

Terry L. Thompson

From: Terry L. Thompson [tl_thompson@earthlink.net]
Sent: Wednesday, January 13, 2010 9:28 AM
To: 'Dettmer, Ethan D.'
Cc: 'nmoss@cooperkirk.com'; 'andrew@pugnolaw.com'
Subject: RE: Tam Appearance

Hi Ethan,

I'll talk to Nicole regarding timing of the rolling production. I'll have Dr. Tam in court on Friday.

Terry

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-----Original Message-----

From: Dettmer, Ethan D. [mailto:EDettmer@gibsondunn.com]
Sent: Wednesday, January 13, 2010 9:01 AM
To: tl_thompson@earthlink.net
Cc: nmoss@cooperkirk.com; andrew@pugnolaw.com
Subject: Re: Tam Appearance

Thanks for your email, Terry. Please produce Dr. Tam's documents no later than Thursday morning. We will agree not to call him on Thursday. We may call him on Friday and we may call him next week, depending on timing. So in any event, please have him present in Court on Friday.

Thanks again,

Ethan

 Sent from my BlackBerry Wireless Handheld

From: Terry L. Thompson
To: Dettmer, Ethan D.
Cc: Nicole Moss ; Andrew Pugno
Sent: Wed Jan 13 08:47:17 2010
Subject: Tam Appearance
 Ethan,

The witness schedule e-mail from Enrique Monagas issued this morning lists Dr. Tam for Friday January 15. I will arrange for him to be in court at 8:30 am Friday. Therefore there is no need for him to be in court tomorrow, Thursday January 14. Correct?

Terry

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-----Original Message-----

From: Dettmer, Ethan D. [mailto:EDettmer@gibsondunn.com]

1/13/2010

Sent: Tuesday, January 12, 2010 8:21 PM
To: tl_thompson@earthlink.net
Cc: McGill, Matthew D.; Monagas, Enrique A.; Justice Lazarus, Rebecca
Subject: RE: Perry v. Schwarzenegger, N.D. Cal. No. C 09-2292 VRW

Dear Terry:

Pursuant to the subpoena served in this matter on your client Dr. Hak-Shing William Tam, please assure that he is present in Court beginning no later than 8:30 a.m. on Thursday, January 14, 2010, and continuing present in Court day to day until he is excused.

Please bring to Court on January 14, 2010 copies of all documents requested in the subpoena, or in the earlier request for production of documents, that are within Dr. Tam's possession, custody or control.

Thank you,

Ethan

From: Dettmer, Ethan D.
Sent: Tuesday, January 12, 2010 11:48 AM
To: 'tl_thompson@earthlink.net'; Nicole Moss
Cc: Monagas, Enrique A.; Justice Lazarus, Rebecca
Subject: RE: Perry v. Schwarzenegger, N.D. Cal. No. C 09-2292 VRW

Dear Nicole and Terry:

I am following up on my efforts to connect with both of you yesterday at trial. I would like to discuss two items in particular:

- 1) when we can expect to receive all responsive documents authored or received by Dr. Tam in his possession custody and control; and
- 2) arrangements for his appearance at trial, if any.

Please let me know when you have an opportunity to discuss this.

Thanks very much,

Ethan

From: Monagas, Enrique A.
Sent: Monday, January 11, 2010 6:52 AM
To: tl_thompson@earthlink.net
Cc: Dettmer, Ethan D.
Subject: Perry v. Schwarzenegger, N.D. Cal. No. C 09-2292 VRW

Counsel,

It is my understanding that your client, Dr. Hak-Shing William Tam, has been personally served with Plaintiffs' trial subpoena in the above-referenced matter. Attached please find a courtesy copy for your reference. Please be advised that Plaintiffs do not anticipate calling for Dr. Tam's testimony either today or tomorrow. If we do anticipate calling Dr. Tam to testify, will provide your client 24 hours notice. Please further note that although the trial subpoena includes a request for Dr. Tam to bring certain documents with him to court, Dr. Tam is already under an obligation to produce documents, pursuant to Plaintiffs' First Set for Production, served on Dr. Tam's counsel on August 21, 2009.

Thank you.

1/13/2010

Enrique A. Monagas | **GIBSON, DUNN & CRUTCHER LLP**
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