

Exhibit

2

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Via U.S. MAIL

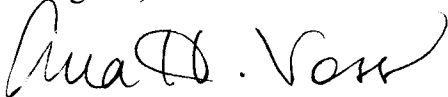
Robert M. Cary
Williams & Connolly LLP
725 Twelfth Street, NW
Washington, DC 20005-5901

Re: **Evans et al. v. City of Durham et al., No. 1:07cv739**

Dear Rob,

We received your May 20, 2008 letter proposing several dates in May and June for a Rule 26(f) conference. We do not believe that it is appropriate to start discovery until the motions to dismiss in this case have been decided. As such, a 26(f) conference is not yet appropriate. We believe that any urgency for a 26(f) conference should have been relieved by the recent letters we have exchanged regarding ESI and the City's representations that it has undertaken to preserve ESI.

Regards,



Ana H. Voss

cc. Reggie Gillespie (via email)
Joel Craig (via email)
Richard Emery (via email)
Tricia Kerner (via email)
James Maxwell (via email)
David S. Rudolf (via email)
Barry Scheck (via email)
Edward Speas (via email)