

**NELSON • LEVINE • de LUCA & HORST**

A LIMITED LIABILITY COMPANY

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October 22, 2008

Jeremy S. Simon, Esquire  
Assistant United States Attorney  
Judiciary Center Building  
555 4th St., N.W., Room E-4210  
Washington, D.C. 20530**Re:     Dynamic Corporation v. The District of Columbia, et al  
       Superior Court for the District of Columbia, No. 2008 CA 003264 B**

Dear Mr. Simon:

Thank you for your telephone call of yesterday. Based on our conversation, I am withdrawing the Superior Court subpoena served on the Smithsonian on behalf of my client and removed by you to U.S. District Court. I trust that this will resolve the District Court matter. Please contact me if you have any questions or comments.

Very truly yours,

NELSON LEVINE de LUCA &amp; HORST, LLC

A handwritten signature in cursive script that reads 'Claudia D. McCarron'.

Claudia D. McCarron

CM/mzj

