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February 26, 2008

Writer's Direct Contact  
415.268.7091  
HMoser@mofocom*Via Facsimile and E-Mail*Mr. Daniel Bensing, Senior Counsel  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave., NW  
Washington, D.C. 20530Re: *Veterans for Common Sense v. Peake*  
N.D. Cal. No. C-07-3758

Dear Mr. Bensing:

In light of the Court's order yesterday, I am writing to work out the logistics of the witness scheduling and document production. We anticipate the following order for the testimony in our case in chief:

Dr. Arthur Blank  
Dr. Gerald Cross  
Dr. Antonette Zeiss  
Dr. Stephen Rathbun  
Dr. Chad Peterson  
Mr. Tony A. Guagliardo  
Mr. W. Paul Kearns  
Dr. Ira Katz

Plaintiffs reserve the right to call Dr. Kussman after the close of Dr. Cross's testimony, in light of the Court's ruling. While it is difficult to know exactly when the witnesses will testify (much will depend on your cross), we do anticipate that Dr. Cross will testify on Monday afternoon. Thus, you should have him available at that time. For the other

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witnesses, we will confer with you on a daily basis to advise you of the next day's witnesses. We would expect that you would do the same. With respect to the documents the Court ordered Defendants to produce, Plaintiffs would like production no later than noon PST on Thursday, February 28, 2008.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather A. Moser". The signature is fluid and cursive, with a prominent initial "H" and a long, sweeping tail.

Heather A. Moser