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Date: Wednesday, September 26, 2007 04:44 PM

Subject: Deposition of Browne

Tom,

We've arranged for a videographer and stenographer for 7 to 10 pm this evening at Duane Morris, 470 Atlantic Avenue for Dr. Browne. This deposition will continue at 9:30 am Thursday morning in the same location.

As Mike Gottfried indicated to you, the Judge's preference was that the witness be deposed for 3 hours this evening and 4 hours tomorrow. However, you told Mike that you believed that you could defer the deposition and do the full 7 hours tomorrow. Mike asked Bonnie for clarification from the Judge, and Bonnie stated that she was not going to bother the Judge, but she heard that his preference was for 3 hours this evening, and 4 hours tomorrow. She added that Mike should tell you that she did not think that Judge Young would be happy that after you pressed for the deposition you were stalling.

Please confirm that you have a lawyer available to take his deposition at 7 pm. If not, our position is that we will seek a protective order from the Court for any more than 4 hours of deposition tomorrow.

Regards,
Renee

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