

**EXHIBIT E**

# SCOTT LAW FIRM

1375 Sutter Street, Suite 222  
San Francisco, California 94109  
www.scottlawfirm.net

**John Houston Scott**  
john@scottlawfirm.net

**Lizabeth N. de Vries**  
liza@scottlawfirm.net

Telephone  
(415) 561-9600

Facsimile  
(415) 561-9609

September 5, 2008

**VIA FAX & U.S. MAIL**

V. Raymond Swope, III  
Hall of Justice and Records  
400 County Center, 6<sup>th</sup> Floor  
Redwood City, CA 94063

Re: Toschi v. County of San Mateo, et al.  
USDC – Northern District, Case No. C-07-3625

Dear Mr. Swope:

I have received your deposition notices for my clients. Unfortunately, I have a conflict with September 16 and 17, 2008. However, we will agree to produce Michael and Tracy Toschi for depositions to last no longer than one hour each, on October 8, 2008.

Sincerely,

**DICTATED BUT NOT READ**

John Houston Scott

JHS/tsp  
cc: Brian Gearing  
Michael and Tracy Toschi