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October 4, 2010

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Brigham J. Bowen, Esq.
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
P.O. Box 883
Washington, D.C. 20044

Re: *Vietnam Veterans of America, et al. v. Central Intelligence Agency, et al.*,
No. CV 09 0037-CW (N.D. Cal.)

Dear Brigham:

I write to respond to the deposition dates that Defendants proposed during the parties' September 23, 2010 meet-and-confer teleconference. Plaintiffs accept the following dates proposed by Defendants:

- Martha Hamed: December 7, 2010
- Patricia Cameresi: December 8, 2010
- Anthony Lee: December 9, 2010

In addition, as promised, we have conferred with counsel for non-party Dr. Edward Pelikan about his availability for deposition on December 10, 2010 — a date on which Defendants indicated they are available. Dr. Pelikan's counsel has confirmed Dr. Pelikan's availability on December 10. As an accommodation to the witness, however, we have agreed to begin the deposition in the early afternoon. While we hope and expect that we will be able to complete the deposition of Dr. Pelikan on the afternoon of December 10, Dr. Pelikan has agreed to make himself available for a second half day of testimony, if necessary, to be scheduled at a mutually convenient time.

During our teleconference, you indicated that Defendants were in the process of obtaining proposed dates for other Rule 30(b)(6) designees. Please provide us with additional proposed dates for testimony concerning the remaining topics in Plaintiffs' Rule 30(b)(6)

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notices as soon as you can. In particular, please provide potential dates during the first half of January 2011 for the depositions of Defendants' designees Arthur Anderson and Dr. Michael Kilpatrick. Plaintiffs would like to calendar these depositions soon so that all parties can plan accordingly. To that end, please also let us know whether Defendants intend to update their response to Plaintiffs' Rule 30(b)(6) notice, as we discussed on September 23. At the very least, these responses should be updated well in advance of the deposition dates we have calendared so that both parties can prepare for the final topics about which each witness will be designated to testify.

Finally, we note that Plaintiffs are waiting for Defendants' responses to a number of issues raised during the parties' September 23 teleconference and subsequent correspondence. Among these issues are: (1) Plaintiffs' request for confirmation about whether documents sent to the National Archives in Suitland, Maryland in 1982 have been included in Defendants' document searches (*see* September 24, 2010 Letter at 3); and (2) Plaintiffs' request for an update on the status of ongoing classification reviews of information possessed by the CIA (*see* September 29, 2010 Letter at 3).

We look forward to Defendants' responses. In the meantime, please feel free to reach out with any questions.

Very truly yours,



Timothy W. Blakely

cc: Caroline Lewis Wolverton, Esq.
Kimberly L. Herb, Esq.
Lily Farel, Esq.
Gordon P. Erspamer, Esq.