

EXHIBIT F

March 25, 2008

Writer's Direct Contact
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By Facsimile and Email

Ms. Kyle R. Freeny
U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave., NW, Room 6109
Washington, DC 20530

Re: *Veterans for Common Sense v. Peake*
N.D. Cal. No. C-07-3758

Dear Ms. Freeny:

I write in response to your March 21, 2008 letter to my colleague, Heather Moser, regarding Defendants' production of "suicide issue briefs" and other documents that fall within the scope of 38 U.S.C. § 7332.

Contrary to your suggestion, Plaintiffs do understand the protections afforded by section 7332 and are not requesting that VA improperly disclose information protected by that statute. As your letter correctly points out, however, Defendants' ability to redact information concerning the identity of individual veterans or information that may suggest the identity of individual veterans effectively removes such documents from the scope of section 7332. Although your letter agrees to produce "redacted issue briefs" that contain information subject to the protections of section 7332, that statement is hedged by the phrase "to the extent feasible." Plaintiffs strain to envision how redacting information concerning the identity of an individual veteran would be infeasible in any circumstance. Your letter is unclear regarding whether Defendants plan to redact or withhold incident briefs based on Section 7332. If Defendants plan to withhold incident briefs, please confirm the number you plan to withhold. Last week, Defendants informed my colleague, Heather Moser, that you planned to make a special production of the incident briefs by the middle of this week. It is now the middle of the week and Plaintiffs have not received a single incident brief.

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Please confirm the exact date on which you plan to produce the incident briefs and how many you plan to withhold. If Defendants still cannot answer those two questions, we plan to take it up with the Court in light of the serious time constraints.

Sincerely,

A handwritten signature in black ink, appearing to read "R. G. Hassanein". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Ryan G. Hassanein

sf-2488918