

EXHIBIT 11



NOTICE TO ALL PARTIES

March 16, 2023

**RE: Oto Analytics, Inc. dba Womply vs Benworth Capital Partners, LLC -
1210038203**

Dear Parties:

Pursuant to JAMS Comprehensive Arbitration Rules 1(c) and 15 the JAMS National Arbitration Committee ("NAC") has received and reviewed Respondent's challenge to the continued service of Lex Brainard, Esq. as the arbitrator, and Claimant's response thereto.

Mr. Brainard was appointed the arbitrator on October 19, 2021. Since his appointment, extensive work has been conducted on the matter. There have been numerous conference calls, hearings, and decisions issued by the arbitrator. The ten-day arbitration hearing is set to begin in a few days on March 20, 2023. Respondent now challenges the continued service of the arbitrator based on an alleged pattern of prejudice against Respondent in the arbitrator's rulings, and alleged conduct by the arbitrator during a recent pre-hearing conference.

Regarding Respondent's challenge based on the recent conference between the parties and the arbitrator, Respondent alleges that the arbitrator is incapable of impartiality and that "no reasonable party would expect to receive a fair adjudication of its claims after being subjected to the prejudicial attacks." Respondent does not allege any other similar behavior on the other numerous calls and hearings conducted during this matter.

Adverse rulings are not evidence of bias per se to justify the removal of an arbitrator for cause. JAMS, as an ADR provider, has no authority to review an arbitrator's decision, however, it does appear that the many rulings on this case are thorough and balanced. It does not appear that the arbitrator is "unfamiliar" with the issues as Respondent alleges. Any issue Respondent has with the arbitrator's rulings, should be directed to the arbitrator.

Furthermore, Respondent raises these issues for the first time, approximately ten days before the start of the arbitration hearing. As highlighted above, there have been extensive rulings previously issued, including the rulings that Respondent alleges show prejudice on the part of the arbitrator.

JAMS Comprehensive Rule 15(i) provides that at any time during the arbitration process, a party may challenge the continued service of the arbitrator for cause. JAMS shall make the final determination as to such challenge, and such determination shall take into account the materiality of the facts and **any prejudice to the parties**. (Emphasis added).

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The arbitrator has conducted extensive work on the matter for approximately a year and a half. Delay of the hearing and replacement of the arbitrator at this juncture, based on alleged conduct during one conference call would cause great prejudice to the parties. Additionally, Claimant disputes that there is any bias on the part of the arbitrator. Accordingly, there is no material proof of bias by the arbitrator.

Taking into account the materiality of the facts and any prejudice to the parties, Respondent's challenge to the continued service of the Arbitrator is denied.

Sincerely,

/s/ Kimberly Loew

Kimberly Loew, Esq.

Counsel, Legal Affairs

Member, JAMS National Arbitration Committee