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Board Certified Civil Trial Lawyer

July 15, 2011

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ALEXANDER J. PERKINS
Also Admitted in District of Columbia

ROBERT D. PELTZ
Board Certified Civil Trial Lawyer

Re: Adelman v. Boy Scouts of America and South Florida Council
Case No.: 10-CV-22236-ASG

Dear Kevin:

CAROL L. FINKLEHOFF
Also Admitted in California and Massachusetts

I have just received your letter of July 12, 2011 and am somewhat confused by it.

Reply to Miami Office only:
2350 South Dixie Highway
Miami, Florida 33133
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800/836-6400
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Back on March 10, 2011, when we deposed Dr. Hearn, he indicated that he had performed the testing on Michael's blood which was appropriate and consistent with his department's protocols. The blood test was normal for all of the substances normally tested, with the exception of pseudoephedrine and phenylpropanolamine. Dr. Hearn testified that the pseudoephedrine is consistent with an individual taking Claritin-D while the phenylpropanolamine was simply the metabolites which were a bi-product from the pseudoephedrine. Dr. Hearn further testified that although there was therefore evidence of pseudoephedrine in Michael's blood, that due to the nature of his testing, he could not determine the amount. As a further result, he was therefore unable to determine when Michael had taken the Claritin-D prior to the hike.

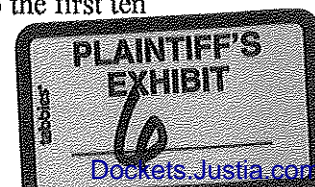
Key West:
615 ½ Whitehead Street
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South Beach:
1111 Lincoln Road
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Dr. Hearn further testified that there was additional testing that could be performed at the NMS laboratory which might be able to quantify the amount of pseudoephedrine in Michael's blood. Although I felt that this issue was not really relevant, due to the fact that Claritin-D is an over the counter anti-histamine that is commonly used for allergies, I nevertheless agreed to this limited testing.

Central Florida/Orlando:
Of Counsel
Bounds Law Group
222 W. Comstock Avenue
Suite 215
Winter Park, Florida 32789

As I now understand your letter written four months after Dr. Hearn's deposition, you are requesting that we agree to something entirely different - a testing for amphetamines and numerous other drugs, both illegal and prescription. Since there has never been even the slightest suggestion in this case that Michael had used any illicit drugs and in fact, all the testimony in this case has been that Michael acted perfectly normally up to the first ten




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& PARTNERS**

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miles of the hike before he began to show signs and symptoms of heat exhaustion, I don't understand the purpose for your now changing your request.

Accordingly, I would appreciate your advising me why you are requesting this particular testing and what you believe it will show. Upon receipt of this information, I will be in a better position to respond to your request.

Sincerely,

A handwritten signature in black ink, appearing to read "R. D. Peltz", with a long horizontal flourish extending to the left.

ROBERT D. PELTZ
RDP/bl