Exhibit G

U.S. Department of Justice

Civil Division

Washington, D.C. 20530

July 23, 2010

Via Email
Mr. Gordon P. Erspamer, Esq.
Morrison & Foerster, LLP
425 Market Street
San Francisco, CA 94105-2482

RE: Vietnam Veterans of America, et al. v. CIA, et al., No. CV 09 0037-CW (N.D. Cal.)

Dear Mr. Erspamer:

I write in response to your letter of July 20, 2010 regarding your assertion that Plaintiffs intend to file a motion regarding the rule 30(b)(6) depositions covering Defendants' document searches in response to Plaintiffs' first set of requests for production ("RFPs"). We will respond to the other issues discussed in your letter separately.

It is not reasonable to insist that the depositions go forward now before the parties have concluded their meet-and-confer efforts regarding the remaining discovery disputes. Defendants have sought a protective order staying all further discovery until completion of the Department of Defense's massive investigation to identify servicemember test participants, as reflected in our June 9, 2010 filing. Consistent with the Court's order that the parties meet and confer concerning all outstanding discovery issues, our July 12, 2010 proposal for resolution of the disputes concerning document discovery proposed a means by which Defendants could agree not to seek a protective order. We understand from your letter of July 20, 2010 that you have rejected that proposal. However, the parties have not yet submitted joint statements to the Court concerning those issues, as the Court has directed us to do, nor have Defendants ruled out the possibility of another proposal for resolving the dispute on the scope of discovery in light of your July 20 letter. Going forward with the 30(b)(6) depositions now would improperly deprive Defendants of their ability to present the Court with their request for a protective order and other objections to the depositions, set forth below, which the Court has stated it will not hear until after completion of the meet and confer efforts and submission of joint statements of discovery dispute.

Depositions concerning Defendants' document searches at this stage would be unduly burdensome for three primary reasons. First, you have served two additional sets of document requests, and we anticipate that you will seek depositions describing the searches in response to

them. It is not reasonable to require Defendants to incur the burden of separate depositions for searches in response to each set of Plaintiffs' document requests. Second, each agency's search has involved multiple individuals in multiple offices, which adds to the burden on the agency of which deposition testimony is sought; either the agency must take multiple agency employees away from their job responsibilities and duties to be deposed or must take them away from their responsibilities and duties to prepare an agency representative to testify. The Department of Defense and Department of Army's document searches in response to Plaintiffs' first set of discovery requests was massive in scope, encompassing multiple locations in addition to multiple individuals and offices, making the burden of depositions concerning the searches especially burdensome. Third, you have yet to provide any substantive support for your often-stated position that Plaintiffs have evidence linking the CIA to involvement in testing on military human subjects beyond the CIA's good faith conclusion about the scope of its involvement in such research. Over the past thirty-five years, the CIA has conducted numerous searches as a result of Congressional inquiries, FOIA requests and civil suits regarding its past behavior modification research programs. The CIA has repeatedly informed Plaintiffs of its conclusion: The CIA's involvement relating to human subject testing on military personnel was limited to contemplated, but not consummated, testing at Edgewood Arsenal by the Department of Defense funded through Project OFTEN. The CIA has produced to Plaintiffs documents in support of this good faith conclusion. In response, Plaintiffs have repeatedly stated sweeping generalizations about the scope of the CIA's involvement and promised to provide what you believe is contrary evidence. The CIA has repeatedly told Plaintiffs that it cannot, through its own records, substantiate Plaintiffs' sweeping generalizations. However, it has also told Plaintiffs that if provided contrary information, it would evaluate that information and conduct additional searches, if appropriate. Given CIA's commitment to evaluate any such information and to consider additional searches, it is not sensible or efficient to conduct a deposition of CIA employees concerning the scope of its search efforts until Plaintiffs provide all of their purported information that you believe contradicts the CIA's good faith conclusion because we anticipate that Plaintiffs will seek to depose CIA on those searches as well. Conducting such depositions separately would be unduly burdensome for the same reasons as multiple depositions concerning the Defendants' responses to the Plaintiffs' various Requests for Production.

Plaintiffs separately have noticed 30(b)(6) depositions of Defendants on topics other than the document searches. Only one deposition of each agency is appropriate under the Federal Rules without leave of court. *See, e.g., Blackwell v. City & County of San Francisco*, No. C-07-4629 SBA (EMC), 2010 WL 2608330, at *1 (N.D. Cal. Jun. 25, 2010). We therefore propose that in the event Defendants do not obtain a protective order staying further discovery or other relief, the parties work together consistent with the local rules to schedule a single 30(b)(6) deposition of each agency that will cover all of Plaintiffs' topics.

Lastly, the first RFPs do not bear on the limited nature of the Plaintiffs' allegations against the Attorney General. See Second Am. Compl. ¶ 98 (naming Attorney General as a defendant " in connection with the Attorney General's assumption of responsibility to notify the victims of biological and chemical weapons tests"). See Objection No. 3 in particular. Consequently, the requests imposed no duty on the Attorney General, and no 30(b)(6) deposition of the Department of Justice is appropriate. Nevertheless, DOJ has searched and is continuing to search in response to your discovery requests and subject to our objections for documents that may be relevant to your claims against the Attorney General.

If you will not agree to hold off on the 30(b)(6) depositions until Defendants have had an opportunity to consider whether an additional proposal regarding the scope of discovery is possible and, if not, to present their request for a protective order staying further discovery and other objections to the depositions to the Court, then it seems the parties will need to end the meet-and-confer process and file a joint statement on these issues right away. I have enclosed a draft joint statement and request that you send your additions by Monday, July 26, 2010 in light of the noticed deposition for July 27, 2010.

Sincerely,

/s/ Caroline Lewis Wolverton

Caroline Lewis Wolverton

Attach.