

From: Rob Ellwood [mailto:rellwood@benchmarkfingrp.com]  
Sent: Tuesday, December 29, 2009 11:02 AM  
To: rich@yourbestmedsource.com  
Subject: Benchmark

Rich,

Here is the contract. You can sign on page 2 and 3. Then fax it back along with a copy of your DL and a copy of the check for the 1st month's payment and a \$199 doc fee in the amount of \$ 3,284.46. Please let me know if you have any questions. Try to get this back to me today so that I can get the file into funding before the New Year.

Rob Ellwood  
Benchmark Financial Groups, LLC.

Sales Associate

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From: Rich Spainhower [mailto:rich@yourbestmedsource.com]  
Sent: Wednesday, December 30, 2009 11:51 AM  
To: 'Rob Ellwood'  
Subject: RE: Benchmark

Rob, the home medical equipment rental business is unique. The Items that I buy are purchased with extended terms from the manufacture and rented to our patients for 12 to 18 months and paid by insurances companies on a rent to own basis. All of the equipment that I am financing is out to patients on this program. I lease all the time with companies familiar with this fact. All inspections have been over the phone confirming that I have received the product. An on site inspection will confirm that MedSource is a thriving company but the equipment is on patients on this rent to own insurance purchase program. I understand that the financing I receive with other lease companies is term financing that looks like a lease. I hope this is OK.  
Sincerely Richard Spainhower/MedSource

From: Rob Ellwood [mailto:rellwood@benchmarkfingrp.com]  
Sent: Wednesday, December 30, 2009 3:31 PM  
To: 'Rich Spainhower'  
Subject: RE: Benchmark

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Rich,

We understand the nature of your business and there isn't any issues with that. We do a site inspection to ensure the equipment on the invoice is the equipment we are financing. Invacare wont ship without a PO and the site inspection can be done the day it's all delivered. We may not even require one. I hope that addresses your concerns.

Rob Ellwood  
Benchmark Financial Groups, LLC

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From: Rich Spainhower [mailto:rich@yourbestmedsource.com]  
Sent: Thursday, January 28, 2010 1:50 PM  
To: 'Rob Ellwood'  
Subject: RE: Benchmark

Rob, I have not received any communication with you regarding my lease that was approved. I mailed my first months payment but have not had any communication since. Please communicate with me and follow through with your initial great service that you gave prior to me sending the first months payment. Confused Richard Spainhower/MedSource

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From: Rob Ellwood [mailto:rellwood@benchmarkfingrp.com]  
Sent: Thursday, January 28, 2010 3:53 PM  
To: 'Rich Spainhower'  
Subject: RE: Benchmark

Rich,

My sales manager tried a few times to speak with you to go over the scenario. When we first discussed the transaction you said you wanted to purchase the wheelchairs. Once I went forward with the transaction I found out you already have the equipment and its all out on rental and that's what we consider a sale lease back. Your scenario didn't qualify for that type of transaction. So the deal was declined. I sent the file to our HR dept for review and submitted a refund request.

That's where we stand as of now and I haven't heard back from them. If you want you can speak with Jason at 949-525-4598.

Rob Ellwood  
Benchmark Financial Groups, LLC.

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From: Marcus Davin [mailto:mdavin@benchmarkfingrp.com]  
Sent: Monday, March 29, 2010 9:33 PM  
To: 'Rich Spainhower'  
Subject: RE: Refund Request MedSource Inc. Lease # 5914-1474

Rich – I'll look into this tomorrow but it's my understanding that you applied for financing, were approved, signed our non-cancelable agreement and then cancelled.

Unless I'm mistaken and you have facts contrary to this, you are in default.

Marcus Davin  
Benchmark Financial Groups, LLC.

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From: Rich Spainhower [mailto:rich@yourbestmedsource.com]  
Sent: Tuesday, March 30, 2010 2:49 PM  
To: 'Marcus Davin'  
Subject: RE: Refund Request MedSource Inc. Lease # 5914-1474

Marcus, I did not cancel. I sent an email to Rob on 12/30/09 that explained that the items that I wanted to finance had been received by MedSource and rented to patients. He replied that it was not a problem and that he understood the nature of our business. He also explained later that since the equipment was rented that I did not qualify for a sale lease back program and that a request for refund was submitted. I am a past customer of Benchmark and sincerely wanted this lease to be completed. I still would like it to be funded. After the documents were signed there was a delay in getting the funding. I

called several times during the delay and was told that outside funding was not approved that I was only approved by the inside people and that Benchmark's policy was to get the first month's payment to secure the deal before working on Securing Bank funding. The purpose for this, as explained, was to prevent customers from shopping to lease companies at once, wasting time for the broker. I did not shop and I was completely committed to Benchmark as a previous happy customer. Please follow through with Rob's request for a refund,  
Richard Spainhower/MedSource