



U.S. Department of Justice

Civil Division
Federal Programs Branch

Mailing Address
P.O. Box 883
Washington, D.C. 20044

Overnight Delivery Address
20 Massachusetts Ave., N.W.
Washington, D.C. 20001

Caroline Lewis Wolverton
Senior Counsel
Tel: (202) 514-0265
Fax: (202) 616-8470
caroline.lewis-wolverton@usdoj.gov

August 11, 2010

Via Email

Mr. Gordon 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 regarding your letter of August 4 concerning 30(b)(6) depositions. Although we continue to object to immediate discovery in light of our request for a protective order staying further discovery and limiting its scope, we are working with our clients to find dates at which deponents might be available.

Dr. Michael Kilpatrick is available for deposition September 13, 2010. Dr. Arthur Anderson is available September 29, 2010. In light of the Court's July 13 Order, Dr. Anderson will also testify regarding consent procedures, to the extent that information about such procedures is reasonably available to Army and DoD, in response to Topics 1, 9 and 57. We do not see a basis to otherwise withdraw our objections to your November 16 rule 30(b)(6) deposition notice. We will get back to you with respect additional witnesses as that information becomes available.

Sincerely,

/s/

Caroline Lewis Wolverton