\$130,468.00	\$175,000.00	\$313,742.00	57.99%	\$225,000.00	\$94,332.00	113	51
DAVID'S	-92%	\$41,932.00	\$3,303.00	\$50,000.00	\$41,932.00	6.61%	\$50,000.00	\$46,697.00	15	1
DAVIDSON & LICHT	-89%	\$306,079.00	\$33,388.00	\$250,000.00	\$306,079.00	13.36%	\$250,000.00	\$216,612.00	99	13
GANEM 2 doors	-41%	\$833,058.00	\$491,113.00	\$500,000.00	\$833,058.00	98.22%	\$500,000.00	\$8,887.00	303	110
GLEIM JEWELERS	-61%	\$281,210.00	\$109,417.00	\$175,000.00	\$281,210.00	109.42%	\$100,000.00	-\$9,417.00	94	35
GOLDEN TIME JEWELERS	-43%	\$99,015.00	\$56,282.00	\$80,000.00	\$99,015.00	70.35%	\$80,000.00	\$23,718.00	35	13
HAMBRA	-55%	\$427,460.00	\$190,411.00	\$275,000.00	\$427,460.00	69.24%	\$275,000.00	\$84,389.00	120	49
HARLAND	-59%	\$490,961.00	\$200,506.00	\$500,000.00	\$490,961.00	100.25%	\$500,000.00	-\$506.00	155	61
HELLER	-4%	\$151,828.00	\$146,234.00	\$130,000.00	\$151,828.00	112.49%	\$130,000.00	-\$16,234.00	46	43
HOCHFIELD	-86%	\$135,854.00	\$18,616.00	\$75,000.00	\$135,854.00	37.23%	\$50,000.00	\$31,384.00	58	5
HURDLES	-12%	\$74,795.00	\$66,043.00	\$85,000.00	\$74,795.00	77.70%	\$85,000.00	\$18,957.00	31	20
HYDE PARK (2) % OF SELL OUT	-24%	\$461,177.00	\$349,356.00	\$400,000.00	\$461,177.00	87.34%	\$400,000.00	\$50,644.00	249	169
JEWEL GALLERY	-20%	\$826,167.00	\$659,400.00	\$800,000.00	\$826,167.00	119.89%	\$550,000.00	-\$109,400.00	148	195
JEWELRY DESIGN CENTER	-34%	\$107,730.00	\$107,730.00	\$100,000.00	\$107,730.00	108.77%	\$65,000.00	-\$5,700.00	37	16
JULIANNA'S FINE JEWELRY	-75%	\$174,568.00	\$43,306.00	\$110,000.00	\$174,568.00	39.37%	\$110,000.00	\$66,694.00	54	16
LOGHMAN DELMAR	-77%	\$251,561.00	\$59,066.00	\$75,000.00	\$251,561.00	#DIV/0!	\$0.00	-\$59,066.00	56	14
OC TANNER 2 doors	10%	\$331,885.00	\$564,305.00	\$450,000.00	\$331,885.00	80.96%	\$450,000.00	\$85,695.00	99	128
OC TANNER CORP	-33%	\$38,267.00	\$25,704.00	\$50,000.00	\$38,267.00	51.41%	\$50,000.00	\$24,296.00	27	18
PRINCESS SKAGWAY	-38%	\$261,071.00	\$161,968.00	\$175,000.00	\$261,071.00	0.00%	\$200,000.00	\$38,032.00	66	40
PRINCESS WORLD	-56%	\$285,071.00	\$125,765.00	\$150,000.00	\$285,071.00	83.84%	\$150,000.00	\$24,235.00	70	38
ROYAL MAUI 3 doors	-24%	\$384,304.00	\$445,144.00	\$575,000.00	\$384,304.00	77.42%	\$575,000.00	\$129,856.00	182	160
SHEFFIELDS	-60%	\$211,832.00	\$85,774.00	\$90,000.00	\$211,832.00	0.00%	\$80,000.00	-\$5,774.00	68	28
TOURNEAU 4 doors	-33%	\$2,061,519.00	\$1,373,082.00	\$1,700,000.00	\$2,061,519.00	137.31%	\$1,000,000.00	-\$573,082.00	3135	1905
TOTAL	-39%	\$12,024,729.00	\$7,291,691.00	\$8,870,000.00	\$12,024,729.00	92.65%	\$7,870,000.00	\$578,309.00	3135	1905
NEW ACCOUNTS 2009										
SIMPLY SEDONA/MATI 30%	N/A	\$0.00	\$77,175.00	\$100,000.00	\$0.00		\$100,000.00	\$22,825.00	0	24
NEW ACCOUNTS 2010										
SPITZ	N/A	\$0.00	\$182,377.00	\$150,000.00	\$0.00		\$200,000.00	\$17,423.00	0	52
TRICE	N/A	\$0.00	\$100,477.00	\$100,000.00	\$0.00		\$100,000.00	-\$477.00	0	30
TOTAL	N/A	\$0.00	\$360,229.00	\$550,000.00	\$0.00	0.00%		#VALUE!	0	24
CLOSED 2009										
LOGHMAN LA JOLLA	+100%	\$23,461.00	\$0.00	\$0.00	\$23,461.00	0.00%	\$0.00	\$0.00		
BAILEY BANKS & BIDDLE 3 LOC	-98%	\$450,535.00	\$8,624.00	\$0.00	\$450,535.00	#DIV/0!	\$0.00	-\$8,624.00		
CHRISTOPHER JAMES	-100%	\$90,859.00	\$0.00	\$0.00	\$90,859.00	#DIV/0!	\$0.00	\$0.00	39	
KEPNEY G. & CO	-59%	\$160,686.00	\$65,416.00	\$0.00	\$160,686.00	48.46%	\$135,000.00	\$69,584.00	64	25
TOTAL	0%	\$725,541.00	\$74,940.00	\$0.00	\$725,541.00	0.00%	\$135,000.00	\$60,960.00	103	25
GRAND TOTALS	-39%	\$12,750,270.00	\$7,725,960.00	\$9,470,000.00	\$12,750,270.00	96.51%	\$8,005,000.00	\$279,040.00	3238	1954

0000264

DOORS 35
STORES 24

BREITLING SALES REPORT NE 1 DECEMBER 31ST, 2010

	2010 UNITS	2009 UNITS	2010 VS 2009	12/31/2009	12/31/2010	2009 TOTAL	% OF BDGT	2010 PROJ	SALES TO GO
ALICIA'S GOLDEN DREAM	185	128	29%	\$464,310.00	\$601,233.00	\$464,310.00	100.21%	\$600,000.00	-\$1,233.00
AR. MORRIS	87	48	81%	\$144,026.00	\$259,973.00	\$107,386.00	129.99%	\$200,000.00	-\$59,973.00
B AND A JEWELERS	54	46	14%	\$155,812.00	\$177,542.00	\$155,812.00	101.45%	\$175,000.00	-\$2,542.00
BOCCARDO JEWELERS	57	58	-13%	\$203,873.00	\$176,742.00	\$203,873.00	78.55%	\$225,000.00	\$48,258.00
CARAT N' KARAT	21	66	-10%	\$243,645.00	\$219,331.00	\$243,645.00	109.67%	\$200,000.00	-\$19,331.00
CASH	56	42	-10%	\$137,697.00	\$123,893.00	\$137,967.00	70.80%	\$175,000.00	-\$51,107.00
FREEDMAN JEWELERS	26	28	15%	\$70,426.00	\$81,151.00	\$70,426.00	81.15%	\$100,000.00	\$18,849.00
GOYBERGS (2 Doors)	509	477	5%	\$1,652,486.00	\$1,746,928.00	\$1,652,486.00	145.08%	\$1,200,000.00	-\$540,928.00
HAMILTON, NJ - (1 Door) 60%	63	75	14%	162,856.00	185,951.00	145,407.00	106.26%	\$175,000.00	-\$10,951.00
HENRY WILSON (2 Doors)	22	38	-43%	\$113,842.00	\$65,211.00	\$113,842.00	43.47%	\$150,000.00	\$84,789.00
JAY ROBERTS	169	69	102%	\$244,130.00	\$492,899.00	\$244,130.00	140.83%	\$350,000.00	-\$142,899.00
KENJO (2 Doors)	268	296	1%	\$904,370.00	\$913,046.00	\$904,370.00	83.00%	\$1,100,000.00	\$186,954.00
BENARI (2 Doors)	112	79	37%	\$242,530.00	\$331,429.00	\$242,530.00	82.86%	\$400,000.00	\$68,571.00
LONDON JEWELERS (2 doors)	267	167	63%	\$404,520.00	\$659,966.00	\$404,520.00	146.66%	\$450,000.00	-\$209,966.00
LORILIL	17	17	12%	\$46,246.00	\$51,995.00	\$46,246.00	69.33%	\$75,000.00	\$23,005.00
L. SIMPSON & CO.	378	201	77%	\$636,608.00	\$1,125,666.00	\$636,608.00	150.09%	\$750,000.00	-\$375,666.00
MANN'S JEWELERS	25	13	93%	\$39,547.00	\$76,337.00	\$39,547.00	101.78%	\$75,000.00	-\$1,337.00
MAYFAIR JEWELERS, INC.	46	46	11%	\$141,491.00	\$157,286.00	\$141,191.00	104.86%	\$150,000.00	-\$7,286.00
MOONLITE INT. INC.	166	98	80%	\$315,182.00	\$567,415.00	\$315,182.00	141.85%	\$400,000.00	-\$167,415.00
NORTHEASTERN - (1 Door) 50%	48	44	8%	\$138,676.00	\$150,285.00	\$138,676.00	85.88%	\$175,000.00	\$24,715.00
RON GORDON	7	1	505%	\$2,742.00	\$16,596.00	\$2,742.00	#DIV/0!	\$0.00	-\$16,596.00
SCHERER'S JEWELERS	39	34	5%	\$98,441.00	\$103,733.00	\$98,441.00	82.99%	\$125,000.00	\$21,267.00
THROGGS NECK	79	-33	-314%	-\$122,852.00	\$263,134.00	-\$122,852.00	#DIV/0!	\$0.00	-\$263,134.00
TOURNEAU (7 Doors)			34%	\$3,424,599.00	\$4,578,390.00	\$4,135,460.00	101.74%	\$4,500,000.00	-\$78,390.00
WEMPE	211	150	167%	\$461,446.00	\$1,234,225.00	\$461,446.00	164.56%	\$750,000.00	-\$484,225.00
TOTAL	2912	2188	39%	\$10,326,649.00	\$14,354,357.00	\$10,983,391.00	114.83%	\$12,500,000.00	-\$1,854,357.00
NEW DOORS									
NEW BUSINESS									
SERAGO ROBERTS	79	0	N/A	\$0.00	\$274,354.00	\$0.00	54.87%	\$500,000.00	\$225,646.00
TOTAL	79	0	N/A	\$0.00	\$274,354.00	\$0.00	54.87%	\$500,000.00	\$225,646.00
CLOSED 2010									
BERNIE ROBBINS (2 Doors)	5	44	-89%	\$133,457.00	\$14,871.00	\$133,457.00	#DIV/0!	\$0.00	-\$14,871.00
TOTAL	5	44	-89%	\$133,457.00	\$14,871.00	\$133,457.00	#DIV/0!	\$0.00	-\$14,871.00
GRAND TOTALS	2996	2232	40%	\$10,460,106.00	\$14,643,582.00	\$11,116,848.00	112.64%	\$13,000,000.00	-\$1,643,582.00

2010 BUDGET

0000265

New 2010 Budget	\$14,643,582.00	\$11,116,848.00	88.75%	\$16,500,000.00	\$1,856,418.00
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A-731

DOORS 42
STORES 28

BREITLING USA NORTHEAST 2 SALES REPORT AS OF DECEMBER 31, 2010

ACCOUNT NAME	UNITS 2010	UNITS 2009	2010 VS 2009	12/31/2009	12/31/2010	2009 TOTAL	% OF BDGT	PROJ 2010	SALES TO GO
BARMAKIAN- FRAMINGHAM	81	104	-28%	\$347,996.00	\$251,843.00	\$347,996.00	83.95%	\$300,000.00	\$48,157.00
BARMAKIAN- NASHUA	81	102	-1%	\$289,703.00	\$286,565.00	\$289,703.00	104.21%	\$275,000.00	-\$11,565.00
BETTERIDGE JEWELERS	79	45	79%	\$140,693.00	\$251,538.00	\$140,693.00	125.77%	\$200,000.00	-\$51,538.00
CASH ACCOUNTS	39	23	82%	\$53,203.00	\$97,082.00	\$53,203.00	#DIV/0!	\$0.00	-\$97,082.00
COOPER	43	46	22%	\$131,867.00	\$161,441.00	\$131,867.00	107.63%	\$150,000.00	-\$11,441.00
EB HORN	91	74	18%	\$218,199.00	\$256,759.00	\$218,199.00	102.70%	\$250,000.00	-\$6,759.00
FASSEAS JEWELERS	70	65	12%	\$212,193.00	\$238,001.00	\$212,193.00	95.20%	\$250,000.00	\$11,999.00
FORDS	73	87	0%	\$248,999.00	\$249,153.00	\$248,999.00	90.60%	\$275,000.00	\$25,847.00
GARY MICHAELS	78	66	23%	\$196,516.00	\$242,648.00	\$196,516.00	121.32%	\$200,000.00	-\$42,648.00
GRENON'S OF NEWPORT	92	55	185%	\$107,926.00	\$307,385.00	\$107,926.00	245.91%	\$125,000.00	-\$182,383.00
HARTGERS DIAMONDS	61	43	28%	\$138,915.00	\$174,984.00	\$138,915.00	99.99%	\$175,000.00	\$16.00
KIKY	20	30	-15%	\$90,710.00	\$77,053.00	\$90,710.00	70.05%	\$110,000.00	\$32,947.00
LAVIANO JEWELERS	78	33	149%	\$104,142.00	\$238,814.00	\$104,142.00	172.54%	\$150,000.00	-\$108,814.00
LENOX JEWELERS	165	75	161%	\$204,568.00	\$534,831.00	\$204,568.00	213.93%	\$250,000.00	-\$284,831.00
LEONARDO - 2	148	198	21%	\$406,756.00	\$490,455.00	\$406,756.00	108.99%	\$450,000.00	-\$40,455.00
LONGS JEWELERS - 4	225	94	307%	\$152,290.00	\$620,285.00	\$152,290.00	177.22%	\$350,000.00	-\$270,285.00
LUX BOND & GREEN	33	18	215%	\$40,017.00	\$126,080.00	\$40,017.00	100.86%	\$125,000.00	-\$1,080.00
MARTIN JEWELERS	68	84	-20%	\$279,250.00	\$222,346.00	\$279,250.00	138.97%	\$160,000.00	-\$62,346.00
NORTHEASTERN 50%	34	31	8%	\$97,073.00	\$105,200.00	\$97,073.00	60.11%	\$175,000.00	\$69,800.00
OROLOGIO SHORT HILLS	114	68	82%	\$184,201.00	\$336,143.00	\$184,201.00	149.40%	\$225,000.00	-\$111,143.00
PERRYWINKLES 2 LOC	31	38	-9%	\$105,578.00	\$96,426.00	\$105,578.00	64.28%	\$150,000.00	\$53,574.00
R&M WOODROW JEWELERS	41	42	-6%	\$125,600.00	\$118,654.00	\$125,600.00	79.10%	\$150,000.00	\$31,346.00
ROSS-SIMON CT STAMFORD	30	22	53%	\$57,809.00	\$88,398.00	\$57,809.00	104.00%	\$85,000.00	-\$3,398.00
ROSS-SIMON, NJ	50	45	37%	\$126,460.00	\$173,537.00	\$126,460.00	99.16%	\$175,000.00	\$1,463.00
ROSS-SIMON, PROV	33	26	20%	\$77,258.00	\$92,768.00	\$77,258.00	92.77%	\$100,000.00	\$7,232.00
ROSS-SIMON, W. HARTFORD	25	36	-25%	\$104,301.00	\$78,329.00	\$104,301.00	62.82%	\$125,000.00	\$46,471.00
SAHAGIAN JEWELERS	9	15	-54%	\$52,811.00	\$24,279.00	\$52,811.00	32.37%	\$75,000.00	\$50,721.00
SHERMAN & SON'S SOMERSET	31	24	32%	\$63,076.00	\$83,210.00	\$63,076.00	83.21%	\$100,000.00	\$16,790.00
T & R JEWELERS	90	83	-16%	\$368,068.00	\$310,826.00	\$368,068.00	77.71%	\$400,000.00	\$89,174.00
TOURNEAU - 5			6%	\$1,616,271.28	\$1,718,592.29	\$1,480,334.88	92.90%	\$1,850,000.00	\$131,407.71
TOTAL	2013	1612	27%	\$6,342,449.28	\$8,073,823.29	\$6,248,115.88	109.03%	\$7,405,000.00	-\$668,823.29
NEW ACCOUNTS									
NEW BUSINESS			N/A	\$0.00	\$0.00	\$0.00	#DIV/0!	\$0.00	\$0.00
DIAMOND DREAMS	77		N/A	\$228,901.00	\$0.00	\$0.00	305.20%	\$75,000.00	-\$153,901.00
KEVIN'S FINE JEWELRY	55		N/A	\$196,242.00	\$0.00	\$0.00	#DIV/0!	\$0.00	-\$196,242.00
W. KODAK	165		N/A	\$543,769.00	\$0.00	\$0.00	725.03%	\$75,000.00	-\$468,769.00
TOTAL	297	0	N/A	\$968,912.00	\$0.00	\$0.00	645.94%	\$150,000.00	-\$854,769.00
CLOSED 2010									
ROSS-SIMON CH	0	13	-100%	\$31,076.00	\$0.00	\$31,076.00	#DIV/0!	\$0.00	\$0.00
SHERMAN & SON'S FLAGTN	-3	-4	N/A	-\$20,777.00	-\$7,162.00	-\$20,777.00	#DIV/0!	\$0.00	\$7,162.00
OROLOGIO PARAMUS	42	39	3%	\$112,378.00	\$115,701.00	\$112,378.00	92.56%	\$125,000.00	\$9,299.00
TOTAL	39	48	-12%	\$122,677.00	\$108,539.00	\$122,677.00	86.83%	\$125,000.00	\$16,461.00
GRAND TOTAL	2349	1660	42%	\$6,465,126.28	\$9,151,274.29	\$6,370,792.88	119.16%	\$7,680,000.00	-\$1,471,274.29
									\$7,680,000.00
NEW GOAL 2010				\$9,151,274.29			94.34%	\$ 9,700,000.00	\$548,725.71

750,000

DOORS 17

BREITLING USA ATL SALES REPORT AS OF DECEMBER 31, 2010

STORES 8

ACCOUNT NAME	UNITS 2010	UNITS 2009	2010 VS 2009 \$	12/31/2009	12/31/2010	2009 TOTAL	% OF BDGT	PROJ	SALES TO GO
CASH & MISC.	33	10	280%	\$26,737.00	\$101,684.00	\$26,737.00	0.00%	\$	-\$101,684.00
CONGRESS SANIBEL	61	47	64%	\$158,786.00	\$260,177.00	\$142,982.00	208.14%	\$	-\$135,177.00
J BROWN	79	43	83%	\$158,634.00	\$290,976.00	\$158,634.00	193.98%	\$	-\$140,976.00
LENKERSDORFER	208	163	56%	\$501,828.00	\$785,169.00	\$501,828.00	130.86%	\$	-\$185,169.00
LILJENQUIST & BECKSTEAD - ANN.	68	69	-21%	\$261,036.00	\$205,801.00	\$261,036.00	68.60%	\$	\$94,199.00
LILJENQUIST & BECKSTEAD - BETH	87	44	88%	\$145,672.00	\$273,463.00	\$145,672.00	156.26%	\$	-\$98,463.00
LILJENQUIST & BECKSTEAD - FO	65	68	-7%	\$244,154.00	\$227,948.00	\$244,154.00	82.89%	\$	\$47,052.00
LILJENQUIST & BECKSTEAD - OC	16	9	54%	\$31,478.00	\$48,450.00	\$31,478.00	96.90%	\$	\$1,550.00
LILJENQUIST & BECKSTEAD - MCL	127	105	18%	\$338,597.00	\$400,897.00	\$338,597.00	100.22%	\$	-\$897.00
LITTLE SWITZERLAND KEY WEST	99	57	53%	\$205,320.00	\$315,159.00	\$205,320.00	126.06%	\$	-\$65,159.00
PROVIDENT FT MYERS	52	18	113%	\$84,272.00	\$179,832.00	\$84,272.00	143.87%	\$	-\$54,832.00
RADCLIFFE TOWSON	264	160	73%	\$500,880.00	\$864,850.00	\$500,880.00	144.14%	\$	-\$264,850.00
RADCLIFFE PIKESVILLE	137	68	135%	\$214,681.00	\$505,166.00	\$214,681.00	168.39%	\$	-\$205,166.00
SMYTH JEWELERS	165	92	110%	\$306,116.00	\$643,913.00	\$306,116.00	257.57%	\$	-\$393,913.00
TOURNEAU (1)			-13%	\$522,544.50	\$453,768.67	\$477,648.07	75.63%	\$	\$146,231.33
TOTAL	1461	953	50%	\$3,700,735.50	\$5,557,253.67	\$3,640,035.07	132.32%	\$4,200,000.00	-\$1,357,253.67
NEW ACCOUNTS									
NEW BUSINESS								\$	\$150,000.00
LITTLE SWITZERLAND WESTIN	45			\$0.00	\$160,868.00				
PROVIDENT NAPLES	50				\$192,821.00				
YAMRON JEWELERS	74			\$0.00	\$275,977.00				-\$275,977.00
TOTALS	169	0	N/A	\$0.00	\$629,666.00	\$0.00	419.78%	\$150,000.00	-\$479,666.00
Closed 2010									
FINKS (1) DULLES (9%)	0	0	-80%	\$70,914.06	\$13,927.32	\$70,914.06	13.93%	\$	\$86,072.68
G & H JEWELERS	0	1	-100%	\$2,930.00	\$0.00	\$2,930.00	#DIV/0!	\$	\$0.00
TOTAL	0	1	-81%	\$73,844.06	13,927.32	73,844.06	13.93%	\$100,000.00	\$150,000.00
GRAND TOTAL	1,630	954	64%	\$3,774,579.56	\$6,200,846.99	\$3,713,879.13	139.34%	\$4,450,000.00	-\$1,750,846.99

NEW GOAL 2010	\$6,200,846.99	\$5,600,000.00	110.73%
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A-733

DOORS 47
STORES 27

BREITLING USA SOUTHEAST SALES REPORT AS OF DECEMBER 31, 2010

	UNITS 2009	UNITS 2010	2009 VS. 2010	12/31/09	12/31/10	2009 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
ACKERMAN	80	65	-25%	229,496.00	171,191.00	229,496.00	68.48%	\$230,000.00	\$78,809.00
BERE	81	63	-18%	249,555.00	205,730.00	249,555.00	68.58%	\$500,000.00	\$94,270.00
BROWN AND CO 2 Loc	155	198	13%	483,893.00	546,695.00	483,893.00	95.08%	\$28,305.00	\$28,305.00
CASH	18	50	229%	48,338.00	158,899.00	48,338.00	317.80%	\$50,000.00	-\$108,899.00
GAUSE AND SON	21	4	-91%	108,243.00	9,790.00	108,243.00	9.79%	\$100,000.00	\$90,210.00
GHEISS & SONS Greenville	26	24	-28%	88,897.00	65,755.00	88,897.00	63.76%	\$100,000.00	\$36,245.00
GHEISS & SONS HiltonHead	10	11	-35%	51,168.00	33,128.00	51,168.00	55.21%	\$60,000.00	\$26,872.00
H & H	86	61	-11%	211,419.00	189,180.00	211,419.00	94.59%	\$200,000.00	\$10,820.00
HAROLD FREEMAN	21	23	-7%	72,669.00	67,331.00	72,669.00	67.33%	\$100,000.00	\$32,669.00
HAMILTON 44%	59	50	0%	\$145,407.00	146,105.00	145,407.00	#DIV/0!	\$400,000.00	-\$146,105.00
JR DUNN	76	116	51%	313,751.00	473,154.00	313,751.00	118.29%	\$400,000.00	-\$73,154.00
KING Miami	72	76	33%	242,586.00	322,978.00	242,586.00	129.19%	\$250,000.00	-\$72,978.00
KING Nashville	49	96	162%	126,828.00	331,811.00	126,828.00	189.61%	\$175,000.00	-\$156,811.00
Markman's	48	51	22%	\$121,920.00	148,963.00	121,920.00	186.20%	\$80,000.00	-\$68,963.00
MA YORS (8)	433	596	36%	1,368,224.00	1,864,957.00	1,368,224.00	124.33%	\$1,500,000.00	-\$364,957.00
MIAMI LAKES	33	45	48%	84,873.00	125,406.00	84,873.00	125.41%	\$100,000.00	-\$25,406.00
Old Northeast Jewelers 2 Loc	221	263	30%	\$758,810.00	986,974.00	758,810.00	129.87%	\$760,000.00	-\$226,974.00
PROVIDENTJ	62	73	-8%	272,791.00	250,442.00	272,791.00	83.48%	\$300,000.00	\$49,538.00
RAINBOW	93	102	6%	289,657.00	305,811.00	289,657.00	94.10%	\$325,000.00	\$19,189.00
ROSE REGENCY	30	74	147%	102,626.00	253,359.00	102,626.00	168.91%	\$150,000.00	-\$103,359.00
ROSS SIMON Atlanta	33	46	210%	46,560.00	144,532.00	46,560.00	144.53%	\$100,000.00	-\$44,532.00
ROSS SIMON Durham	51	45	-20%	160,974.00	128,475.00	160,974.00	73.41%	\$175,000.00	\$46,525.00
SOL TIME	157	309	121%	440,314.00	971,493.00	440,314.00	149.46%	\$650,000.00	-\$321,493.00
Starboard									
Steel's Jewelry	70	29	-63%	\$250,954.00	84,882.00	250,954.00	84.88%	\$100,000.00	\$15,118.00
TARA	46	50	4%	147,149.00	153,604.00	147,149.00	87.77%	\$175,000.00	\$21,396.00
TOURNEAU - 5 LOC									
WM DORI	71	2	-98%	1,350,634.10	1,973,366.00	1,350,634.10	123.34%	\$1,600,000.00	-\$337,366.00
WESTON JEWELERS	92	77	-23%	282,962.00	5,324.00	282,962.00	7.10%	\$75,000.00	\$69,676.00
WESTON AG	25	31	49%	330,743.00	254,538.00	330,743.00	56.57%	\$450,000.00	\$195,442.00
WINDSOR Winston Salem	68	72	9%	61,067.00	91,163.00	61,067.00	107.25%	\$85,000.00	-\$6,163.00
TOTAL	2,287	2,702	24%	8,618,271.10	10,708,545.00	8,618,271.10	112.90%	\$9,485,000.00	-\$1,223,545.00
NEW ACCOUNTS									
NEW ACCOUNTS			N/A				0.00%	\$1,175,000.00	\$1,175,000.00
DIAMONDS DIRECT (3 loc.)	366			1,219,939.00					
LEVY'S	0	80		268,102.00					
SANDLER'S	84		N/A	249,763.00			#DIV/0!		-\$249,763.00
TOTAL	0	530	N/A	\$0.00	1,737,804.00	0.00	147.90%	1,175,000.00	\$925,237.00
CLOSED 2010									
FINKS (5 doors) JH 59%	180	49	-80%	464,881.00	91,301.00	464,881.00	#DIV/0!		-\$91,301.00
GHEISS Spartanburg	3	0	-100%	10,525.00	0.00	10,525.00	#DIV/0!		\$0.00
MAHARAJA'S 2 Loc	10	0	-97%	35,206.00	1,154.00	35,206.00	#DIV/0!		-\$1,154.00
REEDS NC	32	0	-98%	77,845.00	1,476.00	77,845.00	#DIV/0!		-\$1,476.00
REEDS SC	10	0	-100%	24,427.00	0.00	24,427.00	#DIV/0!		\$0.00
ROSS SIMON Raleigh	39	7	-90%	105,826.00	10,157.00	105,826.00	#DIV/0!	\$0.00	\$0.00
TOTAL	274	56	-86%	\$718,710.00	104,088.00	718,807.00	#DIV/0!	\$0.00	-\$91,301.00
GRAND TOTALS	2561	3288	34%	\$9,336,981.10	\$12,550,437.00	\$9,337,078.10	117.73%	10,660,000.00	-\$1,890,437.00

2010 BUDGET \$ 10,660,000.00

NEW GOAL 2010	\$12,550,437.00	92.97%	\$13,500,000.00	0000268
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6920000

DOORS 35
STORES 31

BREITLING USA NCEN SALES REPORT AS OF DECEMBER 31, 2010

ACCOUNT NAME	UNITS 10	UNITS 09	2010 VS 2009	12/31/2009	12/31/2010	2009 TOTAL	% OF BDGT	PROJ. 2010	SALES TO GO
ALBERTS	75	66	28%	\$224,700.00	\$287,277.00	\$224,700.00	191.52%	\$150,000.00	-\$137,277.00
BORSHEIMS	97	100	7%	\$290,161.00	\$311,881.00	\$290,161.00	77.97%	\$400,000.00	\$88,119.00
BURDEENS	188	125	40%	\$432,197.00	\$605,257.00	\$432,197.00	134.50%	\$450,000.00	-\$155,257.00
CASH	25	24	20%	\$67,064.00	\$80,210.00	\$67,064.00	8021000.00%	\$1.00	-\$80,209.00
G. ALLAN JEWELERS	33	45	-39%	\$114,691.00	\$70,031.00	\$114,691.00	40.02%	\$175,000.00	\$104,969.00
GEORGE KOUJETER & SONS	35	40	-15%	\$140,998.00	\$120,393.00	\$140,998.00	60.20%	\$200,000.00	\$79,607.00
GUMER & CO	29	17	97%	\$46,278.00	\$90,983.00	\$46,278.00	113.73%	\$80,000.00	-\$10,983.00
J.B. HUDSON JEWELERS 2 LOC	144	123	265%	\$118,947.00	\$434,682.00	\$118,947.00	124.19%	\$350,000.00	-\$84,682.00
JAMES FREE	60	37	95%	\$107,622.00	\$209,991.00	\$107,622.00	119.99%	\$175,000.00	-\$34,991.00
JOSEPH	16	9	55%	\$28,095.00	\$43,528.00	\$28,095.00	58.04%	\$75,000.00	\$31,472.00
KARAGOSIAN & SON	30	20	19%	\$64,077.00	\$76,471.00	\$64,077.00	76.47%	\$100,000.00	\$23,529.00
LAWRENCE SCHREIBMAN GEMS	27	13	125%	\$32,504.00	\$73,245.00	\$32,504.00	97.66%	\$75,000.00	\$1,755.00
LEWIS	87	100	-8%	\$326,550.00	\$399,937.00	\$326,550.00	74.98%	\$400,000.00	\$100,063.00
JEFFREY MANN	71	56	75%	\$158,526.00	\$277,323.00	\$158,526.00	184.88%	\$150,000.00	-\$127,323.00
MARSHALL PIERCE	76	71	16%	\$222,742.00	\$257,272.00	\$222,742.00	85.76%	\$300,000.00	\$42,728.00
MASTERCRAFT	95	28	293%	\$74,953.00	\$294,476.00	\$74,953.00	130.88%	\$225,000.00	-\$69,476.00
MEIEROTTO	79	176	-63%	\$698,004.00	\$256,702.00	\$698,004.00	78.99%	\$325,000.00	\$68,298.00
NEWSTAR JEWELERS 2 LOC	31	53	-39%	\$188,658.00	\$114,321.00	\$188,658.00	45.73%	\$250,000.00	\$135,679.00
ORR	124	86	19%	\$344,508.00	\$409,274.00	\$344,508.00	90.95%	\$450,000.00	\$40,726.00
PICCIONES	73	43	59%	\$167,654.00	\$266,056.00	\$167,654.00	133.03%	\$200,000.00	-\$66,056.00
RAZNY JEWELERS 2 LOC	192	102	149%	\$310,503.00	\$772,310.00	\$310,503.00	154.46%	\$500,000.00	-\$272,310.00
REIS-NICHOLS, INC.	94	84	5%	\$280,548.00	\$294,847.00	\$280,548.00	84.24%	\$350,000.00	\$55,155.00
ROYAL	50	40	58%	\$131,924.00	\$208,227.00	\$131,924.00	138.82%	\$150,000.00	-\$58,227.00
SCHWANKE-KASTEN	131	149	-5%	\$437,479.00	\$414,903.00	\$437,479.00	92.20%	\$450,000.00	\$35,097.00
STAFFORD	76	84	-23%	\$335,664.00	\$256,871.00	\$335,664.00	128.44%	\$200,000.00	-\$56,871.00
TOURNEAU 2 LOC			35%	\$614,831.00	\$830,652.00	\$571,182.00	114.57%	\$725,000.00	-\$105,652.00
TOTAL	1,938	1,691	23%	\$5,959,878.00	\$7,357,120.00	\$5,916,229.00	106.55%	\$6,905,001.00	-\$452,119.00
NEW ACCOUNTS									
NEW BUSINESS									
GENEVA SEAL	98	0	N/A	\$0.00	\$356,308.00	\$0.00	118.77%	\$450,000.00	\$450,000.00
GREENBRIER	66	0	N/A	\$0.00	\$250,410.00	\$0.00	83.47%	\$300,000.00	-\$56,308.00
MOYER JEWELERS	106	0	N/A	\$0.00	\$378,956.00	\$0.00	126.32%	\$300,000.00	\$49,590.00
MEYERS JEWELERS	89	0	N/A	\$0.00	\$286,790.00	\$0.00	95.60%	\$300,000.00	-\$78,956.00
CASA D'ORO	95	0			\$387,861.00		129.29%	\$300,000.00	\$13,210.00
GENESIS DIAMONDS	79	0			\$306,366.00		102.12%	\$300,000.00	-\$87,861.00
TOTALS	261	0	N/A	\$0.00	\$1,966,691.00	\$0.00	437.04%	\$450,000.00	\$150,000.00
CLOSED 2010									
JOHNSON FAMILY 2 LOC	1	63	N/A	\$187,452.00	-\$88.00	\$187,452.00	-8800.00%	\$1.00	\$89.00
REISING INTERNATIONAL	1	14	-97%	\$41,804.00	\$1,304.00	\$41,804.00	130400.00%	\$1.00	-\$1,303.00
TOTALS	2	77	N/A	\$187,452.00	-\$88.00	\$187,452.00	106.55%	\$0.00	\$88.00
GRAND TOTAL	2,201	1,768	52%	\$6,147,330.00	\$9,323,723.00	\$6,103,681.00	126.77%	\$7,355,001.00	-\$1,968,722.00

BUDGET 2010 \$7,355,000.00

100.26% \$9,300,000.00

\$9,323,723.00

NEW GOAL

-\$23,723.00

A-735

DOORS 37
STORES 28

BREITLINGUSA SCENTRAL SALES AS OF DECEMBER 31ST, 2010

ACCOUNT NAME	UNITS 09	UNITS 10	2010 VS 2009	12/31/09	12/31/10	2009 TOTAL	% OF BDGT	PROJECTED	SALES TO GO
ALBRITONS (JACKSON, MO)	66	118	98%	\$ 183,258.00	\$ 363,692.00	\$ 183,258.00	145.48%	\$ 250,000.00	\$ (113,692.00)
BACHENDORF (3)	121	190	65%	\$ 400,448.00	\$ 660,810.00	\$ 400,448.00	110.14%	\$ 600,000.00	\$ (60,810.00)
BC CLARK	24	27	5%	\$ 78,862.00	\$ 82,830.00	\$ 78,862.00	63.72%	\$ 130,000.00	\$ 47,170.00
BOOZERS PREMIER DIAMONDS	55	11	-80%	\$ 180,607.00	\$ 35,449.00	\$ 180,607.00	23.63%	\$ 150,000.00	\$ 114,551.00
CASH	14	16	4%	\$ 38,647.00	\$ 40,270.00	\$ 38,647.00	161.08%	\$ 25,000.00	\$ (15,270.00)
CLARKSON	16	34	35%	\$ 71,219.00	\$ 96,304.00	\$ 71,219.00	77.04%	\$ 125,000.00	\$ 28,696.00
DONOHOS	88	103	30%	\$ 467,833.00	\$ 606,602.00	\$ 467,833.00	121.32%	\$ 500,000.00	\$ (106,602.00)
HALTOM'S (3)	135	243	106%	\$ 367,868.00	\$ 757,539.00	\$ 367,868.00	151.51%	\$ 500,000.00	\$ (257,539.00)
LACY & CO.	30	35	46%	\$ 68,608.00	\$ 100,126.00	\$ 68,608.00	80.10%	\$ 225,000.00	\$ 24,874.00
LEWIS	47	57	120%	\$ 85,694.00	\$ 188,843.00	\$ 85,694.00	83.93%	\$ 225,000.00	\$ 36,157.00
MARKHAM FINE JEWELERS	120	96	-15%	\$ 429,149.00	\$ 365,989.00	\$ 429,149.00	122.00%	\$ 300,000.00	\$ (65,989.00)
MATHEWS JEWELERS	58	37	-26%	\$ 184,401.00	\$ 136,202.00	\$ 184,401.00	68.10%	\$ 200,000.00	\$ 63,798.00
MATI (2) 70%	73	71	7%	\$ 231,525.00	\$ 248,198.00	\$ 231,525.00	82.73%	\$ 300,000.00	\$ 51,802.00
MODERN TIME	25	48	82%	\$ 83,990.00	\$ 152,985.00	\$ 83,990.00	152.99%	\$ 100,000.00	\$ (52,985.00)
MOODY'S (3)	70	102	-26%	\$ 406,535.00	\$ 301,120.00	\$ 406,535.00	60.22%	\$ 500,000.00	\$ 198,880.00
MORETTI'S	29	33	12%	\$ 84,180.00	\$ 94,469.00	\$ 84,180.00	62.98%	\$ 150,000.00	\$ 55,531.00
PRECIOUS GEM	20	24	39%	\$ 41,861.00	\$ 58,066.00	\$ 41,861.00	77.42%	\$ 75,000.00	\$ 16,934.00
R D EISEMAN	70	118	90%	\$ 189,585.00	\$ 359,452.00	\$ 189,585.00	179.73%	\$ 200,000.00	\$ (159,452.00)
REMONT CORP.(1)	35	35	9%	\$ 89,527.00	\$ 97,755.00	\$ 89,527.00	48.88%	\$ 200,000.00	\$ 102,245.00
ROBERTSON'S	45	33	-22%	\$ 120,273.00	\$ 94,207.00	\$ 120,273.00	62.80%	\$ 150,000.00	\$ 55,793.00
ROMANCE DIAMOND	29	25	-20%	\$ 94,284.00	\$ 75,571.00	\$ 94,284.00	60.46%	\$ 125,000.00	\$ 49,429.00
RUSSELL KORMAN	119	89	-14%	\$ 291,915.00	\$ 250,033.00	\$ 291,915.00	75.77%	\$ 330,000.00	\$ 79,967.00
SAM MAJORS	26	23	-20%	\$ 78,107.00	\$ 62,663.00	\$ 78,107.00	62.66%	\$ 100,000.00	\$ 37,337.00
SHANNON JEWELRY	81	53	-39%	\$ 273,748.00	\$ 166,195.00	\$ 273,748.00	83.10%	\$ 200,000.00	\$ 33,805.00
SIMONS	44	97	81%	\$ 145,401.00	\$ 262,870.00	\$ 145,401.00	131.44%	\$ 200,000.00	\$ (62,870.00)
TOURNEAU (2)	0	0	18%	\$ 573,676.00	\$ 675,376.00	\$ 573,676.00	92.52%	\$ 730,000.00	\$ 54,624.00
ZADOKS	118	152	-2%	\$ 541,945.00	\$ 528,676.00	\$ 541,945.00	105.74%	\$ 500,000.00	\$ (28,676.00)
TOTAL	1,558	1,870	18%	\$ 5,803,146.00	\$ 6,862,292.00	\$ 5,803,146.00	98.17%	\$ 6,990,000.00	\$ 127,708.00
NEW ACCOUNTS									
SCHWARZSCHILD ALVERSER	0	80	N/A	\$ -	\$ 244,259.00	\$ -		\$ 200,000.00	\$ (44,259.00)
SCHWARZSCHILD SHORT PUMP	0	80	N/A	\$ -	\$ 265,002.00	\$ -		\$ -	\$ (265,002.00)
FRIEND & CO	0	82	N/A	\$ -	\$ 287,918.00	\$ -		\$ -	\$ (287,918.00)
NEW BUSINESS	0	242	N/A	\$ -	\$ 797,179.00	\$ -	144.94%	\$ 350,000.00	\$ 350,000.00
TOTAL	0	242	N/A	\$ -	\$ 797,179.00	\$ -	144.94%	\$ 550,000.00	\$ (247,179.00)
CLOSED 2010									
REEDS VA	11	0	-100%	\$ 33,962.00	\$ -	\$ 33,932.00	#DIV/0!	\$ -	\$ -
DUNCAN & BOYD	11	-6	N/A	\$ 28,702.00	\$ (25,254.00)	\$ 28,702.00	#DIV/0!	\$ -	\$ 25,254.00
FINKS (4) 32%	95	22	-80%	\$ 252,138.00	\$ 49,518.00	\$ 252,139.00	#DIV/0!	\$ -	\$ (49,518.00)
TOTAL	1,558	2,112	26%	\$ 6,117,948.00	\$ 7,683,735.00	\$ 6,117,919.00	101.91%	\$ 7,540,000.00	\$ (143,735.00)
GRAND TOTAL	1,558	2,112	26%	\$ 6,117,948.00	\$ 7,683,735.00	\$ 6,117,919.00	101.91%	\$ 7,540,000.00	\$ (143,735.00)

2010 Budget \$ 7,540,000.00

0000270

New Goal 2010

\$ 7,683,735.00

\$ 9,500,000.00

\$ 1,816,265.00

142,000.00

BREITLING USA WEST 1 SALES REPORT AS OF DECEMBER 31, 2010										DOORS 44 STORES 31	
ACCOUNT NAME	UNITS 09	UNITS 10	2010 VS 2009	12/31/2009	12/31/2010	2009 TOTAL	% OF BDGT	PROJ. 2010	SALES TO GO		
AMERICAN JEWELRY CO.	23	28	79%	\$56,139.00	\$100,355.00	\$56,139.00	133.81%	\$75,000.00	-\$25,355.00		
BRYANT & SONS	19	64	227%	\$63,760.00	\$208,514.00	\$63,760.00	208.51%	\$100,000.00	-\$108,314.00		
C&S JEWELERS	47	30	-24%	\$146,789.00	\$112,065.00	\$146,789.00	64.04%	\$175,000.00	\$62,932.00		
CASH/PERSONAL	11	44	296%	\$28,041.00	\$111,025.00	\$28,041.00	#DIV/0!	\$0.00	-\$111,025.00		
DORO- GOLDEN NUGGET	77	6	-91%	\$229,243.00	\$19,605.00	\$229,243.00	13.07%	\$150,000.00	\$130,395.00		
GOLDSMITH	77	113	42%	\$217,486.00	\$309,078.00	\$217,486.00	176.63%	\$175,000.00	-\$134,078.00		
HIGHGLOW	73	84	21%	\$256,403.00	\$309,805.00	\$256,403.00	154.90%	\$200,000.00	-\$109,805.00		
HING WA LEE 2 doors	164	200	25%	\$447,914.00	\$560,239.00	\$447,914.00	80.03%	\$700,000.00	\$139,761.00		
HOROLOGIO	215	273	47%	\$638,205.00	\$937,701.00	\$638,205.00	117.21%	\$800,000.00	-\$137,701.00		
HOURS MINUTES SECONDS	73	46	-37%	\$253,036.00	\$160,455.00	\$253,036.00	80.23%	\$200,000.00	\$39,345.00		
HYDE PARK - 1V % OF SELL OUT			N/A	\$229,840.00	\$348,708.00	\$229,840.00	139.48%	\$250,000.00	-\$98,708.00		
JBROOKS 2 doors	91	86	31%	\$271,038.00	\$354,671.00	\$271,038.00	88.67%	\$400,000.00	\$45,329.00		
JEWEL SHOP	103	123	10%	\$312,899.00	\$342,919.00	\$312,899.00	137.17%	\$250,000.00	-\$92,919.00		
K. NORRIS JEWELERS	35	89	95%	\$146,745.00	\$285,921.00	\$146,745.00	142.96%	\$200,000.00	-\$85,921.00		
LEOR 5 doors	250	338	6%	\$1,151,236.00	\$1,217,066.00	\$1,151,236.00	101.42%	\$1,200,000.00	-\$17,066.00		
MILANO	34	33	0%	\$106,727.00	\$106,755.00	\$106,727.00	42.70%	\$250,000.00	\$143,245.00		
MIRAGE/ALL STORES 2 doors	167	71	-62%	\$653,579.00	\$249,808.00	\$653,579.00	31.23%	\$800,000.00	\$550,192.00		
MORGAN'S JEWELERS 2 doors	76	107	39%	\$247,969.00	\$345,268.00	\$247,969.00	138.11%	\$250,000.00	-\$95,268.00		
NO JEWELERS	87	50	-40%	\$346,150.00	\$207,075.00	\$346,150.00	118.33%	\$175,000.00	-\$32,075.00		
POLACHECK JEWELERS 2 doors	124	88	-27%	\$386,862.00	\$284,185.00	\$386,862.00	63.15%	\$450,000.00	\$165,815.00		
RADIANCE	45	30	N/A	\$267,530.00	\$96,672.00	\$267,530.00	38.67%	\$250,000.00	\$153,328.00		
SIMMONS	27	39	13%	\$110,959.00	\$125,380.00	\$110,959.00	83.59%	\$150,000.00	\$24,620.00		
T-BIRD JEWELERS	20	49	154%	\$51,871.00	\$131,909.00	\$51,871.00	131.91%	\$100,000.00	-\$31,909.00		
THOENIGS	14	21	37%	\$48,803.00	\$66,818.00	\$48,803.00	89.09%	\$75,000.00	\$8,182.00		
TOURNEAU - 4 doors			-5%	\$2,784,825.00	\$2,648,743.00	\$2,784,825.00	88.29%	\$3,000,000.00	\$351,257.00		
TOWNE JEWELERS	36	21	-56%	\$112,153.00	\$49,448.00	\$112,153.00	39.56%	\$125,000.00	\$75,552.00		
TRADITIONAL JEWELERS	95	132	46%	\$321,858.00	\$468,637.00	\$321,858.00	117.16%	\$400,000.00	-\$68,637.00		
WESTIME 2 doors	297	392	53%	\$890,888.00	\$1,339,196.00	\$890,888.00	135.92%	\$1,000,000.00	-\$359,196.00		
WYNN	68	30	-77%	\$213,088.00	\$50,065.00	\$213,088.00	20.03%	\$250,000.00	\$199,937.00		
TOTAL	2,348	2,587	5%	\$10,992,036.00	\$11,568,087.00	\$10,987,244.00	95.21%	\$12,150,000.00	\$581,913.00		
NEW ACCOUNTS											
ALEXANDER JEWELERS	0	91	N/A	\$0.00	\$301,357.00	\$0.00	150.68%	\$200,000.00	-\$101,357.00		
SEHATI - JEWELRY COUTURE	0	89	N/A	\$0.00	\$290,082.00	\$0.00	116.03%	\$250,000.00	-\$40,082.00		
SWISS WATCH GALLERY	0	137	N/A	\$0.00	\$486,468.00	\$0.00	194.59%	\$250,000.00	-\$236,468.00		
FELDMAR	0	83	N/A	\$0.00	\$256,452.00	\$0.00	#DIV/0!	\$0.00	-\$256,452.00		
TOTALS	0	400	N/A	\$0.00	\$1,334,359.00	\$0.00	190.62%	\$700,000.00	-\$101,357.00		
CLOSED 2010											
BARRY PETERSON- closed	8	-1	N/A	\$26,898.00	-\$2,850.00	\$26,898.00	#DIV/0!	\$0.00	\$2,850.00		
BENBRIDGE 2 doors - closed	85	8	-88%	\$235,501.00	\$27,195.00	\$235,501.00	13.60%	\$200,000.00	\$172,805.00		
DARVA JEWELERS- closed	5	0	N/A	\$13,971.00	-\$1,575.00	\$13,971.00	#DIV/0!	\$0.00	\$1,575.00		
SCHILBER'S JEWELRY CASTLE - closed	2	0	-99%	\$11,936.00	\$63.00	\$12,181.00	#DIV/0!	\$0.00	\$63.00		
CLASSIC DESIGNS - closed	46	1	-77%	\$15,260.00	\$3,580.00	\$15,260.00	1.79%	\$200,000.00	\$196,420.00		
TOTALS	146	8	-91%	\$303,566.00	\$26,415.00	\$303,811.00	6.60%	\$400,000.00	\$373,885.00		
GRAND TOTAL	2,494	2,995	14%	\$11,295,602.00	\$12,928,861.00	\$11,291,055.00	97.58%	\$13,250,000.00	\$321,139.00		
				NEW GOAL 2010				\$16,500,000.00	\$3,271,139.00		

NE 1 40 DOORS 26 STORES	YTD SALES 12/31/2011	YTD SALES 12/31/2010	TOTAL 2010	2011 VS. 2010 DOLLARS	SELL IN YTD UNITS 2011	SELL IN YTD UNITS 2010	2011 VS. 2010 SELL IN UNITS	AVERAGE PRICE 2011 SOLD IN	AVERAGE PRICE 2010 SOLD IN	2011 VS. 2010 AVERAGE SELL IN	SELL OUT YTD UNITS 2011	SELL OUT YTD UNITS 2010	2011 VS. 2010 SELL OUT	% OF BUDGET	PROJ 2011	SALES TO GO
ALICIAN GOLDEN DREAM	\$670,403.00	\$601,233.00	\$601,233.00	12%	150	185	-19%	\$4,469.35	\$3,249.91	36%	89	186	-47%	88%	\$ 765,000.00	\$ 939.00
AK MORRIS	\$442,598.00	\$259,973.00	\$259,973.00	70%	127	87	46%	\$3,485.02	\$2,988.20	17%	105	117	-10%	118%	\$ 375,000.00	\$ 670.00
B AND A JEWELERS	\$212,631.00	\$177,542.00	\$177,542.00	20%	85	54	29%	\$3,866.02	\$3,287.81	18%	65	71	-8%	95%	\$ 225,000.00	\$ 1,139.00
BOCCARDINO JEWELERS	\$273,099.00	\$176,742.00	\$176,742.00	55%	62	57	9%	\$4,404.82	\$3,100.74	42%	47	51	-6%	121%	\$ 225,000.00	\$ 443.00
CARAT V KIRAT	\$267,281.00	\$219,345.00	\$219,345.00	22%	31	21	48%	\$8,641.32	\$10,445.00	-17%	4	19	-79%	96%	\$ 280,000.00	\$ 1,190.00
CASH	\$75,853.00	\$123,893.00	\$123,893.00	-39%	27	56	-52%	\$2,809.37	\$2,212.38	27%	0	0	#DIV/0!	47%	\$ 160,000.00	\$ 784.00
FRIEDMAN JEWELERS	\$112,016.00	\$81,151.00	\$81,151.00	36%	30	26	15%	\$3,733.87	\$3,121.19	20%	13	29	-55%	93%	\$ 120,000.00	\$ 784.00
GOVERKIS (2 Doors)	\$2,133,791.00	\$1,740,728.00	\$1,740,728.00	33%	495	599	-3%	\$4,674.33	\$3,420.59	37%	180	244	-26%	104%	\$ 2,220,000.00	\$ 9,911.00
HENRY WILSON	\$121,798.00	\$65,211.00	\$65,211.00	87%	36	22	64%	\$3,383.28	\$2,954.14	14%	45	24	88%	81%	\$ 150,000.00	\$ 2,982.00
KENJO	\$670,060.00	\$913,046.00	\$913,046.00	-26%	176	208	-34%	\$3,852.61	\$3,406.69	13%	181	222	-18%	58%	\$ 1,165,000.00	\$ 4,840.00
HENARI (2 Doors)	\$348,189.00	\$331,429.00	\$331,429.00	5%	100	112	-11%	\$3,481.89	\$2,959.19	18%	52	47	11%	83%	\$ 420,000.00	\$ 7,151.00
LEMKERSWORFER	\$697,883.00	\$785,169.00	\$785,169.00	-11%	174	208	-16%	\$4,018.82	\$3,774.85	6%	186	186	10%	66%	\$ 1,050,000.00	\$ 3,517.00
LILJENQUIST - BETH	\$292,845.00	\$273,463.00	\$273,463.00	7%	65	66	-2%	\$5,113.57	\$3,118.20	0%	74	77	-4%	74%	\$ 275,000.00	\$ 7,180.00
LILJENQUIST - BETH	\$394,938.00	\$277,948.00	\$277,948.00	73%	109	65	66%	\$4,011.58	\$3,143.25	28%	78	71	10%	80%	\$ 365,000.00	\$ 7,185.00
LILJENQUIST - FD	\$410,607.00	\$400,897.00	\$400,897.00	2%	105	127	-17%	\$3,904.83	\$3,156.67	24%	105	109	-4%	76%	\$ 540,000.00	\$ 1,249.00
LILJENQUIST - MCL	\$608,348.00	\$659,966.00	\$659,966.00	-9%	178	267	-33%	\$3,417.69	\$2,471.78	38%	102	116	-12%	72%	\$ 840,000.00	\$ 2,316.50
LONDON JEWELERS (2 Doors)	\$1,277,995.00	\$1,125,680.00	\$1,125,680.00	14%	399	378	5%	\$3,670.12	\$2,977.99	20%	257	379	-32%	89%	\$ 1,435,000.00	\$ 1,573.90
MANNS JEWELERS	\$170,776.00	\$157,266.00	\$157,266.00	25%	26	25	4%	\$3,551.58	\$3,419.26	4%	37	36	3%	76%	\$ 125,000.00	\$ 2,277.00
MAYFAIR JEWELERS, INC.	\$391,988.00	\$379,009.00	\$379,009.00	3%	48	46	4%	\$3,842.73	\$3,386.02	13%	34	34	0%	54%	\$ 725,000.00	\$ 3,342.00
MOONLITE INT. INC.	\$174,996.00	\$150,385.00	\$150,385.00	16%	102	171	-40%	\$3,674.90	\$2,058.70	112%	28	30	-7%	78%	\$ 225,000.00	\$ 5,040.00
NORTHHEASTERN - 11 Door/ 766	\$560,100.00	\$664,850.00	\$664,850.00	-35%	150	264	-43%	\$3,794.00	\$2,659.82	48%	93	107	-13%	103%	\$ 680,000.00	\$ 2,892.00
RADCLIFFE TOWNSON	\$701,692.00	\$505,166.00	\$505,166.00	59%	196	137	43%	\$3,929.31	\$2,659.82	48%	34	34	0%	196%	\$ 150,000.00	\$ 4,461.00
RADCLIFFE PIRKINSVILLE	\$204,324.00	\$103,733.00	\$103,733.00	97%	52	39	33%	\$3,929.31	\$3,687.34	-3%	34	34	0%	103%	\$ 680,000.00	\$ 2,892.00
SCHERRER'S JEWELERS	\$401,339.00	\$643,913.00	\$643,913.00	-38%	114	165	-31%	\$3,520.52	\$3,902.50	-10%	61	118	-30%	46%	\$ 865,000.00	\$ 4,461.00
SMYTH JEWELERS	\$256,835.00	\$263,134.00	\$263,134.00	-2%	77	79	-3%	\$3,335.52	\$3,330.81	1%	42	22	91%	77%	\$ 395,000.00	\$ 7,816.00
THURGOODS NECK	\$4,640,118.00	\$4,578,390.00	\$4,578,390.00	12%	1,156	1,532	-25%	\$3,454.91	\$2,988.51	16%	945	1,447	-35%	64%	\$ 6,350,000.00	\$ 2,307.82
TOURNEAU (7 Doors)	\$944,000.00	\$1,234,225.00	\$1,234,225.00	-57%	141	211	-33%	\$3,792.28	\$5,849.41	-35%	80	109	-27%	34%	\$ 1,575,000.00	\$ 1,046.85
WEMPE	\$17,876,410.00	\$17,525,745.00	\$17,525,745.00	2%	4,483	5,337	-16%	\$3,987.60	\$3,283.62	21%	3218	4178	-23%	77%	\$23,295,000.00	\$5,419.00
POCKET WATCHES	\$17,876,410.00	\$17,525,745.00	\$17,525,745.00	2%	4,483	5,337	-16%	\$3,987.60	\$3,283.62	21%	3218	4178	-23%	77%	\$23,295,000.00	\$5,419.00
NEW ACCOUNTS																
NEW BUSINESS																
BRENT MILLER	\$171,912.00	\$0.00	\$0.00	#DIV/0!	48	0		\$3,579.42			8		#DIV/0!		\$ 100,000.00	\$ 7,180.00
PRECISION TIME	\$409,422.00	\$0.00	\$0.00	#DIV/0!	105	0		\$3,899.26			40		#DIV/0!		\$ 200,000.00	\$ 1,204.22
ROSS SIMONS CHRISTIANA	\$204,528.00	\$0.00	\$0.00	#DIV/0!	52	0		\$3,933.23			0		#DIV/0!		\$ 100,000.00	\$ 1,045.28
TOTAL	\$785,762.00	\$0.00	\$0.00	#DIV/0!	205	0		\$3,892.99			48	0	#DIV/0!		\$400,000.00	\$385,762.00
CLOSED 2011																
LORILL	\$88,254.00	\$51,995.00	\$51,995.00	-26%	11	17	-35%	\$3,477.64	\$3,088.53	14%	19	21	-14%	#VALUE!		
LORILL	\$45,925.00	\$290,976.00	\$290,976.00	-84%	14	79	-82%	\$3,280.36	\$3,683.24	-11%	20	28	-29%	#DIV/0!		\$ 43,540.00
LILJENQUIST - BETH	\$71,460.00	\$48,450.00	\$48,450.00	-56%	6	16	-63%	\$3,576.67	\$3,028.13	18%	18	18	0%	93%	\$ 65,000.00	\$ 4,540.00
LILJENQUIST - OC	\$105,639.00	\$391,421.00	\$391,421.00	5%	25	96	-74%	\$4,225.56	\$4,077.30	4%	38	49	-22%	75%	\$ 65,000.00	\$ 6,968.00
TOTAL	\$18,767,811.00	\$19,917,166.00	\$19,917,166.00	5%	4713	5433	-13%	\$3,982.14	\$3,287.84	21%	3304	4227	-22%	75%	\$33,760,000.00	\$5,037,343.00
GRAND TOTAL	\$18,767,811.00	\$19,917,166.00	\$19,917,166.00	5%	4713	5433	-13%	\$3,982.14	\$3,287.84	21%	3304	4227	-22%	75%	\$33,760,000.00	\$5,037,343.00

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NE2 37 DOORS	YTD SALES 12/31/2011	YTD SALES 12/31/2010	TOTAL 2010	2011 VS. 2010 DOLLARS	SELL IN YTD UNITS 2011	SELL IN YTD UNITS 2010	2011 VS. 2010 SELL IN UNITS	AVERAGE PRICE 2011 SOLD IN	AVERAGE PRICE 2010 SOLD IN	2011 VS. 2010 AVERAGE SELL IN	SELL OUT YTD UNITS 2011	SELL OUT YTD UNITS 2010	2011 VS. 2010 SELL OUT	% OF BUDGET	PROJ 2011	SALES TO GO
JAMALIAN-FRAMINGHAM	\$269,073.00	\$251,843.00	\$251,843.00	3%	77	81	5%	\$3,377.57	\$3,108.17	9%	79	58	35%	74%	\$ 350,000.00	\$ 89,927.00
JAMALIAN-NASHUA	\$245,346.00	\$286,565.00	\$286,565.00	-14%	74	81	-6%	\$3,315.49	\$3,537.84	-6%	67	48	-46%	66%	\$ 370,000.00	\$ 124,654.00
BETTERDAYS JEWELERS	\$170,639.00	\$251,338.00	\$251,338.00	-32%	40	79	-49%	\$4,265.98	\$3,184.03	34%	21	28	-25%	53%	\$ 325,000.00	\$ 154,361.00
JASH ACCOUNTANTS	\$75,291.00	\$97,082.00	\$97,082.00	-21%	27	39	-31%	\$2,825.59	\$2,489.28	14%	1	4	-75%	61%	\$ 125,000.00	\$ 48,709.00
KOOPER	\$161,441.00	\$161,441.00	\$161,441.00	67%	71	43	65%	\$3,769.72	\$3,754.44	1%	30	0	#DIV/0!	128%	\$ 210,000.00	\$ (39,070.00)
DAMOND DREAMS	\$593,551.00	\$238,901.00	\$238,901.00	155%	165	77	116%	\$3,569.68	\$2,972.74	20%	51	26	96%	215%	\$ 275,000.00	\$ (317,951.00)
DI HORN	\$409,328.00	\$259,877.00	\$259,877.00	57%	117	92	27%	\$3,457.68	\$2,824.75	24%	109	96	14%	124%	\$ 310,000.00	\$ 39,983.00
JASBEAS JEWELERS	\$270,417.00	\$238,001.00	\$238,001.00	14%	71	70	1%	\$3,806.69	\$3,400.01	12%	64	55	16%	87%	\$ 325,000.00	\$ (12,133.00)
CRDS	\$337,133.00	\$249,451.00	\$249,451.00	35%	89	73	22%	\$3,798.01	\$3,413.05	11%	88	58	52%	104%	\$ 315,000.00	\$ 55,435.00
JARY MICHAELS	\$340,889.00	\$242,638.00	\$242,638.00	40%	82	78	5%	\$4,149.87	\$3,110.74	33%	63	60	5%	86%	\$ 395,000.00	\$ 55,435.00
BRENDA S OF NEWPORT	\$319,465.00	\$307,397.00	\$307,397.00	3%	103	52	12%	\$3,296.75	\$3,341.27	-1%	68	44	55%	79%	\$ 250,000.00	\$ 51,987.10
LAMILLTONIAN 1-30%	\$198,402.90	\$97,621.30	\$97,621.30	99%	45	43	3%	\$3,806.69	\$3,400.01	12%	40	40	0%	90%	\$ 250,000.00	\$ 25,626.00
JARTOERS DIAMONDS	\$234,374.00	\$174,984.00	\$174,984.00	28%	59	61	-3%	\$4,408.85	\$2,938.68	50%	40	50	-20%	118%	\$ 650,000.00	\$ (120,288.00)
AY ROBERTS	\$770,388.00	\$492,899.00	\$492,899.00	56%	228	169	35%	\$3,378.46	\$2,916.56	16%	117	102	15%	119%	\$ 250,000.00	\$ (44,377.00)
DEVENS FINE JEWELRY	\$294,377.00	\$196,242.00	\$196,242.00	50%	67	55	22%	\$4,393.69	\$3,668.04	23%	51	1	5000%	118%	\$ 250,000.00	\$ (44,377.00)
QEVY	\$46,640.00	\$77,053.00	\$77,053.00	-39%	14	20	-30%	\$3,331.43	\$3,852.65	-14%	29	22	32%	47%	\$ 100,000.00	\$ 53,360.00
AVIANO JEWELERS - 2	\$298,761.00	\$258,814.00	\$258,814.00	15%	83	78	6%	\$3,569.53	\$3,318.13	8%	47	55	-15%	89%	\$ 335,000.00	\$ 36,239.00
ENOX JEWELERS	\$332,136.00	\$54,831.00	\$54,831.00	94%	101	18	39%	\$3,466.50	\$3,241.40	8%	5	8	-48%	51%	\$ 690,000.00	\$ 337,964.00
JONARDO - 2	\$513,501.00	\$490,455.00	\$490,455.00	5%	134	148	-9%	\$3,832.10	\$3,313.89	16%	131	131	0%	82%	\$ 630,000.00	\$ 116,459.00
JONES JEWELERS - 4	\$110,629.00	\$60,306.00	\$60,306.00	82%	341	205	52%	\$3,315.63	\$2,756.89	20%	233	243	-4%	141%	\$ 800,000.00	\$ (339,659.00)
LUX BOND & GREEN	\$281,457.00	\$126,080.00	\$126,080.00	123%	65	33	97%	\$4,350.11	\$3,820.61	13%	25	25	0%	47%	\$ 100,000.00	\$ 93,360.00
MARTIN JEWELERS	\$185,042.00	\$223,346.00	\$223,346.00	-17%	52	68	-24%	\$3,558.50	\$3,263.79	9%	49	52	-6%	84%	\$ 225,000.00	\$ (39,939.00)
NORTHWESTERN - 34%	\$55,135.44	\$71,767.80	\$71,767.80	-24%	12	24	-48%	\$4,417.90	\$3,130.94	41%	8	9	-11%	25%	\$ 225,000.00	\$ 169,864.95
ROCK OCEAN BIKET HILLS	\$464,939.00	\$316,143.00	\$316,143.00	36%	144	114	26%	\$3,228.74	\$2,848.82	10%	109	98	11%	109%	\$ 425,000.00	\$ 116,864.95
FREY WILKINS 2 LOC	\$196,355.00	\$96,426.00	\$96,426.00	93%	51	31	65%	\$3,828.52	\$2,948.82	17%	55	29	90%	149%	\$ 125,000.00	\$ 61,355.00
SAM WOODROW JEWELERS	\$208,015.00	\$118,654.00	\$118,654.00	75%	53	41	29%	\$3,926.51	\$2,894.00	36%	41	33	24%	139%	\$ 150,000.00	\$ 68,105.00
ROSS-SIMON CT STAMFORD	\$292,988.00	\$88,398.00	\$88,398.00	129%	61	30	103%	\$3,317.84	\$2,846.60	19%	40	46	-13%	162%	\$ 125,000.00	\$ 77,388.00
ROSS-SIMON NJ	\$383,337.00	\$92,768.00	\$92,768.00	126%	68	50	76%	\$4,364.97	\$3,470.74	25%	61	57	7%	170%	\$ 225,000.00	\$ (158,237.00)
ROSS-SIMON PROV	\$238,130.00	\$173,337.00	\$173,337.00	146%	70	33	112%	\$3,259.00	\$2,811.15	16%	42	59	-29%	190%	\$ 120,000.00	\$ (108,130.00)
BERNARD ROBERTS	\$778,348.00	\$274,354.00	\$274,354.00	2%	74	79	-6%	\$3,764.14	\$3,472.84	8%	62	25	148%	80%	\$ 350,000.00	\$ 71,454.00
SHERMAN & SONS BOMERSSET	\$110,874.00	\$82,210.00	\$82,210.00	93%	35	31	13%	\$3,167.63	\$2,664.19	18%	35	36	-3%	101%	\$ 110,000.00	\$ 1874.00
L & R JEWELERS	\$531,940.00	\$310,826.00	\$310,826.00	72%	125	90	39%	\$4,271.59	\$3,459.62	24%	110	98	12%	133%	\$ 400,000.00	\$ 113,949.00
DOURNEAU - 3	\$181,783.57	\$178,592.29	\$178,592.29	9%	193	165	17%	\$3,863.34	\$3,295.57	17%	130	76	71%	107%	\$ 700,000.00	\$ 45,624.00
W. KODAK	\$745,624.00	\$9,776,875.39	\$9,776,875.39	32%	3,012	2,548	18%	\$3,652.64	\$3,162.67	15%	219	181.5	17%	98%	\$13,190,000.00	\$304,724.09
TOTAL	\$12,884,275.91	\$9,962,495.39	\$9,962,495.39	39%	3,333	2,581.94	25%	\$3,666.63	\$3,160.84	16%	2,163.38	1,876.5	15%	101%	\$13,590,000.00	\$-147,772.91
NEW ACCOUNTS																
NEW BUSINESS																
AXWOODS	\$21,960.00	\$0.00	\$0.00	#DIV/0!	39	0		\$3,931.53	#DIV/0!		2	0	#DIV/0!		\$	\$ (231,960.00)
GOLDEN NEARBY (DORHAN)	\$19,224.00	\$0.00	\$0.00	#DIV/0!	31	0		\$3,788.71	#DIV/0!		0	0	#DIV/0!		\$	\$ (193,224.00)
ROBBAH JEWELERS	\$184,290.00	\$0.00	\$0.00	#DIV/0!	48	0		\$3,840.19	#DIV/0!		8	0	#DIV/0!		\$	\$ 200,000.00
ROSS-SIMON PRU	\$202,373.00	\$0.00	\$0.00	#DIV/0!	61	0		\$3,350.75	#DIV/0!		5	0	#DIV/0!		\$	\$ 200,000.00
TOTAL	\$847,886.00	\$0.00	\$0.00	#DIV/0!	219	0		\$3,871.63	#DIV/0!		15	0	#DIV/0!		\$400,000.00	\$-147,886.00
CLOSED 2011																
ROSS-SIMON W. HARTFORD	\$7,455.00	\$78,529.00	\$78,529.00	-104%	25	46	-9%	\$2,844.00	\$3,141.16	-9%	12	46	-74%		\$	\$ 2,844.00
SAMAGAN JEWELERS	\$4,611.00	\$102,808.00	\$102,808.00	-96%	3	34	-94%	\$2,485.00	\$2,997.67	-6%	7	12	-42%		\$	\$ 7,455.00
TOTAL	\$12,066.00	\$181,337.00	\$181,337.00	-93%	28	80	-65%	\$2,305.50	\$3,023.76	-24%	19	58	-67%		\$	\$ 16,611.00
GRAND TOTAL	\$13,737,772.91	\$9,879,683.39	\$9,879,683.39	39%	3,333	2,581.94	25%	\$3,666.63	\$3,160.84	16%	2,163.38	1,876.5	15%	101%	\$13,590,000.00	\$-147,772.91

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NC 41 DOORS 38 STORES	YTD SALES 12/31/2011	YTD SALES 12/31/2010	TOTAL 2010	2011 VS. 2010 DOLLARS	SELL IN YTD UNITS 2011	SELL IN YTD UNITS 2010	2011 VS. 2010 SELL IN UNITS	AVERAGE PRICE 2011 SOLD IN	AVERAGE PRICE 2010 SOLD IN	2011 VS. AVERAGE SELL IN	SELL OUT YTD UNITS 2011	SELL OUT YTD UNITS 2010	2011 VS. 2010 SELL OUT	% OF BUDGET	PROJ 2011	SALES TO GO
ALBERTS	\$24,036.00	\$28,277.00	\$387,277.00	-15%	60	75	-20%	\$4,007.27	\$3,850.96	6%	43	34	26%	66%	\$ 370,000.00	\$ 125,964.00
BURDEENS	\$703,423.00	\$693,257.00	\$693,257.00	16%	225	188	20%	\$3,126.32	\$3,219.45	-3%	218	162	35%	50%	\$ 780,000.00	\$ 76,577.00
CASH	\$328,266.00	\$387,861.00	\$387,861.00	-15%	81	95	-15%	\$4,052.67	\$4,082.75	-1%	47	12	222%	66%	\$ 100,000.00	\$ 171,750.00
G. ALLAN JEWELERS	\$53,067.00	\$80,210.00	\$80,210.00	-55%	12	25	-52%	\$5,040.00	\$3,208.40	-5%	0	0	#DIV/0!	36%	\$ 100,000.00	\$ 63,520.00
GENEVA SEAL	\$168,403.00	\$306,366.00	\$306,366.00	-47%	43	78	-46%	\$3,537.60	\$2,122.15	67%	32	21	42%	42%	\$ 125,000.00	\$ 71,933.00
GENEVA SEAL	\$72,688.00	\$356,308.00	\$356,308.00	61%	122	98	24%	\$3,600.07	\$3,678.05	-2%	34	6	467%	41%	\$ 395,000.00	\$ 231,850.00
GEORGE KOUETER & SONS	\$20,518.00	\$120,393.00	\$120,393.00	66%	47	35	34%	\$4,308.89	\$3,438.80	29%	75	30	150%	124%	\$ 460,000.00	\$ 21,850.00
GREENBERG	\$51,193.00	\$250,410.00	\$250,410.00	-102%	-2	66	-103%	\$2,596.50	\$3,794.09	-32%	9	11	-16%	116%	\$ 175,000.00	\$ (27,510.00)
GUMPER & CO	\$106,147.00	\$90,983.00	\$90,983.00	3%	30	29	3%	\$3,538.23	\$3,137.34	13%	18	19	-5%	85%	\$ 125,000.00	\$ 18,850.00
J.B. HUDSON JEWELERS 1 LOC	\$233,801.00	\$434,682.00	\$434,682.00	-42%	99	144	-31%	\$2,560.62	\$3,018.63	-15%	96	76	26%	45%	\$ 560,000.00	\$ 306,490.00
JAMES FREE	\$272,107.00	\$209,991.00	\$209,991.00	30%	62	60	3%	\$4,388.82	\$3,499.85	25%	44	44	0%	101%	\$ 270,000.00	\$ (2,100.00)
JEFFREY MANN	\$346,078.00	\$277,333.00	\$277,333.00	25%	60	71	-15%	\$5,767.97	\$3,905.96	46%	56	43	30%	96%	\$ 360,000.00	\$ 13,920.00
KARAGOSIAN & SON	\$124,817.00	\$76,471.00	\$76,471.00	63%	29	30	-3%	\$4,304.03	\$2,549.03	69%	24	27	-11%	100%	\$ 125,000.00	\$ 18,300.00
KING NASHVILLE	\$413,309.00	\$318,110.00	\$318,110.00	25%	95	96	-1%	\$4,350.62	\$3,456.96	26%	83	122	-32%	96%	\$ 430,000.00	\$ 16,690.00
LAWRENCE SCHRIBMAN	\$120,702.00	\$73,245.00	\$73,245.00	65%	43	27	56%	\$2,807.02	\$2,712.78	3%	32	38	-16%	121%	\$ 100,000.00	\$ 26,080.00
LEWIS	\$73,911.00	\$299,937.00	\$299,937.00	25%	100	87	15%	\$3,739.11	\$3,447.55	8%	78	73	7%	93%	\$ 400,000.00	\$ 26,080.00
MARKMANS	\$226,905.00	\$48,963.00	\$48,963.00	52%	61	51	20%	\$3,719.75	\$2,920.84	27%	45	50	-10%	116%	\$ 195,000.00	\$ (31,905.00)
MARSHALL PIERCE	\$305,930.00	\$27,272.00	\$27,272.00	19%	84	76	11%	\$3,642.02	\$3,365.16	8%	59	73	-21%	93%	\$ 330,000.00	\$ 24,070.00
MASTERCRAFT	\$483,081.00	\$294,476.00	\$294,476.00	64%	113	95	19%	\$4,275.05	\$3,099.75	36%	113	74	53%	127%	\$ 360,000.00	\$ (103,080.00)
MEYERS JEWELERS	\$204,761.00	\$286,790.00	\$286,790.00	-29%	58	89	-35%	\$3,530.36	\$3,222.36	10%	47	32	47%	55%	\$ 370,000.00	\$ 165,230.00
MOTHER JEWELERS	\$230,101.00	\$378,956.00	\$378,956.00	-39%	53	106	-50%	\$4,341.53	\$3,575.06	21%	42	36	17%	47%	\$ 490,000.00	\$ 259,850.00
NEWSTAR JEWELERS 2 LOC	\$298,120.00	\$114,321.00	\$114,321.00	161%	79	31	155%	\$3,773.67	\$3,667.77	2%	71	36	97%	161%	\$ 185,000.00	\$ (113,120.00)
ORRIS	\$303,794.00	\$286,056.00	\$286,056.00	14%	72	73	-1%	\$4,219.36	\$3,644.60	16%	76	71	7%	88%	\$ 345,000.00	\$ 41,200.00
RAZNY JEWELERS 3 LOC	\$971,304.00	\$772,310.00	\$772,310.00	26%	267	192	39%	\$3,637.84	\$4,022.45	-10%	79	86	-6%	97%	\$ 1,000,000.00	\$ 28,690.00
RENNICHOLS, INC	\$311,140.00	\$294,847.00	\$294,847.00	12%	103	94	10%	\$3,214.95	\$3,136.67	2%	97	72	35%	87%	\$ 380,000.00	\$ 48,860.00
RONIE BENEY	\$180,984.00	\$33,359.00	\$33,359.00	-29%	48	74	-55%	\$3,768.83	\$3,423.77	10%	61	48	27%	55%	\$ 330,000.00	\$ 149,095.00
SCHWANKE-KASTEN	\$461,172.00	\$414,903.00	\$414,903.00	11%	127	131	-3%	\$3,631.28	\$3,167.20	15%	86	105	-18%	85%	\$ 540,000.00	\$ 78,620.00
SCHWARZSCHILD ALVENSER	\$96,374.00	\$244,239.00	\$244,239.00	-61%	30	80	-63%	\$3,212.47	\$3,053.24	5%	28	10	180%	31%	\$ 310,000.00	\$ 213,620.00
SCHWARZSCHILD SHORT PUMP	\$169,605.00	\$265,002.00	\$265,002.00	-36%	44	80	-45%	\$3,954.66	\$3,379.88	26%	68	58	17%	105%	\$ 335,000.00	\$ 165,390.00
STAFFORD	\$543,590.00	\$236,871.00	\$236,871.00	34%	61	76	7%	\$4,263.69	\$3,379.88	26%	182	282	-31%	65%	\$ 1,200,000.00	\$ 421,000.00
TOURNEAU 2 LOC	\$78,359.00	\$830,632.00	\$830,632.00	-6%	223	278	-20%	\$3,493.09	\$2,967.96	17%	217	186	13%	75%	\$ 1,245,000.00	\$ 27,653.41
TOTAL	\$10,191,559.00	\$9,746,867.00	\$9,746,867.00	5%	2,684	2,888	-7%	\$3,374.95	\$3,374.95	13%	2,137	1,886	13%	75%	\$12,845,000.00	\$2,653,441.00
NEW ACCOUNTS																
NEW BUSINESS																
FINKS	\$52,448.00	\$0.00	\$0.00	#DIV/0!	63	0	#DIV/0!	\$5,746.79	#DIV/0!	#DIV/0!	7	0			\$ 600,000.00	\$ (50,000.00)
KELLER & GEORGE	\$200,384.00	\$0.00	\$0.00	#DIV/0!	51	0	#DIV/0!	\$3,929.10	#DIV/0!	#DIV/0!	4	0			\$ 150,000.00	\$ (50,360.00)
LUCIDO STERLING HEIGHTS	\$503,183.00	\$0.00	\$0.00	#DIV/0!	66	0	#DIV/0!	\$4,593.68	#DIV/0!	#DIV/0!	17	0			\$ 150,000.00	\$ (127,750.00)
LUCIDO ROCHESTER	\$277,766.00	\$0.00	\$0.00	#DIV/0!	73	0	#DIV/0!	\$3,805.01	#DIV/0!	#DIV/0!	19	0			\$ 150,000.00	\$ (127,750.00)
TOTAL	\$1,143,381.00	\$0.00	\$0.00	#DIV/0!	253	0	#DIV/0!	\$4,519.29	#DIV/0!	#DIV/0!	36	0			\$600,000.00	\$543,381.00
CLOSED 2011																
JOSEPH	\$25,081.00	\$43,528.00	\$43,528.00	-42%	9	16	-44%	\$ 2,786.78	\$ 2,720.50	2%	21	20	5%		\$ (25,080.00)	\$ (25,080.00)
JOHNSON FAMILY	\$125,411.00	\$88.00	\$88.00	14,2413%	-38	1	-3900%								\$ (260.00)	\$ (260.00)
ROYAL	\$562.00	\$28,237.00	\$28,237.00	-100%	0	30	-100%	#DIV/0!	\$ 4,164.54	#DIV/0!	3	38	-92%		\$ (2,943.00)	\$ (2,943.00)
TOTAL	\$100,065.00	\$251,667.00	\$251,667.00	-1.40%	-29	67	-1.43%	\$ 3,450.62	\$ 3,756.22	-6%	24	58	-59%		\$ 13,445,000.00	\$ (25,943.00)
GRAND TOTAL	\$11,234,872.00	\$9,998,534.00	\$9,998,534.00	12%	2908	2955	-2%	\$3,863.44	\$3,363.60	14%	2,197	1,944	13%	84%	\$13,445,000.00	\$2,084,717.00

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SE 47 DOORS 28 STORES	YTD SALES 12/31/11	YTD SALES 12/31/2010	2011 VS. 2010 DOLLARS	SELL IN YTD UNITS 2011	SELL IN YTD UNITS 2010	2011 VS. 2010 IN UNITS	AVERAGE PRICE 2011 SOLD IN	AVERAGE PRICE 2010 SELL IN	2011 VS. 2010 AVERAGE SELL IN	SELL OUT YTD UNITS 2011	SELL OUT YTD UNITS 2010	2011 VS. 2010 SELL OUT	% OF BUDGET	PROJ 2011	SALES TO GO
Ackerman	\$282,253.00	\$171,191.00	68%	76	65	17%	\$3,792.80	\$2,633.71	4%	36	55	-35%	128%	\$ 225,000.00	\$ (63,255.00)
Berg	\$178,307.00	\$205,730.00	84%	108	63	71%	\$3,502.84	\$3,262.56	7%	85	60	42%	140%	\$ 270,000.00	\$ (108,300.00)
Brown & Co. (2 locations)	\$464,930.00	\$546,695.00	-15%	112	198	-43%	\$4,171.16	\$2,761.09	50%	140	177	-21%	65%	\$ 710,000.00	\$ 245,070.00
CSH	\$56,045.00	\$138,899.00	-65%	15	50	-70%	\$3,736.33	\$3,177.98	18%	0	0	#DIV/0!	28%	\$ 200,000.00	\$ 143,955.00
Congress Smeal	\$343,778.00	\$260,177.00	32%	67	61	10%	\$5,131.01	\$4,265.20	20%	48	39	26%	96%	\$ 1,590,000.00	\$ 59,980.00
Diamond Direct (3 locations)	\$1,531,013.00	\$1,219,939.00	25%	423	366	16%	\$3,619.42	\$3,333.17	9%	267	167	60%	101%	\$ 80,000.00	\$ (1,120.00)
Geiss & Sons Greenville	\$81,129.00	\$63,755.00	27%	20	24	-17%	\$4,056.45	\$2,656.46	53%	20	13	54%	103%	\$ 245,000.00	\$ (7,720.00)
H & H	\$251,724.00	\$189,180.00	34%	59	61	-3%	\$4,283.46	\$3,101.31	39%	67	56	20%	101%	\$ 90,000.00	\$ (49,765.00)
Harold Freeman	\$139,765.00	\$67,331.00	105%	96	23	57%	\$3,882.31	\$2,927.43	33%	31	30	3%	155%	\$ 620,000.00	\$ 189,730.00
Hamilton Palm Beach Gardens (70%)	\$462,940.00	\$185,951.00	149%	105	79	33%	\$4,408.95	\$2,953.81	87%	94	72	31%	244%	\$ 190,000.00	\$ (272,940.00)
JR Dunn	\$430,262.00	\$473,154.00	-9%	107	116	-8%	\$4,021.14	\$4,078.91	-1%	77	106	-27%	69%	\$ 420,000.00	\$ 20,670.00
King Miami	\$399,122.00	\$322,978.00	24%	84	76	11%	\$4,751.45	\$4,249.71	12%	64	88	-27%	95%	\$ 350,000.00	\$ (23,000.00)
Levy's	\$373,006.00	\$260,177.00	43%	95	87	9%	\$3,926.38	\$2,890.54	31%	86	17	406%	107%	\$ 425,000.00	\$ 102,545.00
Little Switzerland Key West	\$324,455.00	\$13,159.00	2%	85	99	-14%	\$3,793.59	\$2,786.80	35%	64	59	8%	76%	\$ 425,000.00	\$ 102,545.00
Little Switzerland Wain	\$227,831.00	\$160,868.00	42%	62	45	38%	\$3,674.69	\$3,574.84	3%	26	4	550%	101%	\$ 2,400,000.00	\$ (572,745.00)
Mawm (P location)	\$1,972,740.00	\$1,864,957.00	59%	771	596	29%	\$3,685.68	\$3,129.12	22%	348	395	-12%	124%	\$ 165,000.00	\$ (112,950.00)
Miami Lakes	\$277,520.00	\$25,406.00	1211%	74	45	64%	\$3,750.27	\$2,430.71	1%	68	59	15%	169%	\$ 1,290,000.00	\$ 198,890.00
Old Northwest (2 locations)	\$1,091,105.00	\$986,974.00	11%	248	263	-6%	\$4,399.62	\$3,752.75	17%	235	230	2%	85%	\$ 250,000.00	\$ 117,250.00
President Jupiter	\$835,930.00	\$250,442.00	234%	187	73	156%	\$4,470.32	\$3,430.71	30%	104	77	35%	257%	\$ 325,000.00	\$ (5,195.00)
President Ft. Myers	\$132,743.00	\$179,832.00	-26%	38	52	-27%	\$3,493.24	\$3,459.31	1%	46	43	7%	53%	\$ 265,000.00	\$ (57,670.00)
President Naples	\$822,675.00	\$192,811.00	327%	148	50	196%	\$5,558.61	\$3,856.42	44%	58	2	2800%	310%	\$ 400,000.00	\$ 16,650.00
Rainbow	\$330,156.00	\$144,532.00	128%	78	46	70%	\$4,232.51	\$3,142.00	35%	55	45	2%	174%	\$ 190,000.00	\$ (140,130.00)
Rena Jimena Atlanta	\$193,769.00	\$128,475.00	149%	69	45	98%	\$3,592.91	\$2,855.00	26%	61	57	7%	194%	\$ 185,000.00	\$ (154,760.00)
Ross Simons Durham	\$336,389.00	\$249,763.00	59%	69	84	-19%	\$3,425.93	\$2,973.37	15%	43	17	153%	73%	\$ 325,000.00	\$ 156,550.00
Sawdell's	\$891,643.00	\$971,493.00	-8%	300	309	-3%	\$2,872.14	\$3,143.89	-5%	314	274	15%	71%	\$ 1,250,000.00	\$ 358,350.00
Soi Time	\$143,274.00	\$84,882.00	69%	57	29	97%	\$2,513.58	\$2,926.97	-14%	54	27	100%	130%	\$ 200,000.00	\$ (30,610.00)
Steel's Jewelry	\$239,813.00	\$153,604.00	50%	67	50	34%	\$3,444.97	\$3,072.08	12%	53	49	8%	115%	\$ 200,000.00	\$ (30,610.00)
Tara	\$2,120,499.00	\$1,973,366.00	7%	606	660	-8%	\$3,499.17	\$2,989.95	17%	496	623	-20%	80%	\$ 2,650,000.00	\$ 528,500.00
Tourneau (4 locations)	\$331,717.00	\$254,538.00	30%	75	77	-3%	\$4,422.89	\$3,305.95	34%	62	70	-11%	102%	\$ 325,000.00	\$ (6,710.00)
Weston	\$84,372.00	\$1,165.00	-77%	29	31	-6%	\$2,909.38	\$2,940.74	-1%	38	26	46%	70%	\$ 120,000.00	\$ 35,620.00
Windsor Augusta, GA	\$223,534.00	\$212,594.00	5%	59	68	-13%	\$3,788.71	\$3,126.39	21%	42	58	-28%	81%	\$ 275,000.00	\$ 156,550.00
Windsor Winston-Salem, NC	\$218,448.00	\$275,977.00	-21%	59	74	-20%	\$3,702.51	\$3,729.42	-1%	39	17	129%	56%	\$ 375,000.00	\$ 156,550.00
Yarmon	\$17,398,216.00	\$13,047,834.00	33%	4,512	4,067	11%	\$3,855.99	\$3,208.22	20%	3,802	3,099	7%	102%	\$17,070,000.00	\$-328,216.00
TOTAL															
NEW ACCOUNTS															
NEW BUSINESS															
Kawab Fine Jewelry	\$279,933.00	\$0.00	#DIV/0!	66	0		\$ 4,241.26			18%	0	#DIV/0!		\$ 200,000.00	\$ (79,933.00)
Marbler	\$63,228.00	\$0.00	#DIV/0!	72	0		\$ 3,655.94			24	0	#DIV/0!		\$ 200,000.00	\$ (63,228.00)
TOTAL	\$543,151.00	\$0.00	#DIV/0!	138	0		\$ 3,935.88			26	0	#DIV/0!		\$400,000.00	\$-143,151.00
CLOSED 2011															
Enuse & Son	\$1,929.00	\$9,790.00	-80%	1	2	-50%	\$ 1,929.00	\$ 4,895.00	-61%	22	34	-35%		\$	\$ (1,929.00)
Geiss & Sons Hilltop Head	\$10,953.00	\$33,128.00	-66%	5	11	-55%	\$ 2,190.60	\$ 3,011.64		16	16			\$	\$ (1,095.60)
Ross Simons NC	\$10,237.00	\$10,157.00	101%	2	3	0%	\$ 5,346.50	\$ 2,662.00	101%	23	9	156%		\$	\$ (10,695.00)
WM Dept	\$10,695.00	\$5,324.00	-77%	2	3	0%	\$ 5,346.50	\$ 2,662.00	101%	23	9	156%		\$	\$ (10,695.00)
TOTAL	\$13,338.00	\$58,399.00	-77%	4650	4067	14%	\$3,861.23	\$3,222.88	20%	3389	3158	7%	103%	\$17,470,000.00	\$-849,942.00
GRAND TOTAL	\$17,954,705.00	\$13,106,235.00	37%	4650	4067	14%	\$3,861.23	\$3,222.88	20%	3389	3158	7%	103%	\$17,470,000.00	\$-849,942.00

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SC	YTD SALES 12/31/2011	YTD SALES 12/31/2010	TOTAL 2010	2011 VS. 2010 DOLLARS	SELL IN YTD UNITS 2011	SELL IN YTD UNITS 2010	2011 VS. 2010 SELL IN UNITS	AVERAGE PRICE 2011 SOLD IN	AVERAGE PRICE 2010 SOLD IN	2011 VS. 2010 AVERAGE SELL IN	SELL OUT YTD UNITS 2011	SELL OUT YTD UNITS 2010	2011 VS. 2010 SELL OUT	% OF BUDGET	PROJ 2011	SALES TO GO
40 DOORS 31 STORES	\$49,870.00	\$53,440.00	\$163,640.00	21%	159	149	7%	\$2,766.48	\$3,428.21	13%	67	48	40%	#DIV/0!	\$	(439,674.00)
ALBERTONS	\$387,388.00	\$363,692.00	\$363,692.00	7%	113	118	-4%	\$3,428.21	\$3,082.14	11%	89	80	24%	84%	\$	\$ 460,000.00
BACHENDORF (1)	\$897,654.00	\$660,810.00	\$660,810.00	36%	242	190	27%	\$3,706.83	\$3,477.95	7%	178	213	-16%	107%	\$	\$ 835,000.00
BC CLARK	\$179,011.00	\$82,830.00	\$82,830.00	116%	51	27	89%	\$3,510.02	\$3,067.78	14%	45	18	61%	143%	\$	\$ 125,000.00
BOOZERS PREMIER DIAMONDS	\$37,019.00	\$35,449.00	\$35,449.00	4%	11	11	0%	\$3,365.36	\$3,222.64	4%	10	18	-44%	48%	\$	\$ 75,000.00
BORSHEIMS	\$445,995.00	\$311,881.00	\$311,881.00	43%	129	97	33%	\$3,457.33	\$3,215.27	8%	94	87	8%	111%	\$	\$ 400,000.00
CASH	\$14,083.00	\$40,270.00	\$40,270.00	-65%	5	16	-69%	\$2,816.60	\$2,516.88	12%	3	12	-75%	10%	\$	\$ 75,000.00
CLARKSON	\$266,546.00	\$96,319.00	\$96,319.00	177%	47	34	38%	\$5,679.70	\$2,832.91	100%	42	31	35%	76%	\$	\$ 125,000.00
DUNHORS	\$579,448.00	\$606,602.00	\$606,602.00	-4%	137	103	33%	\$4,233.20	\$5,889.34	-28%	65	76	-14%	0%	\$	\$ 365,000.00
FRIEND & CO	\$181,792.00	\$287,818.00	\$287,818.00	-37%	53	82	-35%	\$3,430.04	\$3,511.20	-2%	44	14	214%	73%	\$	\$ 960,000.00
(MILWAUKEE)	\$703,228.00	\$757,539.00	\$757,539.00	-7%	191	243	-21%	\$3,681.82	\$3,117.44	18%	205	162	27%	73%	\$	\$ 365,000.00
LACY & CO	\$99,506.00	\$100,126.00	\$100,126.00	-1%	28	35	-20%	\$3,553.79	\$2,860.74	24%	34	22	55%	66%	\$	\$ 150,000.00
LEWIS JEWELERS TX	\$344,318.00	\$188,843.00	\$188,843.00	82%	77	57	35%	\$4,474.26	\$3,313.04	35%	64	33	94%	139%	\$	\$ 250,000.00
MARKHAM	\$379,869.00	\$762,219.00	\$762,219.00	5%	97	95	2%	\$3,916.18	\$3,012.83	3%	91	65	40%	82%	\$	\$ 465,000.00
MATTHEWS	\$130,894.00	\$136,302.00	\$136,302.00	-4%	29	37	-22%	\$4,489.79	\$3,681.14	22%	30	25	20%	75%	\$	\$ 175,000.00
MATT(1)	\$376,727.00	\$248,198.00	\$248,198.00	52%	105	71	48%	\$3,587.88	\$3,495.75	3%	82	62	32%	94%	\$	\$ 400,000.00
MEIEROTTO	\$402,844.00	\$256,702.00	\$256,702.00	57%	118	79	49%	\$3,407.15	\$3,249.39	5%	66	69	-3%	122%	\$	\$ 330,000.00
MODERN TIME/JOA	\$268,662.00	\$155,054.00	\$155,054.00	73%	71	49	45%	\$3,783.97	\$3,164.37	20%	62	37	68%	138%	\$	\$ 195,000.00
MODDY'S (1)	\$544,756.00	\$301,120.00	\$301,120.00	84%	156	102	53%	\$3,556.13	\$2,952.16	20%	123	94	31%	146%	\$	\$ 380,000.00
MORETTIS	\$144,483.00	\$4,469.00	\$4,469.00	53%	42	33	27%	\$3,440.12	\$2,862.70	20%	41	30	37%	120%	\$	\$ 120,000.00
RD EISEMAN	\$480,744.00	\$359,452.00	\$359,452.00	36%	118	118	0%	\$4,150.37	\$3,046.20	36%	93	89	4%	109%	\$	\$ 450,000.00
RENDONTMONTALVO	\$96,933.00	\$97,755.00	\$97,755.00	-1%	31	35	-11%	\$3,127.52	\$2,793.00	27%	31	51	-39%	78%	\$	\$ 125,000.00
ROBERSON	\$145,036.00	\$94,207.00	\$94,207.00	54%	40	33	21%	\$3,625.90	\$2,854.76	27%	40	28	11%	121%	\$	\$ 120,000.00
ROMANCE DIAMOND CO	\$110,554.00	\$75,571.00	\$75,571.00	72%	40	25	60%	\$3,258.85	\$3,022.84	8%	45	24	88%	137%	\$	\$ 95,000.00
RUSSELL KORMAN	\$183,330.00	\$250,033.00	\$250,033.00	-26%	62	89	-30%	\$2,998.87	\$2,809.36	7%	82	116	-29%	59%	\$	\$ 315,000.00
SAM MAJORS (2)	\$235,211.00	\$62,663.00	\$62,663.00	275%	65	23	183%	\$3,618.63	\$2,724.48	33%	35	16	119%	294%	\$	\$ 80,000.00
SHANNON JEWELRY	\$365,077.00	\$166,195.00	\$166,195.00	120%	85	53	60%	\$4,295.02	\$3,135.75	37%	75	56	34%	174%	\$	\$ 210,000.00
SIMONS	\$386,550.00	\$262,870.00	\$262,870.00	47%	112	97	15%	\$3,451.34	\$2,710.00	27%	53	64	-45%	117%	\$	\$ 330,000.00
TOURNEAU (2)	\$907,440.00	\$675,376.00	\$675,376.00	34%	259	226	15%	\$3,502.86	\$2,988.39	17%	212	213	0%	91%	\$	\$ 1,000,000.00
ZADOKS	\$616,532.00	\$38,676.00	\$38,676.00	20%	166	152	9%	\$3,832.84	\$3,478.13	10%	146	122	20%	95%	\$	\$ 670,000.00
TOTAL	\$10,411,742.00	\$8,022,681.00	\$8,022,681.00	30%	2,839	2,479	15%	\$3,667.40	\$3,236.26	13%	2,388	2,065	15%	104%	\$10,045,000.00	\$ (366,742.00)
NEW ACCOUNTS																
SUSAN ROBINSON FJ	\$256,027.00	\$0.00	\$0.00	#DIV/0!	63	0	#DIV/0!	\$4,063.92	#DIV/0!	#DIV/0!	19	0	#DIV/0!	#DIV/0!	\$	\$ 250,000.00
TAYLOR MADE	\$15,158.00	\$15,158.00	\$15,158.00	#DIV/0!	8	8	#DIV/0!	\$1,894.75	#DIV/0!	#DIV/0!	1,000	0	#DIV/0!	#DIV/0!	\$	\$ 15,158.00
MERITRI	\$173,066.00	\$0.00	\$0.00	#DIV/0!	71	0	#DIV/0!	\$6,261.85	#DIV/0!	#DIV/0!	19	0	#DIV/0!	#DIV/0!	\$	\$500,000.00
TOTAL	\$444,591.00	\$0.00	\$0.00		71	0		\$6,261.85	#DIV/0!		19	0		69%	\$500,000.00	\$ 55,409.00
CLOSED 2011																
DUNCAN & BOND	\$86.00	\$23,234.00	\$23,234.00	-100%	0	-6	-100%	#DIV/0!	\$4,205.67	#DIV/0!	4	14	-71%	#DIV/0!	\$	\$ (86.00)
PRECIOUS	\$43.00	\$38,066.00	\$38,066.00	-100%	0	24	-100%	#DIV/0!	\$2,419.42	#DIV/0!	1	14	-71%	#DIV/0!	\$	\$ (43.00)
TOTAL	\$129.00	\$32,832.00	\$32,832.00	-100%	0	18	-100%	#DIV/0!	\$1,824.00	#DIV/0!	4	14	-71%	#DIV/0!	\$	\$ (129.00)
GRAND TOTAL	\$10,856,462.00	\$8,055,513.00	\$8,055,513.00	35%	2910	2497	17%	\$5,790.74	\$3,226.08	16%	2,331	2,019	15%	103%	\$10,545,000.00	-\$311,462.00

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W1 44 DOORS 30 STORES	YTD SALES 12/31/2011	YTD SALES 12/31/2010	2011 VS. 2010 DOLLARS	SELL IN YTD UNITS 2011	SELL IN YTD UNITS 2010	2011 VS. 2010 % IN UNITS	AVERAGE PRICE 2011 SOLD IN	AVERAGE PRICE 2010 SOLD IN	2011 VS. 2010 AVERAGE SELL IN	SELL OUT YTD UNITS 2011	SELL OUT YTD UNITS 2010	2011 VS. 2010 % OUT	% OF BUDGET	PRD. 2011	SALES TO CAP.
ALEXANDER JEWELERS 2 doors	\$544,951.00	\$301,357.00	81%	135	91	48%	\$4,037.70	\$3,311.62	22%	45	25	80%	140%	\$ 390,000.00	\$ (154,920.00)
AMERICAN JEWELRY CO.	\$123,605.00	\$100,355.00	23%	31	28	11%	\$3,987.19	\$3,584.11	12%	38	38	36%	95%	\$ 130,000.00	\$ -63.00
BRYANT & SONS	\$175,455.00	\$208,514.00	-16%	44	64	-31%	\$3,987.61	\$3,258.03	22%	24	26	-8%	65%	\$ 270,000.00	\$ 94,545.00
C&S JEWELERS	\$386,950.00	\$112,068.00	245%	80	30	167%	\$4,836.88	\$3,735.60	29%	59	30	97%	238%	\$ 150,000.00	\$ (236,950.00)
CASH/PERSONAL	\$33,330.00	\$111,023.00	-52%	20	44	-55%	\$2,676.50	\$2,525.30	6%	1	4	-75%	37%	\$ 145,000.00	\$ (92,670.00)
FELDMAR	\$630,193.00	\$256,452.00	146%	140	83	69%	\$4,501.39	\$3,089.78	46%	111	76	46%	188%	\$ 150,000.00	\$ (484,193.00)
GOLDEN NUGGET	\$504,525.00	\$19,605.00	943%	57	6	850%	\$3,588.11	\$3,267.50	10%	50	10	400%	136%	\$ 400,000.00	\$ (104,525.00)
GOLDSMITH	\$339,022.00	\$309,078.00	-10%	79	113	-30%	\$3,278.82	\$2,755.20	20%	48	54	-9%	79%	\$ 400,000.00	\$ 60,978.00
HIGHLOW	\$309,805.00	\$309,805.00	2%	72	84	-14%	\$4,402.18	\$3,688.15	19%	52	57	-9%	79%	\$ 400,000.00	\$ 83,805.00
HING WA LEE 2 doors	\$560,239.00	\$560,239.00	12%	185	89	108%	\$3,392.18	\$6,294.82	-46%	108	70	54%	87%	\$ 725,000.00	\$ (159,761.00)
HOROLOGIO	\$1,031,401.00	\$937,701.00	10%	243	273	-11%	\$4,244.45	\$3,434.80	24%	159	164	-3%	84%	\$ 210,000.00	\$ (821,401.00)
HOURS MINUTES SECONDS	\$176,386.00	\$160,455.00	10%	41	46	-11%	\$4,299.66	\$3,488.15	23%	38	83	-54%	84%	\$ 210,000.00	\$ (33,614.00)
HYPER PARK-11% OF SELL OUT	\$361,979.00	\$348,708.00	4%	0	0	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	0	0	#DIV/0!	80%	\$ 450,000.00	\$ 88,021.00
JEWELERS	\$348,517.00	\$354,671.00	-30%	62	86	-38%	\$4,008.34	\$4,124.08	-3%	93	84	11%	34%	\$ 460,000.00	\$ (111,483.00)
JEWEL SHOP	\$334,721.00	\$342,919.00	56%	145	123	18%	\$3,687.73	\$2,787.96	32%	123	98	26%	119%	\$ 1,600,000.00	\$ (1,008,279.00)
LEON 6 doors	\$2,698,377.00	\$1,217,066.00	114%	456	263	73%	\$5,720.02	\$4,627.63	24%	438	562	21%	163%	\$ 140,000.00	\$ (2,558,377.00)
MILANO	\$107,249.00	\$106,755.00	0%	23	34	-32%	\$4,665.10	\$3,139.85	49%	29	27	7%	77%	\$ 140,000.00	\$ 32,249.00
MIRAGE/ALL STORES 2 doors	\$699,827.00	\$249,808.00	180%	144	71	103%	\$4,859.91	\$3,218.42	38%	123	111	11%	215%	\$ 325,000.00	\$ (374,827.00)
MOJORGANS JEWELERS 2 doors	\$401,029.00	\$345,268.00	16%	86	107	-20%	\$4,663.13	\$3,276.80	45%	77	80	-4%	89%	\$ 450,000.00	\$ 48,971.00
NO JEWELERS	\$101,120.00	\$207,075.00	-51%	18	50	-64%	\$5,617.78	\$4,141.50	36%	28	37	-24%	37%	\$ 270,000.00	\$ 168,840.00
OC TANNER	\$238,142.00	\$188,448.00	26%	62	67	-7%	\$3,841.00	\$2,812.66	37%	48	62	-23%	99%	\$ 240,000.00	\$ 58,142.00
OLYMPIA CORP - non door	\$1,465.00	\$9,274.00	-16%	-1	6	-17%	\$1,465.00	\$1,545.67	-5%	3	4	-25%	#DIV/0!	\$ 300,000.00	\$ 298,535.00
POLACHECK JEWELERS	\$336,701.00	\$284,185.00	18%	75	88	-15%	\$4,489.35	\$3,229.38	38%	117	116	1%	86%	\$ 300,000.00	\$ 36,701.00
RADIANCE	\$327,775.00	\$96,672.00	241%	76	30	153%	\$4,339.14	\$3,222.40	35%	48	28	71%	264%	\$ 125,000.00	\$ (202,775.00)
SEHATI - JEWELRY CULTURE	\$98,589.00	\$290,082.00	-66%	34	89	-62%	\$2,899.68	\$3,259.55	-1%	27	13	108%	26%	\$ 375,000.00	\$ 276,411.00
SWISS WATCH GALLERY 2 doors	\$709,590.00	\$486,468.00	46%	183	137	34%	\$3,877.32	\$3,550.86	9%	105	34	209%	113%	\$ 630,000.00	\$ (70,410.00)
7-BIRD JEWELERS	\$140,334.00	\$131,909.00	6%	38	49	-22%	\$3,693.00	\$2,692.02	37%	34	47	-28%	83%	\$ 170,000.00	\$ 69,334.00
THOENIGS	\$146,161.00	\$66,818.00	119%	40	21	90%	\$3,654.00	\$3,181.81	15%	17	7	143%	162%	\$ 90,000.00	\$ (56,161.00)
TOURNEAU - 3 doors	\$2,458,975.00	\$2,648,743.00	-7%	703	886	-21%	\$3,497.83	\$2,989.55	17%	575	837	-31%	68%	\$ 3,600,000.00	\$ (1,141,025.00)
TOWNE JEWELERS	\$40,249.00	\$49,448.00	-19%	13	21	-38%	\$3,093.31	\$2,354.67	31%	28	32	-13%	62%	\$ 65,000.00	\$ 24,749.00
TRADITIONAL JEWELERS	\$539,820.00	\$468,657.00	15%	136	132	3%	\$3,909.26	\$3,550.28	12%	50	109	-54%	88%	\$ 610,000.00	\$ 70,180.00
WESTIME 2 doors	\$1,075,944.00	\$1,350,196.00	-43%	443	392	13%	\$4,453.86	\$3,467.14	29%	296	563	-18%	112%	\$ 1,760,000.00	\$ (684,056.00)
TOTAL	\$16,603,968.00	\$12,638,804.00	31%	3,863	3,603	7%	\$4,298.21	\$3,307.86	23%	2,992	3,078	-3%	99%	\$ 16,730,000.00	\$126,032.00
NEW ACCOUNTS															
ROBERTO COIN	\$5,538.00	\$0.00	#DIV/0!	1	0	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	0	0	#DIV/0!	#DIV/0!	\$ 460,000.00	\$ -
TOTAL	\$5,538.00	\$0.00	#DIV/0!	1	0	#DIV/0!	\$5,538.00	#DIV/0!	#DIV/0!	0	0	#DIV/0!	#DIV/0!	\$460,000.00	\$0.00
CLOSED 2011															
BARREY PETERSON	\$0.00	-\$2,850.00	0%	0	-1	-100%	#DIV/0!	\$2,850.00	#DIV/0!	0	17	-100%			
BEN BRIDGE	\$0.00	\$27,195.00	-100%	16	8	100%	\$0.00	\$3,399.38	-100%	28	79	-65%			
CLASSIC	\$0.00	\$1,380.00	0%	0	1	-100%	#DIV/0!	\$3,580.00	#DIV/0!	1	31	-97%			
DARVA	\$0.00	-\$1,573.00	0%	0	1	-100%	#DIV/0!	-\$1,575.00	#DIV/0!	0	9	-100%			
DAVID LEE JEWELERS	\$0.00	\$301,977.00	-100%	0	111	-100%	#DIV/0!	\$2,720.51	#DIV/0!	16	79	-80%			
K. NORRIS JEWELERS	\$44,414.00	\$285,921.00	-84%	13	81	-84%	\$3,416.46	\$3,529.89	-3%	63	53	19%	12%	\$ 370,000.00	\$ 325,586.00
SCHULBERS	\$0.00	\$63.00	0%	0	24	-100%	#DIV/0!	#DIV/0!	#DIV/0!	3	18	-70%			
WYNN	\$33,568.00	\$50,065.00	-33%	15	24	-38%	\$3,568.00	\$3,240.00	98%	47	48	-2%	55%	\$ 65,000.00	\$ 31,432.00
TOTAL	\$79,982.00	\$664,376.00	-88%	44	225	-80%	\$1,817.77	\$3,957.78	-58%	158	326	-52%	95%	\$435,000.00	\$355,018.00
GRAND TOTAL	\$16,689,488.00	\$13,303,180.00	25%	3,908	3,828	2%	\$4,270.60	\$3,475.23	23%	3,150	3,404	-7%	99%	\$17,625,000.00	\$481,050.00

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Case	W2 40 DOORS 30 STORES	YTD SALES 12/31/2011	YTD SALES 12/31/2010	TOTAL 2010	2011 VS. 2010 DOLLARS	SELL IN YTD UNITS 2011	SELL IN YTD UNITS 2010	2011 VS. 2010 SELL IN UNITS	AVERAGE PRICE 2011	AVERAGE PRICE 2010	2011 VS. 2010 AVERAGE SELL IN	SELL OUT YTD UNITS 2011	SELL OUT YTD UNITS 2010	2011 VS. 2010 SELL OUT	% OF BUDGET	PROJ 2011	SALES TO GO
ALVIN GOLDFARB 2 doors	\$1,039,838.00	\$177,702.00	\$177,702.00	\$177,702.00	175%	373	125	198%	\$3,787.77	\$3,021.62	8%	356	168	112%	\$ 480,000.00	\$ (559,838.00)	
BRUCKENRIDGE	\$130,864.00	\$108,671.00	\$108,671.00	\$108,671.00	26%	34	30	13%	\$3,648.94	\$3,622.37	6%	34	26	31%	\$ 140,000.00	\$ 9,136.00	
CARIBBEAN GEMS	\$332,244.00	\$354,311.00	\$354,311.00	\$354,311.00	-27%	97	74	31%	\$3,436.64	\$3,436.64	-3%	75	62	21%	\$ 325,000.00	\$ 298,985.00	
CARONEL 4 doors	\$446,015.00	\$665,118.00	\$665,118.00	\$665,118.00	-18%	191	249	-23%	\$2,856.72	\$2,659.19	8%	199	192	3%	\$ 845,000.00	\$ 298,985.00	
CASHMILITARY	\$116,611.00	\$112,175.00	\$112,175.00	\$112,175.00	4%	49	47	4%	\$2,379.62	\$2,366.70	0%	9	8	13%	\$ 145,000.00	\$ 28,369.00	
CHATEL	\$181,838.00	\$152,193.00	\$152,193.00	\$152,193.00	20%	30	40	-25%	\$6,094.60	\$3,804.83	60%	33	34	-3%	\$ 190,000.00	\$ 7,162.00	
CJ CHARLES	\$115,066.00	\$127,706.00	\$127,706.00	\$127,706.00	147%	60	35	71%	\$3,251.10	\$3,648.74	44%	28	8	250%	\$ 325,000.00	\$ (150,066.00)	
DAKOLE	\$118,982.00	\$34,297.00	\$34,297.00	\$34,297.00	-53%	35	93	-62%	\$2,734.39	\$3,376.73	8%	40	103	-61%	\$ 95,000.00	\$ (206,018.00)	
DAVIDS	\$18,159.00	\$74,288.00	\$74,288.00	\$74,288.00	-76%	5	22	-77%	\$3,631.80	\$3,376.73	8%	10	15	-33%	\$ 160,000.00	\$ (78,863.00)	
DAVIDSON & LICHT	\$318,863.00	\$125,799.00	\$125,799.00	\$125,799.00	90%	56	42	33%	\$4,265.41	\$2,995.21	42%	43	33	30%	\$ 1,000,000.00	\$ 67,300.00	
GANEM 2 doors	\$932,700.00	\$792,423.00	\$792,423.00	\$792,423.00	18%	218	227	-4%	\$4,278.44	\$3,490.85	23%	230	230	0%	\$ 1,700,000.00	\$ 15,056.00	
GLEIM JEWELERS	\$134,944.00	\$133,200.00	\$133,200.00	\$133,200.00	16%	47	43	9%	\$3,296.69	\$3,097.67	6%	46	52	-12%	\$ 135,000.00	\$ (13,213.00)	
GOLDEN TIME JEWELERS	\$393,927.00	\$197,317.00	\$197,317.00	\$197,317.00	49%	82	55	49%	\$3,584.48	\$3,587.58	0%	64	63	2%	\$ 250,000.00	\$ (43,927.00)	
HAMRA	\$656,984.00	\$479,118.00	\$479,118.00	\$479,118.00	37%	189	167	13%	\$3,476.11	\$2,868.97	21%	75	43	74%	\$ 610,000.00	\$ (46,984.00)	
HARLAND	\$726,537.00	\$166,409.00	\$166,409.00	\$166,409.00	336%	199	51	230%	\$3,650.94	\$3,264.10	12%	124	1	12300%	\$ 210,000.00	\$ (516,537.00)	
HOCHEFIELD	\$113,411.00	\$593,800.00	\$593,800.00	\$593,800.00	49%	26	26	0%	\$4,361.96	\$2,920.69	49%	29	24	21%	\$ 95,000.00	\$ (18,411.00)	
HYDE PARK 21% OF SELL OUT	\$412,871.00	\$416,593.00	\$416,593.00	\$416,593.00	-1%	217	179	21%	\$1,902.63	\$2,327.34	-18%	22	16	38%	\$ 65,000.00	\$ 9,133.00	
JEWEL GALLERY	\$1,394,186.00	\$1,163,041.00	\$1,163,041.00	\$1,163,041.00	12%	306	307	0%	\$4,261.98	\$3,788.41	13%	258	211	22%	\$ 530,000.00	\$ 175,834.00	
JEWELRY DESIGN CENTER	\$101,073.00	\$63,036.00	\$63,036.00	\$63,036.00	60%	23	16	44%	\$4,394.48	\$3,939.75	12%	18	19	-5%	\$ 80,000.00	\$ (21,073.00)	
JULIANNA'S FINE JEWELRY	\$103,655.00	\$102,893.00	\$102,893.00	\$102,893.00	1%	32	28	14%	\$3,239.34	\$3,678.32	-12%	28	18	56%	\$ 130,000.00	\$ 26,341.00	
PRINCESS SKAGWAY	\$594,580.00	\$222,137.00	\$222,137.00	\$222,137.00	33%	65	63	3%	\$4,532.00	\$3,525.98	29%	59	55	7%	\$ 285,000.00	\$ (9,580.00)	
PRINCESS WORLD	\$321,202.00	\$309,848.00	\$309,848.00	\$309,848.00	5%	59	59	0%	\$3,749.19	\$3,556.75	5%	53	51	4%	\$ 270,000.00	\$ 48,798.00	
ROYAL MAUI 2 doors	\$638,079.00	\$449,704.00	\$449,704.00	\$449,704.00	42%	171	152	13%	\$3,731.22	\$2,956.58	26%	180	180	0%	\$ 575,000.00	\$ (63,039.00)	
SHEFFIELDS	\$187,825.00	\$109,280.00	\$109,280.00	\$109,280.00	72%	44	35	26%	\$4,266.75	\$3,122.29	37%	48	32	50%	\$ 140,000.00	\$ (47,825.00)	
SIMMONS	\$191,136.00	\$125,380.00	\$125,380.00	\$125,380.00	52%	48	39	23%	\$3,982.00	\$3,214.87	24%	49	38	29%	\$ 165,000.00	\$ (26,136.00)	
SPIETZ	\$125,736.00	\$80,043.00	\$80,043.00	\$80,043.00	40%	33	32	3%	\$3,810.18	\$2,813.84	35%	25	31	-19%	\$ 115,000.00	\$ (10,736.00)	
TOURNEALL 4 doors	\$2,678,443.00	\$2,196,481.00	\$2,196,481.00	\$2,196,481.00	22%	766	735	4%	\$3,496.66	\$2,988.41	17%	626	684	-10%	\$ 2,950,000.00	\$ 271,557.00	
TRICE	\$347,977.00	\$319,077.00	\$319,077.00	\$319,077.00	13%	61	60	2%	\$4,064.54	\$3,651.28	11%	37	18	106%	\$ 280,000.00	\$ 32,063.00	
TOTAL	\$12,618,730.00	\$9,619,077.00	\$9,619,077.00	\$9,619,077.00	31%	3571	3077	16%	\$3,533.67	\$3,126.12	13%	306	369	15%	\$12,405,000.00	\$ (213,730.00)	
NEW ACCOUNTS																	
NEW BUSINESS																	
WATCHWORKS	\$423,508.00	\$0.00	\$0.00	\$0.00	#DIV/0!	108	0		\$3,921.37			48		#DIV/0!	\$ 240,000.00	\$ (183,508.00)	
SIREVE	\$125,868.00	\$0.00	\$0.00	\$0.00	#DIV/0!	81	0		\$3,974.00			7		#DIV/0!	\$ 300,000.00	\$ (218,668.00)	
TOTAL	\$749,376.00	\$0.00	\$0.00	\$0.00	#DIV/0!	190	0		\$3,944.08			55	0	#DIV/0!	\$540,000.00	\$ (349,376.00)	
CLOSED 2011																	
KNEL CHEVE	\$0.00	\$62,269.00	\$62,269.00	\$62,269.00	-100%	0	15	-100%	#DIV/0!	\$4,151.27	#DIV/0!	3	48	-94%	#VALUE!		
BELTERIDGE VAIL	\$32,177.00	\$110,874.00	\$110,874.00	\$110,874.00	-71%	11	30	-63%	\$2,925.18	\$3,695.80	-21%	12	14	-14%	\$ 140,000.00	\$ 107,827.00	
BELLER	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	0	3	-100%	#DIV/0!	\$	#DIV/0!	5	26	-81%	\$		
KENNY G	\$0.00	\$35,421.00	\$35,421.00	\$35,421.00	-100%	0	16	-100%	#DIV/0!		#DIV/0!	2	27				
LOEBMAN DEEL MAKE	\$76,694.00	\$72,934.00	\$72,934.00	\$72,934.00	5%	22	26	-15%	\$3,486.09	\$2,805.15	24%	32	25	28%	\$ 90,000.00	\$ 13,306.00	
TOTAL	\$108,871.00	\$86,118.00	\$86,118.00	\$86,118.00	26%	33	22	50%	\$3,298.12	\$3,914.45	-16%	54	140	-61%	\$ 230,000.00	\$ (121,129.00)	
GRAND TOTAL	\$13,476,977.00	\$9,705,195.00	\$9,705,195.00	\$9,705,195.00	39%	3794	3099	22%	\$3,552.18	\$3,191.72	13%	3135	2770	13%	\$13,175,000.00	\$ (301,977.00)	

0000279

A-748



TO WHOM IT MAY CONCERN,

As the president of Breitling USA from 1989 to 2010, I have worked with Fred for over 20 years. His dedication to the job was outstanding and his relationship with jewelers exemplary. It is thanks to him and others like him that we have able to position our brand where it is today in the USA

I can only recommend Fred for his integrity and his attention to detail. His knowledge of the watch industry is undisputed and his connections to everyone in the said world are large and entirely reliable.

A handwritten signature in cursive script that reads 'Marie Bodman'.

Marie Bodman

January 14, 2014

BREITLING UK & EIRE

A-749

EXHIBIT B

A-750

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NEWS

Hall of Fame Retailers Honored

By Barbara Green Assistant Editor

NEW YORK—The NATIONAL JEWELER Retailer Hall of Fame inducted three new members on July 26 during a gala dinner held in conjunction with the New York State Jewelers Association (NYSJA) at the

Ritz-Carlton New York, Battery Park. Nick Greve was recognized in the single-store independent category for his work as CEO of Carl Greve Jewelers in Portland, Ore. The third-generation



generations, whose promotion of high-end designer brands earned him the first "Best Jewelry Design Retailer of the Year" award from the Contemporary Design Group several years ago, has an eye for the "big sale," having recently sold a 7-carat intense pink diamond for \$3 million.

Clayton Bromberg, president of three-store Underwood Jewelers in Northeast Florida, was an honoree in the multi-store independent category. During his 15 years at the helm, Bromberg, whose family also owns the well-known Alabama jewelry chain Brombergs, has drawn on lessons learned from both the Underwoods and the Brombergs. Chief among these, he said, is "to be a 'net giver' rather than a 'net taker' in the industry."

The SuperSellers category inductee was Ed Bridge, the fourth-generation heir to the nation's 12th largest jewelry chain, Seattle-based Ben Bridge Jeweler. Bridge, who has served as president of the 71-store business since 1991, credits the people he works with for his company's impressive growth and bottom-line results. In fact, 100 percent of Ben Bridge Jeweler's store managers started with the company in sales.

"It's really a very high tribute, and a great tribute to our company and all the associates who have built it over the years and continue to build it," Bridge said. "I grew up in the business, and I've loved every single day I've been in it. What can be better than working with beautiful product and celebrating special moments in customers' lives?"

NYSJA honored New York's Michael C. Fina as "Retailer of the Year."

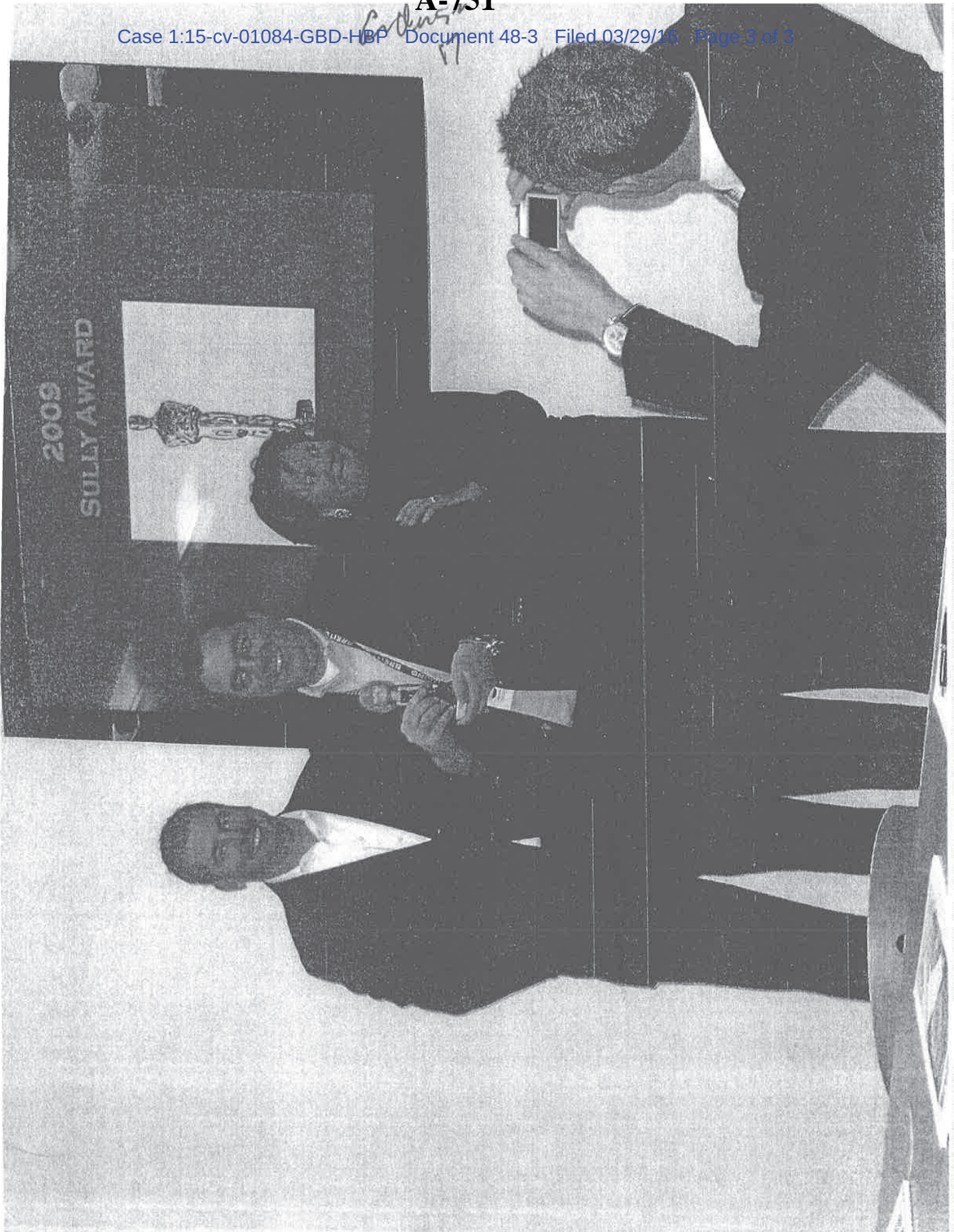
"It's a great honor to be recognized by one's peers and by the competition. This award would not have been possible without the dedication and commitment of my associates, whose efforts are greatly appreciated," said Jeffrey Fina, vice president of Michael C. Fina. "I would like to thank the New York State Jewelers Association and congratulate all the other winners, who we are proud to be associated with."

NYSJA also recognized Gayle Perry of GQ magazine as "Favorite Advertising Rep," Fred Cargiano from Breitling as "Favorite Watch Rep" and Barry Nisguretsky from Verragio as "Favorite Jewelry Rep." ■

EXHIBIT 97
Anderson
11/26/15

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A-751



A-752

EXHIBIT C

A-753



A-754



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Attorneys for Breitling USA, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREDERICK M. CARGIAN,

Plaintiff,

- against -

BREITLING USA, INC.,

Defendant.

ECF Case

No. 15-cv-01084 (GBD)

**DEFENDANT’S REPLY TO
PLAINTIFF’S RESPONSE
TO DEFENDANT’S LOCAL
RULE 56.1 STATEMENT OF
UNDISPUTED FACTS AND
TO PLAINTIFF’S
COUNTERSTATEMENT
PURSUANT TO LOCAL
RULE 56.1**

Pursuant to Local Rule 56.1 of the Civil Rules of this Court (“Rule 56.1”), Defendant Breitling USA, Inc. (“Defendant” or “Breitling”) submits the following reply to plaintiff Frederick Cargian’s (“Plaintiff” or “Cargian”) March 28, 2016 Rule 56.1 Opposition to Summary Judgment and In Support of His Claims (“Plaintiff’s 56.1 Statement”)¹:

¹ Plaintiff’s 56.1 Statement consists of two parts: (i) Plaintiff’s Response to Defendant’s Rule 56.1 Statement (“Plaintiff’s Response to Defendant’s 56.1 Statement”); and (ii) Plaintiff’s Rule 56.1 Statement of Material Facts Supporting His Claim (“Plaintiff’s Counter 56.1”).

I. REPLY TO PLAINTIFF'S RESPONSE TO DEFENDANT'S 56.1 STATEMENT

The following are Defendant's undisputed facts that Plaintiff objected to or qualified his response without proper citation or without properly denying the facts². Therefore, these facts

²As a preliminary matter, Plaintiff did not respond at all to the following numbered paragraphs from Defendant's February 29, 2016 Statement of Undisputed Material Facts (Docket No. 40). Specifically, Plaintiff did not respond to: ¶¶1,3-9, 12-13, 15-16, 21-27, 30-31, 34-37, 51-53, 55, 57, 59, 63-64, 72-73, 87, 89, 95-96, 100, 105-106, 108, 100, 114-115, 117, 119, 123, 125, 127-130, 134, 137, 140, 143, 145, 147-151, 158-159. Therefore, these paragraphs are to be deemed admitted. *See* Local Rule 56.1.

Furthermore, even with regard to the undisputed facts to which Plaintiff purports to have responded, Plaintiff's responses are utterly insufficient and blatantly fail to comply with Rule 56.1. In almost every single response, whether a purported denial or admission, Plaintiff has "improperly interject[ed] arguments and/or immaterial facts in response to facts asserted by Defendant[], often speaking past Defendant[s] asserted facts without specifically controverting those same facts." *See Baity v. Kralik*, 51 F.Supp.3d 414, 419 (S.D.N.Y. 2014). This practice was extensively and explicitly addressed in *Baity*, where the Court discussed the purposes and practice of Rule 56.1 statements. After much analysis, the Court in *Baity* determined that it would disregard "purported 'denials' in the plaintiff's 56.1 Statement that do not actually deny or refute the specific facts asserted by the defendants, are not supported by citations to admissible evidence in the record, are contradicted by other admissible evidence in the record, or that are improper legal arguments." *Id.* at 421; *see also Costello v. N.Y. State Nurses Ass'n*, 783 F.Supp.2d 656, 661 n. 5 (S.D.N.Y. 2011) (disregarding a plaintiff's responses to a defendant's Rule 56.1 Statement where the plaintiff responded with conclusory assertions or legal arguments); *Senno v. Elmsford Union Free Sch. Dist.*, 812 F.Supp.2d 454, 458 n. 1 (S.D.N.Y. 2011) (same); *Buckman v. Calyon Sec.*, 817 F.Supp.2d 322, 328 n. 42 (S.D.N.Y. 2011) (noting that "56.1 statements not explicitly denied by plaintiff are deemed admitted")

The *Baity* Court also pointed out, as is the exact case here: "a number of Plaintiff's purported denials quibble with Defendants' phraseology, but do not address the factual substance asserted by Defendants....In other instances, counsel neither admits nor denies a particular fact, but instead responds with equivocal statements....Some of Plaintiff's 56.1 statement responses include citations to evidence in the record...however, responses that 'do not point to any evidence in the record that may create a genuine issue of material fact do not function as denials, and will be deemed admissions of the stated fact.'" *Id.* at 418 (citing *Risco v. McHugh*, 868 F.Supp.2d 75, 86 n. 2 (S.D.N.Y.2012)). Here, Plaintiff engages in the exact same improper practices discussed by *Baity* and other Southern District of New York courts, and egregiously fails to deny or contravene Defendant's proposed undisputed material facts presented in its 56.1 Statement; rather, he interjects argument and improper commentary. Therefore, Defendant respectfully submits that, pursuant to applicable jurisprudence and Rule 56.1 itself, the assertions in Defendant's 56.1 Statement that have not been directly contravened be deemed admitted and the Court should disregard Plaintiff's improper argument, qualification, and characterization contained in his Response to Defendant's 56.1 Statement. *See also*, this Court's decisions in *Wright v. Goldman, Sachs & Co.*, 387 F.Supp.2d 314 (S.D.N.Y. 2005) (plaintiff's "unsupported, conclusory assertions and denials" cannot refute defendant's "properly-supported statements of material fact in its Rule 56.1 Statement", and "Courts in this circuit have not hesitated to deem admitted the facts in a movant's Local Civil Rule 56.1 Statement that have not been controverted by a Local Civil Rule 56.1 statement from the nonmoving

are deemed admitted pursuant to Local Rules 56.1(c) and 56.1(d). All numbered paragraphs herein refer to Defendant's Statement of Undisputed Facts dated February 29, 2016³ (Docket No. 40), and Plaintiff's 56.1 Statement:

2. Plaintiff self-identifies as a gay man, and his date of birth is November 23, 1960. *See* Complaint, annexed as Exhibit A⁴ to the Declaration of Zev Singer, filed and dated February 29, 2016 ("Singer Decl."), at ¶ 10.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c).

10. In approximately 1999, Annie Sommer became a sales representative at Breitling and Marie Bodman, Breitling's President at the time, decided to reassign part of Plaintiff's previously assigned territory to Ms. Sommer. *See* Plaintiff Dep., Exhibit D, at 69:13-18.

Plaintiff fails to admit or deny in violation of Rule 56.1. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c).

11. In approximately 2003, when Breitling hired Chuck Anderson, Ms. Bodman reassigned some of Plaintiff's territory to Mr. Anderson (including Delaware, Maryland, Washington DC, and Virginia territory) and assigned some of another sales representative's sales territory to Mr. Anderson. *See id.* at 71:12-20; *see also* Exhibit "C", Anderson Decl. at ¶ 5.

party); *Chen v. New Trend Apparel, Inc.*, 8 F.Supp.3d 406 (S.D.N.Y. 2014) (excusing noncompliance with Local Rule 56.1 by plaintiff represented by counsel would not be "in the interest of justice").

³ For the convenience of the Court, Breitling has included and retyped its original assertions from its 56.1 Statement that are referenced herein.

⁴ Unless otherwise indicated, references to all exhibits are to those annexed to the Declaration of Zev Singer, filed and dated February 29, 2016 ("Singer Decl."), previously submitted in support of Defendant's Motion for Summary Judgment.

Plaintiff fails to admit or deny in violation of Rule 56.1. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c).

14. In 2011, territory that had been previously assigned to Mr. Anderson was reassigned to Plaintiff, including accounts in Delaware, Maryland, Washington DC, and Virginia, all of which Plaintiff had previously serviced. *See* Plaintiff's Dep, Exhibit D, at 73:11-14, *see also* Anderson Decl. at ¶ 5, 9.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c).

17. For approximately three to six months, Mr. Prissert had a transition period/tryout period with Breitling, during which time Marie Bodman stayed employed and shared some of the duties of President with Mr. Prissert. *See* Prissert Dep., Exhibit E, at 45:13-21, 153:12-23, *see also* Prissert Decl. at ¶ 8.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation regarding the setting of his 2011 sales goals (which was not alleged in this particular fact). Furthermore, Plaintiff's claim that this statement is inadmissible has no support in law as it contains proper citations to deposition testimony and a valid witness declaration. Finally, Plaintiff's citation to his affidavit and deposition testimony does not contradict any portion of this alleged fact. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

18. During this transition period, Ms. Bodman educated Mr. Prissert on various business practices at Breitling, including, among other things, the methods by which the sales

representatives' goals had been previously set. *See* Prissert Dep., Exhibit E at 173:23-175:23, *see also* Prissert Decl. at ¶ 9.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation regarding who set his 2011 sales goal (which was not alleged in this particular fact). Furthermore, Plaintiff's claim that this statement is inadmissible has no support in law as it contains proper citations to deposition testimony and a valid witness declaration. Finally, Plaintiff's citation to his affidavit and deposition testimony and his comment regarding what goals he achieved in prior years does not contradict any portion of this alleged fact. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

19. During the transition period, Mr. Prissert sat in with Ms. Bodman at the performance reviews of the sales representatives at the beginning of 2011, at which time the sales representatives' sales goals for the year were given to them. *See* Prissert Dep., Exhibit E at 55:16-56:3, 153:24-154:12, *see also* Prissert Decl. at ¶ 21.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation regarding who else was at the performance review meetings and who set his 2011 sales goal (which was not alleged in this particular fact). Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

20. After Ms. Bodman left her employment at Breitling in 2011, Plaintiff's direct supervisors until his employment ended at Breitling were Mr. Charles Anderson, the national sales manager for Breitling, and Thierry Prissert, the President. *See* Plaintiff's Dep., Exhibit D, at 61:23-62:14, *see also* Prissert Decl. at ¶ 10.

Plaintiff's citation to his deposition testimony does not contradict any portion of this alleged fact, and in fact supports the fact asserted by Defendant. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(d).

28. The criteria for this qualitative portion of the bonus changed from year to year, but it generally included criteria such as how many sales visits a sales representative had made for the year, how many trainings the sales representative performed, how many of the weekly activity reports ("call reports") the sales representative sent to management. *See* Amstutz Dep., Exhibit F, 80:12-23; *see also* Prissert Decl. at ¶ 14.

Plaintiff denies this fact but does not cite to the record in support of his denial, rather cites to the documents containing the bonuses themselves which do not contradict this factual assertion. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(d).

29. In any given year, the formula for calculating sales representatives' bonuses was the same for each sales representative -- there were no variations among the sales representatives. *See* Amstutz Dep, Exhibit F, 77:5-20.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c).

32. The Special 2012 Extra Bonus was paid to all sales representatives that year because it had been a particularly profitable year for Breitling. *See* Prissert Decl. at ¶ 16.

Plaintiff does not cite to admissible evidence to controvert this assertion, because his affidavit regarding the profitability of the company (or lack thereof) and the decision-making process for the awarding of sales bonuses is speculative, lacks foundation, and is

not based on any personal knowledge. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(d).

33. This Special 2012 Extra Bonus was paid to the sales representatives based upon their performance, with the special bonus being a percentage of each sales representative's base monthly salary, and the percentage dependent on the sales representative's overall performance (in both sales and qualitative categories). *See* Prissert Decl. at ¶ 16.

Plaintiff fails to admit or deny and fails to cite to the record to contravene this assertion, in violation of Rule 56.1. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c) and 56.1(d).

38. As a part of the process of the sales representatives' sales goals being set and before their yearly review meeting, the sales representatives would submit their own proposed sales goals for the upcoming year. *See* Plaintiff's Dep., Exhibit D, 208:13-21, 219:6-23; *see also* Anderson Decl. at ¶ 15.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c).

39. "Tourneau" is the name of a specific watch retailer that the Breitling sales representatives were responsible for servicing. *See* Anderson Decl. at ¶ 17.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c).

40. Tourneau sales were sometimes counted separately from the other sales in a sales representative's territory because Tourneau was considered a "house" account, separate from the

individual sales territories/regions, and the sales representatives could not control how many watches Tourneau bought from Breitling. *See* Excerpts from Deposition Transcript of Charles Anderson, dated November 24, 2015 (“Anderson Dep.”), annexed as Exhibit “H”, at 213:12, 246:13-17; *see also* Anderson Decl. at ¶ 17.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c).

41. In any given year, if a sales representative’s sales goals included goals for Tourneau sales, that sales representative would be given credit for Tourneau sales for that year in calculating the sales representative’s sales in relation to their sales goals. *See* Anderson Dep., Exhibit H, 249:17-251:18; *see also* Anderson Decl. at ¶ 18; Prissert Dep., Exhibit E, at 102:16-103:15.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(c).

42. The sales representatives’ actual sales they receive credit for (toward their annual sales goal) are tracked through Breitling computer system. *See* Anderson Decl. at ¶ 19; *see also* Prissert Dep., Exhibit E, 203:7-204.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including improper argument, improper discussion of discovery in this case, and self-serving statements regarding witness credibility and what questions were understood by witnesses at depositions. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

43. For each sale that is made within a sales representative's territory, the invoice for that sale is submitted to Breitling, inputted in Breitling's computer system, and attributed to the respective sales representative and his/her region. *See* Anderson Decl. at ¶ 19; *see also* Prissert Dep., Exhibit E, 203:7-204:9.

See Defendant's Response to ¶ 42.

44. Since 2010 through the conclusion of Plaintiff's employment at Breitling, all of the sales representatives would receive monthly or semi-annual emails from Breitling management informing them of their monthly and/or year-to-date sales for their territory. *See* Prissert Dep., Exhibit E, 204:10-205:2; *see also* Anderson Decl. at ¶ 21; Excerpts from Deposition Transcript of Annie Sommer dated January 21, 2016 ("Sommer Dep."), annexed as Exhibit "G", at 68:21-69:15, Sampling of Monthly Sales Emails, annexed as Exhibit "J".

See Defendant's Response to ¶ 42.

45. In addition, since at least 2003, the sales representatives at Breitling had access to the Breitling computer system that tracked the invoices and tracked their sales by territory. *See* Prissert Dep., Exhibit E, at 204:10-205:2; *see also* Anderson Decl. at ¶22; Sommer Dep., Exhibit G, at 70:16-71:8.

See Defendant's Response to ¶ 42.

46. Since at least 2003, at any time, the sales representatives could log in to that computer system to check their monthly or annual sales. *See* Prissert Dep., Exhibit E, 204:10-205:2; *see also* Anderson Decl. at ¶ 22; Sommer Dep., Exhibit G, at 70:16-71:8.

See Defendant's Response to ¶ 42.

47. From 2010-2013, Breitling management held annual sales meetings to, among other things, review the sales representatives' sales numbers for the year, discuss the progress of

the company, the business goals of the company moving forward, and other business matters. *See* Anderson Decl. at ¶ 23.

See Defendant's Response to ¶ 42.

48. From 2010-2013, all of the sales representatives were required to (and in fact did) attend these annual sales meetings. *See* Anderson Decl. at ¶ 24; *see also* Prissert Dep., Exhibit E, 262:12-22,

See Defendant's Response to ¶ 42.

49. At these annual sales meetings, the sales representatives, as a group, were presented with a PowerPoint presentation that was created by Mr. Anderson. *See* Anderson Decl. at ¶ 25; *see also* Prissert Dep., Exhibit E, at 262:21-21.

See Defendant's Response to ¶ 42.

50. In Mr. Anderson's PowerPoint presentations at the annual sales meeting, there were slides that showed the sales representatives' performance and sales numbers for the prior year. *See* Anderson Decl. at ¶ 25; *see also* Sampling of PowerPoint Slides, annexed as Exhibit "K".

See Defendant's Response to ¶ 42.

54. In setting the sales representatives' base salaries, things that were considered included seniority at Breitling and the salary that a sales representative was making before he/she came to work at Breitling. *See* Amstutz Dep., Exhibit F, 228:11-229:3; *see also* Anderson Dep., Exhibit H, at 281:12-283:17.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c).

56. In 2011, Plaintiff was the highest paid sales representative at Breitling. *See* Prissert Decl. at ¶ 26.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c).

58. In 2011, the sales representative at Breitling with the lowest base salary was a heterosexual male, and he was making \$152,500 in base salary. *See* Prissert Decl. at ¶ 27.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c).

60. In 2012, Plaintiff was the highest paid sales representative at Breitling. *See* Prissert Decl. at ¶ 28.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c).

61. In 2012, the sales representative with the next highest salary after Plaintiff was making \$215,000 in base salary. *See* Prissert Decl. at ¶ 29.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c).

62. In 2012, the sales representative at Breitling with the lowest base salary was a heterosexual male, and he was making \$170,500 in base salary. *See* Prissert Decl. at ¶29.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c).

65. In 2013, the sales representative at Breitling with the lowest base salary was a heterosexual male, and he was making \$85,000 in base salary. *See* Prissert Decl. at ¶ 31.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c).

66. Plaintiff did not always surpass or achieve his sales goals at Breitling. *See* Plaintiff Dep., Exhibit D, 34:19-35:20; *see also* Prissert Decl. at ¶ 42.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c).

67. During Plaintiff's employment at Breitling, he received negative feedback about his performance from Ms. Bodman, Mr. Prissert, and Mr. Anderson. *See* Plaintiff Dep., Exhibit D, 121:22-122:4.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including improper argument, unsupported statements with no citation to the record (i.e. "every boss criticizes from time to time"), and self-serving and irrelevant statements regarding his claims of his general performance prior to 2011. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

68. Plaintiff testified that Ms. Bodman gave Plaintiff negative feedback about his schedule and about “trying to get a certain account’s numbers up and asking why that specific account wasn’t doing better.” *See id.* at 122:5-9, 123:23-124:4.

See Defendant’s Response to ¶ 67.

69. Plaintiff testified that Mr. Anderson criticized Plaintiff’s performance on similar topics that Ms. Bodman had criticized, including questioning Plaintiff’s schedule, how many visits Plaintiff had made, and regarding the performance of certain accounts. *See id.* at 124:21-125:21.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including improper argument and unsupported statements with no citation to the record (i.e. “Prissert and Anderson were papering Cargian’s file”). Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

70. Plaintiff testified that Mr. Prissert criticized Plaintiff’s performance about the “numbers per account,” certain accounts that were not performing, and Plaintiff’s schedule. *See id.* at 126:13-17.

See Defendant’s Response to ¶ 69.

71. Plaintiff testified that Mr. Anderson and Mr. Prissert asked him to make more sales visits. *See id.* at 131:9-13.

See Defendant’s Response to ¶ 69.

74. On June 14, 2011, Mr. Prissert sent Plaintiff the email annexed as Exhibit “M”, that read, in part, “I am almost speechless when I read your call report...No visits on June 7 and 8..?!...That is not at all what I expect from you or any other rep, furthermore that we agreed to reduce your territory last Thursday (because you said you were overwhelmed and was working

too much) and expect you to schedule travel and visit more accounts every week...” *See* Exhibit M.

See Defendant’s Response to ¶ 67.

75. Plaintiff responded to Mr. Prissert’s June 14, 2011 email, writing, in part: “I only wish I was sitting around having margaritas while I am not at a store as you all seem to think.”

See id.

See Defendant’s Response to ¶ 67.

76. On February 15, 2012, Mr. Anderson sent Plaintiff the email annexed as Exhibit “N”, that read, in part, “My surprise was to see office days on Monday and Tuesday last week—meaning there were three in a row. We simply can’t stay behind our desks and accomplish our goals...Looking at the month there are not a lot of visits...I/we are here to help in any way we can...” *See* Exhibit N.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including improper argument and unsupported statements with no citation to the record (i.e. “Prissert and Anderson were papering his file”). Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

77. On July 16, 2012, Mr. Anderson sent Plaintiff the email annexed as Exhibit “O” that read, in part, “Attached are your June 30 results...There are some concerns with the results...” *See* Exhibit O.

See Defendant’s Response to ¶ 76.

78. On July 23, 2012, Mr. Prissert sent Plaintiff the email annexed as Exhibit “P”, that read, in part, “Hope you can catch up to the \$15,400,000 target...Good luck to you...” *See* Exhibit P.

See Defendant's Response to ¶ 76.

79. On August 13, 2012, Mr. Anderson sent Plaintiff the email annexed as Exhibit "Q", that read, in part, "the average price of pieces sold is the lowest of the regions...if you were to match the B[reitling] USA average this year it would be...reducing your shortfall." See Exhibit Q.

See Defendant's Response to ¶ 76.

80. On September 26, 2012, Mr. Prissert sent Plaintiff the email annexed as Exhibit "R", that read, in part, "We are very concerned that the results in your region are still far behind expectations and also the only region double digit down versus last year numbers...you are -19% versus 2011...the only other region behind last year is -3% versus last year...In 2011, your territory was already the least performing one (growth over 2010) which means, as we discussed several times, that Breitling business is 'melting' in the Northeast 1 and we are loosing [sic] market share in your area since January 2010...I am very concerned that you might not reach **any** of the goals, we set in January, (quantitative and qualitative) for your territory...We are running out of time!" See Exhibit R.

See Defendant's Response to ¶ 76.

81. On October 5, 2012, Mr. Anderson sent Plaintiff the email annexed as Exhibit "S", that read, in part, "With respect to your region, we see that the total sell in is the most challenged area for B[reitling] USA down 19.9% versus 2011 YTD." See Exhibit S.

See Defendant's Response to ¶ 76.

82. On March 5, 2013, Mr. Anderson sent Plaintiff the email annexed as Exhibit "T", that read, in part, "Your region has suffered a lot over the last two years and falling short this year is not an option. I will help you in any way I can." See Exhibit T.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

83. On May 24, 2013, Mr. Anderson sent Plaintiff the email annexed as Exhibit “U”, that read, in part, “You have a very important region and not so long ago when I was still covering MD and VA, it was the second most sales generating region we had. Today, it has fallen back dramatically in sell in....” *See* Exhibit U.

See Defendant’s Response to ¶ 82.

84. On June 4, 2013, Mr. Prissert sent Plaintiff the email annexed as Exhibit “V”, that read, in part, “I am concerned in the trend of your numbers...We heave [*sic*] been repeating again and again that your schedule of visits is too light and that you should spend more time at the store...Your results...show me that you are not really using all the tools you have or capitalizing on opportunities...In other words, you keep doing it your ways and ate [*sic*] the pace you think is right...I just want to reiterate that achieving your target is key to us and for you (especially this year, after your region has been reduced so you can focus on less accounts and be more productive)...Finally, I want you to succeed and achieve your goals but I am not sure you are doing all that you can and need to be doing to make it happen.” *See* Exhibit V.

See Defendant’s Response to ¶ 82.

85. On September 11, 2013, Mr. Prissert sent Plaintiff the email annexed as Exhibit “W”, that submitted to Plaintiff his new sales goals, and that read, in part, “Hope you make it happen in the next months...Wishing you to succeed!” *See* Exhibit W.

See Defendant’s Response to ¶ 82.

86. Plaintiff testified, with regard to the September 11, 2013 email from Mr. Prissert (Exhibit W and marked at Plaintiff's deposition as Exhibit B-24) that he believed that Mr. Prissert wanted Plaintiff to succeed. *See* Plaintiff's Dep., Exhibit D, at 236:19-237:16.

See Defendant's Response to ¶ 82.

88. Plaintiff received the Year-end 2011 performance review annexed as Exhibit "Y", which states, in part, "Fred had a tough year and missed his target by \$5 mio[sic]!..Fred did not send all his call reports." *See* Exhibit Y; *see also* Plaintiff's Dep., Exhibit D, at 186:6-16.

See Defendant's Response to ¶ 82.

90. At the 2012, Breitling sales meeting, Plaintiff stated, in front of all of the other sales representatives, that he would only work until 5 o'clock. *See* Plaintiff Dep. at 148:17-151:3.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation and improper argument and unsupported statements with no citation to the record (i.e. "Defendant is aware that this was not a serious statement.") Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

91. In Plaintiff's 2012 self-evaluation, in response to the question "Would he/she be better in another position?", Plaintiff wrote "Yes, president." *See* 2012 Self Evaluation annexed as Exhibit "AA"; *see also* Plaintiff's Dep., Exhibit D, 175:10-177:17.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

92. At a Breitling event in Reno in 2012, Plaintiff lost his temper. *See* Plaintiff's Dep., Exhibit D, at 166:10-11.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation and improper argument. Plaintiff fails to cite to the record to contravene this statement, which is taken directly from his deposition. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

93. On September 18, 2012, Plaintiff received a written warning from Mr. Prissert, which stated, among other things, that Plaintiff engaged in inappropriate behavior and language and cursed at Mr. Prissert, the President of Breitling, in front of colleagues and guests at a bowling outing in Reno on September 16, 2012. *See* Written Warning Email, annexed as Exhibit “BB”, *see also* Plaintiff’s Dep. at 169:24-170:3.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation and improper argument. Plaintiff fails to cite to the record to contravene the fact that he did in fact receive the written warning discussed in this assertion. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

94. On April 9, 2012, Plaintiff received an email from Mr. Prissert, annexed as Exhibit “CC”, in which Mr. Prissert informed Plaintiff that it was not acceptable at Breitling to give cash envelopes to colleagues. *See* Exhibit CC.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation and improper argument. Plaintiff fails to cite to the record to contravene the fact that he did in fact receive the email discussed in this assertion. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

97. Ms. Bodman made the ultimate decision on how much to set Plaintiff’s 2011 sales goal. *See* Prissert Decl. at ¶ 22.

Plaintiff does not cite to admissible evidence to controvert this assertion, because his self-serving affidavit regarding who set the 2011 sales goals is speculative, lacks foundation, and is not based on any personal knowledge – Plaintiff was not involved in the setting of the sales goals for the sales representatives. Plaintiff’s argument regarding the potential deposition of Ms. Bodman is improper for a 56.1 statement, as well as the fact that Plaintiff himself could have made efforts to depose Ms. Bodman through the Hague Convention, which he did not. Therefore, this fact should be deemed admitted pursuant to Rule 56.1(d).

98. In 2011, Plaintiff’s sales at Breitling were approximately \$18,767,811, including Tourneau sales. *See* Exhibit K (at BREITLING_9031 and BREITLING_9052); *see also* 2011 Sales Chart annexed as Exhibit “DD” (BREITLING_8804); Anderson Decl at ¶ 28.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including improper argument, improper discussion of discovery in this case, and self-serving statements regarding witness credibility and what questions were understood by witnesses at depositions. Defendant’s citation regarding these PowerPoint presentations and the sales numbers contained in this factual assertion is sufficient for their admissibility (*see* ¶¶47-50 and 98). Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

99. Plaintiff’s 2011 sales were approximately \$4,992,189 less than the sales goals that had been set for him that year, and he achieved only 79% of his set sales goal. *See id.*

See Defendant’s Response to ¶ 98.

101. In 2011, Plaintiff was the sales representative who achieved the lowest percentage of his sales goals. *See* Anderson Decl. at ¶ 29.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including an unsupported statement regarding the admissibility of this information. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

102. Plaintiff's 2011 sales were approximately \$850,645 more than Breitling had sold to the same territory the year prior (an increase of 5%). *See* Exhibit DD; *see also* Exhibit K (at BREITLING_9052) *see also* Anderson Decl. at ¶ 30.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including an unsupported statement regarding the admissibility of this information and improper argument regarding discovery. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

103. In 2011, Plaintiff was the sales representative who increased his sales as compared to the same territory the prior year by the lowest percentage (5%) out of seven sales representatives. *See* Exhibit K (at BREITLING_9052); *see also* Anderson Decl. at ¶ 30.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including an unsupported statement regarding the admissibility of this information, improper argument regarding discovery, and citation to an attorney's affirmation which is not proper (*see* Defendant's Reply Memorandum of Law). Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

104. On December 20, 2011, Plaintiff emailed Mr. Prissert and Mr. Anderson, attaching his proposed sales goals for the upcoming year, 2012, in which he projected his sales

would be \$16,475,000, excluding Tourneau sales. *See* Email dated December 20, 2011, Exhibit EE.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including an unsupported statement regarding the admissibility of this information. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

107. In July 2012, Mr. Prissert decided to reduce Plaintiff's sales goal by 1.1 million dollars, down to \$15,400,000 (excluding Tourneau sales). *See* 2012 Goal Reduction Email, as Exhibit FF.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

109. Plaintiff's 2012 sales were approximately \$2,500,419 less than the sales goals that had been set for him that year (he achieved only 83.76% of his sales goal). *See id.*; *see also* Anderson Decl. at ¶ 32.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including improper argument, improper discussion of discovery in this case. Defendant's citations regarding the sales numbers contained in this factual assertion is sufficient for their admissibility. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

111. In 2012, Plaintiff was the sales representative who achieved the lowest percentage of his sales goals. *See* Exhibit K (at BREITLING_9073); *see also* Anderson Decl. at ¶ 33.

***See* Defendant's Response to ¶ 109.**

112. Plaintiff's 2012 sales were approximately \$938,000 less than Breitling had sold to the same territory the year prior (a decrease of approximately 6.8%). *See* Exhibit HH (at BREITLING_8808); *see also* Exhibit K (at BREITLING_9065); Anderson Decl. at ¶ 34.

See Defendant's Response to ¶ 109.

113. In 2012, Plaintiff was the sales representative whose sales, as compared to the same territory the prior year, decreased by the highest percentage (6.8%). *See* Exhibit K (at BREITLING_9065); *see also* Anderson Decl. at ¶ 34.

See Defendant's Response to ¶ 109.

116. In September 2013, Mr. Prissert decided to reduce Plaintiff's sales goal by \$560,000, so that his new goal would be \$10,640,000 (excluding Tourneau sales). *See* 2013 Goal Reduction Email, Exhibit II.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

118. Plaintiff's 2013 sales were approximately \$2,187,928 less than the sales goals that had been set for him that year (he achieved only 79% of his sales goal). *See* Exhibits II, JJ, *see also* Anderson Decl. at ¶ 36.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

120. In 2013, Plaintiff was tied for achieving the second lowest percentage of his sales goals. *See* Anderson Decl. at ¶ 37.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

121. Plaintiff's 2013 sales were approximately \$1,357,393 less than Breitling had sold to the same territory the year prior (a decrease of approximately 13.8%). *See* Exhibit JJ; *see also* Anderson Decl. at ¶ 38.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including an unsupported statement regarding the admissibility of this information. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

122. At the beginning of 2011, Plaintiff was given additional territory for which he would be responsible as a sales representative; he received approximately 20 additional "doors" or accounts to cover. *See* Prissert Dep., Exhibit E, 165:10-13; *see also* Prissert Decl. at ¶ 32.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including an unsupported argument regarding the weight of this evidence. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

124. Plaintiff testified that Ms. Bodman was the one who decided to assign him the new territory in the beginning of 2011 that had previously been serviced by Mr. Anderson. *See* Plaintiff Dep., Exhibit D, 73:8-22.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation that does not controvert the factual assertion. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

126. Because Plaintiff had been assigned the additional territory, Breitling increased his bonus potential from \$45,000 to \$55,000. *See* Prissert Decl. at ¶ 32.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including an unsupported argument regarding the weight of this evidence. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

131. Mr. Prissert discussed this decision with Mr. Anderson and Mr. Amstutz. *See id.* at 86:23-87:14.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including an unsupported argument regarding the weight of this evidence. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

132. Mr. Prissert testified that the reason he reduced the territories of Ms. Sommer and Plaintiff was because: (i) the sales performance of these two sales representatives for 2012 was below expectations; (ii) Mr. Prissert wanted to give both individuals a chance to succeed in a smaller territory; (iii) they were not handling the larger territory in the right manner, and (iv) sales in the two territories were not where they needed to be and the salespeople were not achieving their goals in those territories, so they needed restructuring. *See* Prissert Dep., Exhibit E, at 87:15-24.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including an unsupported argument regarding the weight of this evidence. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

135. Mr. Prissert was 44 years old at the time he decided to reduce Plaintiff's salary. *See* Prissert Decl. at ¶ 37.

Plaintiff fails to admit or deny in violation of Rule 56.1. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

136. Mr. Prissert testified that at the same time that Mr. Prissert decided to reduce Plaintiff's territory and salary, a new sales representative would need to be added to cover territory removed from Ms. Sommer and Plaintiff. *See* Prissert Dep., Exhibit E, at 88:20-89:13.

See Defendant's Response to ¶ 131.

138. Mr. Prissert testified that the reason he decided to promote Mr. Schafrath to the sales representative position was that: (i) Mr. Prissert preferred to promote someone from within the company, (ii) he wanted to give a chance to an employee of the company who had worked for Breitling for many years, (iii) Mr. Schafrath was performing well in his current job, (iv) Mr. Schafrath had expressed a desire to do something else within the company, (v) Mr. Schafrath knew the brand very well, and (vi) Mr. Schafrath knew the product very well. *See* Prissert Dep., Exhibit E, at 92:19-94:2.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including arguments without proper citation to the record. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

139. Plaintiff never made a complaint to anyone at Breitling that he was being harassed or treated differently because of his age, sexual orientation, or gender. *See* Plaintiff's Dep., Exhibit D, at 288:12-21.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including arguments without any support or proper citation

to the record (i.e. “there was no meaningful mechanism...”). Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

141. On March 15, 2011, Plaintiff sent an email to Monika Pieren, the head of events at Breitling Switzerland, requesting a specific kind of room for himself and Ms. Sommer for the Basel, Switzerland trip, and wrote in the email “Annie and I are rooming together this year because of the mix of men and women from the US...Annie and I have shared rooms all the years we have attended. I think this is my 18th, Annie’s 17th.” *See* March 15, 2011 Email, Exhibit KK; *see also* Plaintiff’s Dep., Exhibit D, at 108:5-21.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including improper arguments without any support or proper citation to the record. Plaintiff has not cited to any admissible evidence contravening the fact that he sent the email. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

142. Annie Sommer is a good and close friend of Plaintiff’s, and was his closest friend at Breitling. *See* Plaintiff’s Depo., Exhibit D, at 103:19-104:12

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including improper argument regarding credibility issues. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

144. Ms. Sommer does not believe that Mr. Cargian was treated any worse than anyone else at Breitling because he’s gay. *See* Sommer Dep., Exhibit G, at 39:24-40:3.

Plaintiff fails to admit or deny in violation of Rule 56.1, and the testimony of someone who Plaintiff alleges is a “me too” witness is relevant and admissible. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

146. Ms. Sommer and Plaintiff have shared rooms on some of those vacations that they took together. *See id.*, at 63:17-20, 71:21-25.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary and explanation, including characterization of Ms. Sommer's testimony even though Plaintiff has not cited to any admissible evidence contravening the fact that Ms. Sommer testified that she and Plaintiff shared rooms on vacations. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

152. In 2013, Breitling uncovered the fact that sales representative Brian Criddle had misrepresented his customer visits, submitted false expense reports to Breitling for personal expenses, and misused his Breitling credit card. *See* Prissert Dep., Exhibit E, at 61:19-62:15; *see also* Anderson Dep., Exhibit H, at 102:7-19.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary, explanation, and improper argument for a 56.1 Statement. Further, Plaintiff, fails to cite to any admissible evidence contravening the facts asserted. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

153. After Mr. Anderson saw a discrepancy in Mr. Criddle's expense report, he conducted an investigation and made the determination that Mr. Criddle had been untruthful on his reporting to Breitling. *See* Anderson Dep., Exhibit H, at 103:5-12.

***See* Defendant's Response to ¶ 152.**

154. As a result of Mr. Criddle's misrepresentations, he received a written warning from Breitling. *See* Prissert Dep., Exhibit E, at 64:24-65:9.

***See* Defendant's Response to ¶ 152.**

155. Mr. Prissert was the person who decided to give Mr. Criddle the warning. *See id.*

See Defendant's Response to ¶ 152.

156. Once Mr. Prissert learned of Mr. Criddle's untruthful reporting to Breitling, Mr. Prissert decided to give Mr. Criddle the written warning, regardless of Mr. Criddle's explanation and whether Mr. Criddle admitted his wrongdoing or not. *See* Prissert Dep., Exhibit E, at 68:13-69:5; *see also* Prissert Decl. at ¶ 54; Anderson Dep., Exhibit H, at 109:22-110:3.

See Defendant's Response to ¶ 152.

157. On or about December 13, 2013, Breitling informed Plaintiff that it would not be renewing his employment contract and would be terminating his employment with Breitling, effective December 31, 2013. *See* Plaintiff's Dep., Exhibit D, at 216:8-217:12.

Defendant's citation was a clerical error and the parties agree that within the first two weeks of December 2013, Plaintiff was informed that his employment at Breitling would be terminated effective December 31, 2013.

160. At the time Plaintiff left the employment of Breitling, in December 2013, there were 7 other sales representatives working at Breitling: Annie Sommer, 47 years old, Beth Haddad, 45 years old, Brian Criddle, 48 years old, Josh Haley, 40 years old, Patrick Cawthorne, 49 years old, Rick Lambert, 47 years old, and Isaac Schafrath, 33 years old. *See* Prissert Decl. at ¶ 51.

Plaintiff fails to admit or deny in violation of Rule 56.1, but rather adds commentary, explanation, and improper argument for a 56.1 Statement. Further, Plaintiff fails to cite to any admissible evidence contravening the facts asserted. Therefore, this fact should be deemed admitted pursuant to Rules 56.1(c) and 56.1(d).

II. REPLY TO PLAINTIFF'S COUNTER 56.1⁵

161. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of the picture and thus the assertions are not supported by citation to admissible evidence. Defendant admits that Exhibit "18" attached to the Affirmation of Counsel for Plaintiff ("Pl. Counsel Aff.") is a painting by a famous artist named Kevin Kelly that is displayed in the office of the President of Breitling SA, Breitling, USA's parent company. *See* Prissert Decl. at ¶62. Defendant further denies the materiality of the assertions.

162. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of the atmosphere at Breitling⁶ and do not support the assertion that Breitling's merchandising is addressed to straight men; thus, the assertions are not supported by citations to admissible evidence. Rather, the testimony cited indicates that Breitling sells a product "that we cater to men." *See* Exhibit 8 attached to Pl. Counsel Aff., at 141:13-22.

163. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of the paintings or statute, and thus the assertions are not supported by citation to admissible evidence. Furthermore, Plaintiff did not produce the document attached to the Cargian Affidavit as Exhibit "C" in discovery, and attaches it for the first time in his Opposition to Defendant's Motion for Summary Judgment. While the exhibit appears to be a picture of the

⁵ Regarding Plaintiff's Counter 56.1, Defendant responds herein to some of Plaintiff's assertions, however in not responding to certain paragraphs of Plaintiff's Counter 56.1, Defendant is neither denying nor admitting the truth thereof, but deem a response unnecessary for purposes of a motion for summary judgment. All numbered paragraphs herein refer to Plaintiff's Counter 56.1 Statement (Docket No. 46).

⁶ Throughout Plaintiff's Counter 56.1, Plaintiff makes unsupported and argumentative characterizations that are simply not supported in the record, are not supported by his citations to the record, and do not comply with Rule 56.1. This is a stark example – Plaintiff asserts as material fact in this paragraph that the atmosphere at Breitling is "overwhelmingly macho", however *none* of Plaintiff references to the record support that assertion/argument whatsoever. Rather, Plaintiff cites to exhibits, affidavits, and deposition testimony and then characterizes and argues as he sees fit. Plaintiff does this throughout his Counter 56.1, and Defendant submits that these characterizations in Plaintiff's assertions should be utterly rejected and should not considered by the Court as Plaintiff has blatantly violated Local Rule 56.1 in his Counter 56.1 Statement.

statue that is in Breitling's 57th Street store, Defendant cannot admit or deny what it actually depicts. Defendant further denies the materiality of the assertions.

164. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of Breitling's marketing materials nor that the materials are used to "entice heterosexual males." In addition, Plaintiff has not attached pages 138-140 of Mr. Prissert's deposition as cited. Thus, the assertions are not supported by citation to admissible evidence. Defendant admits that it uses collateral marketing material. *See* Prissert Decl. at ¶¶ 62, 64-65. Defendant further denies the materiality of the assertions.

165. **Denied.** The citation by Plaintiff does not support Plaintiff's subjective characterizations of the email and thus the assertions are not supported by citation to admissible evidence. Defendant admits that Exhibit 20 attached to Plaintiff's Counsel's Affirmation is an email chain sent between Ms. Haddad and Mr. Anderson. Defendant further denies the materiality of the assertions.

166. **Denied.** *See* Defendant's Response to ¶ 165.

167. **Denied.** *See* Anderson Decl. at ¶ 44. Defendant further denies the materiality of the assertions.

168. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of Ms. Roman's alleged conversations with Ms. Figueroa as being complaints of sex and age discrimination, and thus the assertions are not supported by citation to admissible evidence. Defendant further denies the materiality of the assertions.

169-170. Defendant denies the materiality of these assertions.

171. **Denied.** The citations by Plaintiff do not support Plaintiff's assertions regarding what other people may have said, nor has Plaintiff attached pages 36-37 Ms. Roman's deposition

as cited; thus, the assertions are not supported by citation to admissible evidence. Defendant further denies the materiality of the assertions.

172. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of Ms. Roman's testimony⁷, and thus the assertions are not supported by citation to admissible evidence. Rather, Ms. Roman testified that in her observation, Cargian was not a part of the betting games and golf outings, that she had an "insulated view" in her office, and that she was aware of "general feedback" that Cargian and Prissert "weren't getting along kind of thing". *See* Ex. 7 attached to Pl. Counsel Aff., at pages 99 and 101. Defendant further denies the materiality of the assertions.

173. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of Ms. Sommer's testimony, and thus the assertions are not supported by citation to admissible evidence.

174. **Denied.** *See* Defendant's Responses to ¶¶ 172-173.

175. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of Ms. Vessely's testimony, and thus the assertions are not supported by citation to admissible evidence. Rather, Ms. Vessely testified that Ms. Haddad had told her that Haddad felt that Mr. Prissert did not like her. *See* Ex. 8 attached to Pl. Counsel Decl. at pages 11-112. Defendant further denies the materiality of the assertions.

176. **Denied.** The assertions are not supported by citation to admissible (or any) evidence. Furthermore, the citations by Plaintiff do not support Plaintiff's subjective characterizations of Ms. Roman's testimony, as her testimony (cited by Plaintiff in this assertion)

⁷ This is another stark example, among many, where Plaintiff has characterized the record and made improper argument and commentary in his Counter 56.1 Statement that are wholly uncorroborated by the record he cites to herein. Again, Plaintiff does this for the majority of his Counter 56.1 Statement and it should be rejected by the Court.

was regarding her unhappiness with performance write-ups she received, and had nothing to do with any complaints regarding discrimination or her gender. Defendant further denies the materiality of the assertions.

179. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of the event, whether it is "prestigious", and who was invited; thus, the assertions are not supported by citation to admissible evidence. Rather, Mr. Prissert specifically testified (in the citations made by Plaintiff in this assertion) that he does not know if he would consider the event "prestigious". In addition, Plaintiff has cited to no admissible evidence that all of the male sales representatives were invited to the event (in fact, Mr. Criddle was not invited). Defendant further denies the materiality of the assertions.

180. **Denied.** The assertions are not supported by citation to admissible evidence; in particular, the affirmation of an attorney is not admissible evidence. Furthermore, the citations do not support Plaintiff's statements in these assertions. Defendant further denies the materiality of the assertions.

181-188. Defendant denies the materiality of these assertions, and further objects on the basis that Plaintiff has not cited to admissible evidence - his affidavit is speculative, lacks foundation, and is inadmissible with regard to Breitling's business to which he did not have personal knowledge.

189. **Denied.** The assertions are not supported by citation to admissible evidence, as Plaintiff himself was not involved in the setting of his 2011 sales goals and thus his testimony on that issue is speculative at best. It was in fact Ms. Bodman, who was still President of Breitling at the end of 2010 and the beginning of 2011 when Plaintiff's sales goals were set, who made the ultimate decision in setting Plaintiff's sales goals. *See* Prissert Decl. at ¶¶ 8-9, 21- 22. Defendant

admits that Mr. Prissert made the final decisions regarding Plaintiff's sales goals for 2012 and 2013.

190. **Denied.** *See* Defendant's Response to ¶ 189 regarding as to who set the 2011 sales goals. Defendant admits the beginning of year sales goals numbers for Plaintiff asserted in this paragraph.

193. **Denied.** *See* Prissert Dep., Exhibit E, 165:10-13; *see also* Prissert Decl. at ¶ 32.

195. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations and comparisons of the different territories as being "most similar"; thus, the assertions are not supported by citation to admissible evidence. Defendant admits the beginning of year sales goals numbers for Mr. Criddle asserted by Plaintiff in this paragraph. Defendant further denies the materiality of the assertions.

197. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of "unrealistic sales goals", nor has Plaintiff established a valid foundation for his self-created sales numbers attached to his affidavit as Exhibit A; thus, the assertions are not supported by citation to admissible evidence.

198. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of "unobtainable sales goals". Furthermore, the assertions regarding how the sales representatives' performance was judged are not supported by citation to admissible evidence as Plaintiff himself was not involved in judging their performance and thus his affidavit on that issue is speculative. As such, the assertions are not supported by citation to admissible evidence. In contrast, the sales representatives were judged, among other things, by both their actual year over year sales and their obtaining their sales goals. *See* Prissert Decl. at ¶¶ 13,14,17, *see also* Exhibit "K", attached to the Declaration of Zev Singer.

199. **Admitted.**

201. **Denied.** The citations by Plaintiff do not support Plaintiff's assertions. In fact, Plaintiff's sales goal at the beginning of 2012 was set as \$16,500,00 (excluding Tourneau sales), and his sales goal at the beginning of 2013 was set at \$11,200,00, more than \$5,000,000 *less* than his 2012 sales goal. *See* Plaintiff's 2012 and 2013 Employment Agreements, Exhibit I (at BREITLING_577 and BREITLING_583, respectively), attached to the Declaration of Zev Singer.

202. *See* Defendant's Response to ¶ 201.

203. **Deny** Plaintiff's characterizations regarding "demotion" and why Mr. Schafrath was promoted. *See* Defendant's 56.1 Statement at ¶¶130-138, and the cites therein. Defendant admits the remainder of the facts asserted in this paragraph.

206. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of Schafrath's prior experience. In contrast, *see* Defendant's 56.1 Statement at ¶138, and the citations therein, regarding the reasons for Schafrath's promotion. Defendant further denies the materiality of the assertions.

208. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of "the boys club atmosphere"; thus, these assertions are not supported by citation to admissible evidence. Defendant admits Schafrath was a student athlete and has a father who had played college and professional football, and that in "five times total" Mr. Schafrath talked to Mr. Prissert about his father. *See* Plaintiff's citations in this paragraph. Defendant further denies the materiality of the assertions.

209. **Denied.** The citations by Plaintiff do not support Plaintiff's assertions. Rather, Mr. Anderson testified that, after the fact, at the time of his deposition, he does not think it was a

good idea to put Mr. Schafrath into that position. *See* Plaintiff's citations in this paragraph. Defendant admits that Mr. Anderson stated that it would take some time to get Mr. Schafrath up to speed. Defendant further denies the materiality of the assertions.

210. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of "a serious breach of ethics and workplace policy", thus these assertions are not supported by citation to admissible evidence. Defendant admits that this sales representative misrepresented his whereabouts and misused his corporate credit card. Defendant further denies the materiality of the assertions.

213. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations of "a full investigation", thus these assertions are not supported by citation to admissible evidence. Defendant admits that the sales representative was interviewed before he received his disciplinary warning. Defendant further denies the materiality of the assertions.

214. **Denied.** The citations by Plaintiff do not support Plaintiff's assertion that "no disciplinary action was taken". Rather, the sales representative was in fact given a disciplinary warning and made to repay money to the company. *See* Plaintiff's citations in this paragraph. Defendant further denies the materiality of the assertions.

216. **Denied.** This paragraph does not contain factual assertions, but rather improper argument and unsupported characterizations ("significantly less serious and unproven charge") that are improper for a 56.1 Statement.⁸ Defendant further denies the materiality of the assertions.

⁸ This is another prime example of Plaintiff's failure to comply with Rule 56.1. Plaintiff's use of the word "contrast" (which he uses numerous times throughout his Counter 56.1) is pure argument that has no place in a 56.1 statement, and his subjective characterization of "significantly less serious and unproven" is unsupported by any valid citation to the record and should be in his memorandum of law, not his 56.1 statement.

220. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations and argument of "questionable at best," "tucked away," "highly unlikely,"; thus, these assertions are not supported by citation to admissible evidence. Defendant further denies the materiality of the assertions.

221. **Denied.** The citations by Plaintiff do not support Plaintiff's assertion regarding "Amstutz, who supported Prissert's claim"; thus, these assertions are not supported by citation to admissible evidence. Defendant admits that Mr. Amstutz stated that he only knew about the allegation from Mr. Prissert.

222. **Denied.** This paragraph does not contain factual assertions supported by citation to admissible evidence, but rather contain improper argument and unsupported characterizations that are improper for a 56.1 Statement. Defendant further denies the materiality of the assertions.

223. **Denied.** This paragraph does not contain factual assertions supported by citation to admissible evidence, but rather contain improper argument and unsupported characterizations that are improper for a 56.1 Statement. Defendant further denies the materiality of the assertions.

225. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations and argument of "yet without any investigation"; thus, these assertions are not supported by citation to admissible evidence. Defendant admits that Plaintiff's Ex. 21 was a warning sent letter sent by Mr. Prissert to Plaintiff.

226. **Denied.** This paragraph does not contain factual assertions supported by citation to admissible evidence, but rather contain improper argument ("contrast") and unsupported characterizations that are improper for a 56.1 Statement. Defendant further denies the materiality of the assertions.

228. **Denied.** This paragraph does not contain factual assertions supported by citation to admissible evidence, but rather contain improper argument (“contrast”) and unsupported characterizations that are improper for a 56.1 Statement. Defendant further denies the materiality of the assertions.

230. **Denied.** The citations by Plaintiff do not support Plaintiff’s assertion regarding “no such policy”; thus, these assertions are not supported by citation to admissible evidence. Rather, Ms. Figueroa testified that there was nothing in the company handbook regarding giving gifts, not that it was not against company policy. *See* Plaintiff’s citations in this paragraph.

231. **Denied.** This paragraph does not contain factual assertions supported by citation to admissible evidence, but rather contain improper argument and unsupported characterizations that are improper for a 56.1 Statement. The citations cited by Plaintiff do not support the assertions therein. Defendant further denies the materiality of the assertions.

232. **Denied.** The citations by Plaintiff do not support Plaintiff’s assertion regarding the representative referenced; rather, the exhibit indicates that he made 75% of his sales goals. *See* Plaintiff’s citations in this paragraph. Defendant further denies the materiality of the assertions.

234. **Denied.** The citations by Plaintiff do not support Plaintiff’s assertion regarding his 2013 sales goals achievement; rather, the exhibit indicates that he made 79% of his sales goals in 2013. *See* Plaintiff’s citations in this paragraph.

237. **Denied.** This paragraph does not contain factual assertions supported by citation to admissible evidence, but rather contain improper argument and unsupported characterizations that are improper for a 56.1 Statement. Furthermore, the citations cited by Plaintiff do not support the assertions therein. Defendant further denies the materiality of the assertions.

238. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations and argument of "only". In addition, the citations by Plaintiff do not support Plaintiff's assertion regarding his 2013 qualitative bonus; rather, the exhibit indicates that his 2013 qualitative bonus was \$7,980. *See* Plaintiff's citations in this paragraph.

239. **Denied.** The citations by Plaintiff do not support Plaintiff's subjective characterizations and argument of "despite the fact...". In addition, the citations by Plaintiff do not support Plaintiff's assertion regarding his 2013 bonus for reports; rather, the exhibit indicates that his 2013 bonus for "report" was \$3,000. *See* Plaintiff's citations in this paragraph. Defendant further denies the materiality of the assertions.

240. **Denied.** The citations by Plaintiff do not support Plaintiff's assertion regarding sales rep "X"'s 2013 sales. *See* Plaintiff's citations in this paragraph. Defendant further denies the materiality of the assertions.

241. **Denied.** The citations by Plaintiff do not support Plaintiff's assertion regarding sales rep "X"'s 2013 sales. *See* Plaintiff's citations in this paragraph. Defendant further denies the materiality of the assertions.

Dated: April 18, 2016
New York, New York

FOX ROTHSCHILD LLP

/s/ Zev Singer

By: _____

Glenn S. Grindlinger

Zev Singer

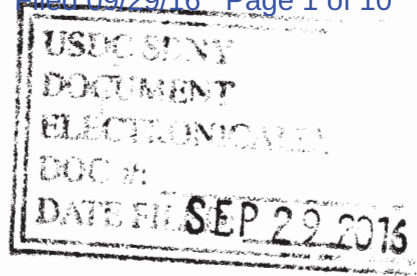
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Attorneys for Breitling USA, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
FREDERICK M. CARGIAN,

Plaintiff,

-against-

BREITLING USA, INC.,

Defendant.
----- x

MEMORANDUM DECISION
AND ORDER

15 Civ. 01084 (GBD)

GEORGE B. DANIELS, United States District Judge:

Plaintiff Frederick M. Cargian filed this action alleging that his former employer, Defendant Breitling USA, Inc. (“Breitling”), discriminated against him on the basis of gender in violation of Title VII of the Civil Rights Act of 1964 (“Title VII”), 42 U.S.C. § 2000e *et seq.*, (Compl. ¶¶ 44–46), and on the basis of his age in violation of the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 621 *et seq.*, (Compl. ¶¶ 47–49). Plaintiff also alleges that Breitling discriminated against him on the basis of his age and sexual orientation in violation of the New York State Human Rights Law (“NYSHRL”) and the New York City Human Rights Law (“NYCHRL”). (Compl. ¶¶ 50–55.)

Defendant moved, pursuant to Federal Rule of Civil Procedure 56, for summary judgment to dismiss Plaintiff’s Complaint in its entirety. Defendant has established that there is no admissible evidence sufficient to allow a trier of fact to find that Defendant discriminated against Plaintiff under Title VII or the ADEA on the basis of gender or age. Defendant’s motion for summary judgment is therefore GRANTED as to Plaintiff’s federal claims. Plaintiff’s Title VII and ADEA claims are DISMISSED with prejudice. In light of this Court’s dismissal of Plaintiff’s federal-law claims and the multiple issues of state law implicated by Plaintiff’s remaining claims,

this Court declines to exercise supplemental jurisdiction over Plaintiff's non-federal causes of action.

I. BACKGROUND

Plaintiff is a gay man born on November 23, 1960. (Compl. ¶ 10.) In February 1990, Breitling, a Swiss manufacturer of high-end watches, hired him as a training manager. (*Id.* ¶ 11.) In 1992, Plaintiff was promoted to sales representative and assigned an area from Maine to Richmond, Virginia. (*Id.* ¶ 15.) Each Breitling sales representative was assigned a designated geographic territory; he or she was responsible for sales in that territory. (Def.'s Rule 56.1 Statement ¶ 7, ECF No. 40.) During Plaintiff's last ten years of employment at Breitling, sales representatives' compensation consisted of a base salary and a bonus. (*Id.* ¶ 21.) The bonus was tied to achieving certain specified sales goals as well as qualitative criteria. (*Id.*)

Around September 2010, Breitling hired Thierry Prissert as its new president. (*Id.* ¶ 16.) Plaintiff alleges that Prissert "created a 'boy's club' atmosphere, excluding the 'girls,' a group in which he included Cargian, from his inner circle." (Pl.'s Corrected Mem. of Law in Opp'n to Def.'s Mot. for Summ. J. ("Pl.'s Mem."), (ECF No. 45), at 1.) For example, Plaintiff alleges that Prissert frequently had conversations about sports at the office with other male sales representatives but excluded Plaintiff; in addition, Plaintiff was not invited to a June 2013 marketing event in England, golf outings with clients, or social events at Prissert's New York apartment, all of which included other male sales representatives. (Compl. ¶¶ 28–29; Pl.'s Rule 56.1 Statement ¶ 179, ECF No. 46.) Plaintiff also claims Prissert called him "darling" on one occasion. (Def.'s Rule 56.1 Statement ¶ 149.) Further, he alleges that on a spring 2011 annual

company trip to Basel, Switzerland, the company assigned him to a shared hotel room with a female sales representative. (Pl.'s Rule 56.1 Statement ¶ 141.)¹

In 2011, Breitling increased Cargian's sales goal from \$13,000,000 to \$24,995,000, a 92.2% increase over the prior year. (Def.'s Rule 56.1 Statement ¶ 95; Pl.'s Rule 56.1 Statement ¶ 190.)² That year, out of seven sales representatives, Plaintiff achieved the lowest percentage of his or her sales goal. (Def.'s Rule 56.1 Statement ¶¶ 100–101.) In 2012, Breitling initially set Plaintiff's sales goal at \$16,500,000, excluding sales to the Tourneau account, which were counted separately. (*Id.* ¶¶ 40, 105.) In the middle of the year, Prissert reduced Plaintiff's sales goal by \$1.1 million to \$15,400,000. (*Id.* ¶ 107.) Plaintiff's 2012 sales were approximately \$12,899,581. (*Id.* ¶ 108.) That year, Plaintiff was again the sales representative who achieved the lowest percentage of his or her sales goal. (*Id.* ¶ 111.)

Around the end of 2012, Prissert reduced Plaintiff's sales territory and also cut his 2013 base salary from \$230,000 to \$196,000. (*Id.* ¶¶ 120, 133–34.) Plaintiff was approximately fifty-two years old at the time. At the same time, Prissert promoted an employee named Isaac Schafrath to sales representative and assigned Schafrath the sales territory that had been removed from Plaintiff and another sales representative. (*Id.* ¶¶ 136–37.) Schafrath was about thirty-three years old at the time and had no prior sales experience. (Pl.'s Rule 56.1 Statement ¶¶ 205–206; Def.'s Rule 56.1 Statement ¶ 137.)

At the beginning of 2013, Breitling reduced Plaintiff's sales goal to \$11,200,000. (Def.'s Rule 56.1 Statement ¶ 114.) In September 2013, Prissert further reduced Plaintiff's 2013 sales

¹ Defendant alleges that Plaintiff requested the room for himself and his female colleague. (Def.'s Rule 56.1 Statement ¶ 141.)

² Plaintiff alleges Prissert set the goal knowing it was unobtainable, and that Plaintiff had the greatest increase in goals of any rep. (Pl.'s Rule 56.1 Statement ¶ 88.)

goal to \$10,640,000. (*Id.* ¶ 116.) Plaintiff's 2013 sales were approximately \$8,452,072. (*Id.* ¶ 117.) Of Breitling's eight sales representatives that year, Plaintiff was tied for achieving the second lowest percentage of his or her sales goal. (*Id.* ¶¶ 119–120.)

Breitling terminated Plaintiff's employment in December 2013. (*Id.* ¶ 157.) Prissert made the decision to terminate Plaintiff. (*Id.* ¶ 158.)

II. LEGAL STANDARDS

A. Motion for Summary Judgment

Summary judgment is appropriate when there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law. *See* Fed. R. Civ. P. 56(a). "An issue of fact is genuine 'if the evidence is such that a jury could return a verdict for the nonmoving party.'" *Gayle v. Gonyea*, 313 F.3d 677, 682 (2d Cir. 2002) (quoting *Anderson v. Liberty Lobby*, 477 U.S. 242, 248 (1986)). A fact is material when "it 'might affect the outcome of the suit under the governing law.'" *Id.* (quoting *Anderson*, 477 U.S. at 248).

The party seeking summary judgment has the burden of demonstrating that no genuine issue of material fact exists. *See Marvel Characters, Inc. v. Simon*, 310 F.3d 280, 286 (2d Cir. 2002). In turn, to defeat a motion for summary judgment, the non-moving party must raise a genuine issue of material fact. To do so, the non-moving party "must do more than simply show that there is some metaphysical doubt as to the material facts," *Caldarola v. Calabrese*, 298 F.3d 156, 160 (2d Cir. 2002) (quoting *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574, 586 (1986)), and it "may not rely on conclusory allegations or unsubstantiated speculation," *Fujitsu Ltd. v. Fed. Express Corp.*, 247 F.3d 423, 428 (2d Cir. 2002) (quoting *Scotto v. Almenas*, 143 F.3d 105, 114 (2d Cir. 1998)). Rather, the non-moving party must produce admissible evidence that supports its pleadings. *See First Nat'l Bank of Ariz. v. Cities Serv. Co.*, 391 U.S.

253, 289–90 (1968). In this regard, “[t]he ‘mere existence of a scintilla of evidence’ supporting the non-movant’s case is also insufficient to defeat summary judgment.” *Niagara Mohawk Power Corp. v. Jones Chem., Inc.*, 315 F.3d 171, 175 (2d Cir. 2003) (quoting *Anderson*, 477 U.S. at 252).

In determining whether a genuine issue of material fact exists, the court must construe the evidence in the light most favorable to the non-moving party and draw all inferences in that party’s favor. *See Niagara*, 315 F.3d at 175. Accordingly, the court’s task is not to “weigh the evidence and determine the truth of the matter but to determine whether there is a genuine issue for trial.” *Anderson*, 477 U.S. at 249. Summary judgment is therefore “improper if there is any evidence in the record that could reasonably support a jury’s verdict for the non-moving party.” *Marvel*, 310 F.3d at 286.

B. *Prima Facie* Case of Discrimination Under Title VII and the ADEA

Plaintiff brings two discrimination claims under federal law: (1) gender discrimination in violation of Title VII, (Compl. ¶¶ 44–46); and (2) age discrimination in violation of the ADEA, (Compl. ¶¶ 47–49).

To state a *prima facie* case of employment discrimination under Title VII and the ADEA, a plaintiff “must show: (1) he belonged to a protected class; (2) he was qualified for the position he held; (3) he suffered an adverse employment action; and (4) that the adverse employment action occurred under circumstances giving rise to an inference of discriminatory intent.” *Brown v. City of Syracuse*, 673 F.3d 141, 150 (2d Cir. 2012) (quoting *Holcomb v. Iona College*, 521 F.3d 130, 138 (2d Cir. 2008)); *see Delaney v. Bank of Am. Corp.*, 766 F.3d 163, 167 (2d Cir. 2014) (applying same standard to ADEA suits). If a plaintiff states a *prima facie* case of discrimination, the burden shifts to the defendant to show that any adverse employment action was taken for legitimate, non-discriminatory reasons. *Delaney*, 766 F.3d at 168. “When the employer meets its burden, the

plaintiff can no longer rely on the *prima facie* case, but must prove that the employer's proffered reason was a pretext for discrimination." *Id.* (citations and internal quotation marks omitted). With respect to an ADEA claim, a plaintiff can satisfy this burden only by "presenting facts, which taken in his favor, suffice to show that a triable issue exists as to whether his age was a 'but for' cause of his termination." *Id.* (alterations, citations, and internal quotation marks omitted).

Defendant concedes that Plaintiff belongs to the ADEA's protected class as an individual over forty years of age. (Def.'s Mem. of Law in Supp. of Mot. for Summ. J. ("Def.'s Mem."), (ECF No. 41), at 5 n.2); *see* 29 U.S.C. § 631(a). Defendant also concedes that Defendant took two adverse employment actions against Plaintiff by (1) reducing Plaintiff's compensation around the end of 2012 when a portion of Plaintiff's sales territory was assigned to Schafrath and (2) terminating Plaintiff's employment in December 2013. (Def's Mem., at 5.)

III. PLAINTIFF'S TITLE VII CLAIM FOR GENDER DISCRIMINATION FAILS ON THE MERITS UNDER SECOND CIRCUIT LAW

The Second Circuit has held that "Title VII does not proscribe discrimination because of sexual orientation." *Simonton v. Runyon*, 232 F.3d 33, 36 (2d Cir. 2000); *see also Christiansen v. Omnicom Grp., Inc.*, No. 15 Civ. 03440, 2016 WL 951581, at *12–15 (S.D.N.Y. Mar. 9, 2016) (summarizing Second Circuit case law on sexual orientation discrimination under Title VII). Realizing that discrimination based upon sexual orientation is not currently actionable under Title VII, Plaintiff attempts to avail himself of the "the 'gender stereotyping' theory of Title VII liability according to which individuals who fail or refuse to comply with socially accepted gender roles are members of a protected class." *Dawson v. Bumble & Bumble*, 398 F.3d 211, 218 (2d Cir. 2005). Plaintiff's first cause of action therefore claims that Breitling discriminated against him on the basis of his gender in violation of Title VII. (Compl. ¶¶ 44–46.)

Courts in this Circuit must distinguish between claims based on discrimination targeting sexual orientation, which are not cognizable under Title VII, and cognizable claims based on discrimination targeting nonconformity with gender stereotypes. *See Christiansen*, 2016 WL 951581, at *12. The Circuit has warned that “a gender stereotyping claim should not be used to ‘bootstrap protection for sexual orientation into Title VII.’” *Dawson*, 398 F.3d at 218 (quoting *Simonton*, 232 F.3d at 38). “[D]istrict courts in this Circuit have repeatedly rejected attempts by homosexual plaintiffs to assert employment discrimination claims based upon allegations involving sexual orientation by crafting the claim as arising from discrimination based upon gender stereotypes.” *Dawson*, 398 F.3d at 219 (summarizing cases). Despite significant changes in the broader legal landscape since the Second Circuit’s decision in *Simonton*, the prevailing law in this and every other Circuit to consider the question is that, in the Title VII context, courts must distinguish between actionable gender-stereotyping claims and non-actionable sexual orientation claims. *See Christiansen*, 2016 WL 951581, at *13–14. Courts have found actionable Title VII claims in cases where plaintiff suffered adverse employment action for failing to conform to stereotypical gender norms through behavior or appearance. *See, e.g., Back v. Hastings on Hudson Union Free Sch. Dist.*, 365 F.3d 107, 122 (2d Cir. 2004) (holding that stereotypical remarks about the incompatibility of motherhood and employment can be evidence that gender played a part in adverse employment decision); *Price Waterhouse v. Hopkins*, 490 U.S. 228, 251–52 (1989) (finding sufficient evidence of sexual stereotyping where an employer’s performance evaluations criticized female plaintiff’s tendency to act in what was seen as a masculine manner).

In his opposition brief, Plaintiff argues that he “as a gay man was treated less well than straight men because, based on the fact that [sic] as a gay man he was stereotypically viewed as one of the ‘girls’ by Prissert; and the workplace was permeated with a macho atmosphere that

excluded ‘the girls’ from the president’s inner circle.” (Pl.’s Mem., at 21.) Plaintiff’s argument conflates a sexual orientation discrimination claim with a gender-stereotyping claim. Such claims are not actionable under current Second Circuit law. *See, e.g., Christiansen*, 2016 WL 951581, at *15 (finding no basis to infer that male plaintiff behaved in a stereotypically feminine manner or that employer’s behavior arose from a perception of plaintiff as insufficiently masculine) (citing *Simonton*, 232 F.3d at 38); *Dawson*, 398 F.3d at 222–23 (finding no substantial evidence that plaintiff’s alleged failure to conform her appearance to feminine stereotypes resulted in her suffering any adverse employment action).

Moreover, Plaintiff has failed to show that he suffered an adverse employment action under circumstances giving rise to an inference of intentional discrimination based upon Plaintiff’s membership in a protected class. In support of his argument that he was treated as one of “the girls,” Plaintiff alleges (1) frequent conversations about sports at the office from which he was excluded, (2) a business trip when he was assigned to share a hotel room with a female colleague, and (3) Breitling’s use of images in its marketing campaigns that Plaintiff alleges are degrading to women and are “surely not pin ups that would entice gay men.” (*See* Pl.’s Mem., at 21–23.)

Frequent conversations about sports at an office do not constitute discrimination based upon gender stereotypes. Moreover, Plaintiff had voluntarily shared a hotel room with that same female colleague on multiple occasions on vacation, and Plaintiff had emailed a Breitling employee saying that he and the female colleague had shared rooms multiple times before Prissert started at Breitling. (*See* Def.’s Rule 56.1 Statement ¶¶ 141–42, 145–46.) Finally, Plaintiff has failed to show how Breitling’s marketing materials are in any way relevant to the employment actions taken against him.

There is no record evidence on which a rational finder of fact could conclude that Defendant discriminated against Plaintiff in the terms and conditions of Plaintiff's employment on the basis of Plaintiff's gender. Plaintiff's first cause of action for gender discrimination in violation of Title VII is therefore DISMISSED.

IV. PLAINTIFF HAS FAILED TO ESTABLISH A *PRIMA FACIE* CASE OF AGE DISCRIMINATION

Plaintiff has failed to show that age discrimination played any role in Breitling's adverse employment actions against him. The sole allegation related to age discrimination in the Complaint is that Schafrath "was about 33 years old" in January 2013, when he was promoted to sales representative and assigned part of Plaintiff's sales territory by Prissert. (Compl. ¶ 30.) Plaintiff also testified that on one occasion, his immediate supervisor said to him, "you're so old, you wouldn't remember that – you probably didn't remember that." (Def.'s Rule 56.1 Statement ¶ 150.)

On the other hand, Plaintiff testified that Prissert never made any comments about Plaintiff's age. (Def.'s Rule 56.1 Statement ¶ 147.) Moreover, the fact that six out of the seven other sales representatives who shared Plaintiff's title and position were over forty years old and were therefore in the ADEA's protected class at the time that Plaintiff was terminated by Breitling in December 2013 belies Plaintiff's age discrimination claim. (Def.'s Rule 56.1 Statement ¶ 160.) *See, e.g., Holowecki v. Fed. Express Corp.*, 644 F. Supp. 2d 338, 357 (S.D.N.Y. 2009) (finding no evidence of age discrimination where other employees of a similar age did not experience the same adverse employment action as plaintiff).

Plaintiff has failed to demonstrate any causal relationship between his age and the adverse employment actions taken against him. Plaintiff has therefore failed to establish a *prima facie* age

discrimination claim under the ADEA. Plaintiff's second cause of action for age discrimination in violation of the ADEA is DISMISSED.

C. Plaintiff's State and City Claims Are Dismissed Without Prejudice

In addition to his claims under Title VII and the ADEA, Plaintiff claims that Breitling discriminated against him on the basis of his sexual orientation and age in violation of the NYSHRL and the NYCHRL. (Compl. ¶¶ 50–55.) In light of this Court's dismissal of Plaintiff's federal-law claims and the multiple issues of state law implicated by Plaintiff's remaining claims, this Court declines to exercise supplemental jurisdiction over Plaintiff's non-federal causes of action. Plaintiff's third and fourth state and city law causes of action for discrimination in violation of the NYSHRL and NYCHRL are therefore DISMISSED without prejudice.

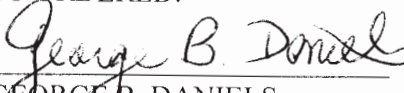
IV. CONCLUSION

Defendant's motion for summary judgment is GRANTED. Plaintiff's first cause of action for violation of Title VII and second cause of action for violation of the ADEA are DISMISSED with prejudice. Plaintiff's third cause of action for violation of the NYSHRL and fourth cause of action for violation of the NYCHRL are DISMISSED without prejudice.

The Clerk of Court is directed to close the above-captioned action.

Dated: September 29, 2016
New York, New York

SO ORDERED.

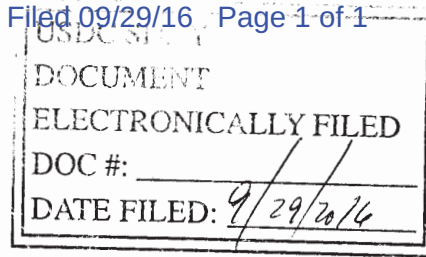


GEORGE B. DANIELS

United States District Judge

A-803

Case 1:15-cv-01084-GBD-HBP Document 64 Filed 09/29/16 Page 1 of 1



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
FREDERICK M. CARGIAN,

Plaintiff,

15 CIVIL 01084 (GBD)

-against-

JUDGMENT

BREITLING USA, INC.,

Defendant.
-----X

Defendant having moved, pursuant to Fed. R. Civ. P. 56, for summary judgment to dismiss Plaintiff's Complaint in its entirety, and the matter having come before the Honorable George B. Daniels, United States District Judge, and the Court, on September 29, 2016, having rendered its Memorandum Decision and Order granting Defendant's motion for summary judgment, dismissing with prejudice, Plaintiff's first cause of action for violation of Title VII and second cause of action for violation of the ADEA , dismissing without prejudice Plaintiff's third cause of action for violation of the NYSHRL and court cause of action for violation of the NYCHRL, and directing the Clerk of Court to close the above-captioned action, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum Decision and Order dated September 29, 2016, Defendant's motion for summary judgment is granted; Plaintiff's first cause of action for violation of Title VII and second cause of action for violation of the ADRA are dismissed with prejudice; Plaintiff's third cause of action for violation of the NYSHRL and fourth cause of action for violation of the NYCHRL are dismissed without prejudice; accordingly, the above-captioned action is closed.

Dated: New York, New York
September 29, 2016

RUBY J. KRAJICK

Clerk of Court

BY:

Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON 9/29/2016**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
FREDERICK M. CARGIAN,
Plaintiff,

against

BREITLING USA, INC.,

Defendant.
-----x

15 CV 01084(GBD)(HBP)

NOTICE OF APPEAL

Notice is hereby given that the Plaintiff, FREDERICK M. CARGIAN, in the above named case appeals to the United States Court of Appeals for the Second Circuit from the Judgment entered on September 29, 2016 that granted summary judgment to Defendant dismissing Plaintiff's Title VII and ADEA causes of action with prejudice and dismissing without prejudice Plaintiff's pendant state and municipal causes of action.

Dated: October 21, 2016



Janice Goodman
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