

**EXHIBIT A**

ELLIS &amp; WINTERS

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June 16, 2010

**VIA E-MAIL AND U.S. MAIL**

Robert C. Ekstrand  
Ekstrand & Ekstrand, LLP  
811 Ninth Street, Suite 260  
Durham, North Carolina 27705

**Re: Ryan McFadyen et al v. Duke University et al**  
**MDNC 1:07 CV 953**  
**610 N. Buchanan Boulevard**

Dear Bob:

I am responding to your letter of 14 June 2010 and confirming your and my telephone conversation on 15 June 2010.

A date has not been set for the demolition of the house located at 610 N. Buchanan Boulevard. However, Duke University has received the demolition permit and will demolish the house shortly after 30 June 2010.

As described fully in Don Cowan's letter to you dated 7 May 2010, the reason that you were invited to view the house was to inspect and photograph it in anticipation of its demolition. That opportunity was allowed on 14 June 2010. You and

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Ms. Sparks came to the house and were permitted the opportunity to view the house, to photograph the house, to take any videotape of the house, and to take any measurements you wanted to take.

Given that all of the parties involved in the McFadyen case have had this opportunity, I do not understand what other "evidentiary significance" there is. Further, given that you have had the opportunity to photograph and otherwise inspect the house, there is no basis for your assertion that "evidentiary value" will be lost by the destruction of the house. To the contrary, you had the opportunity to establish and preserve any "evidentiary value" of the house.

You were invited to inspect the house. You inspected the house and had a full opportunity to take any photographs and examinations you believed were needed for the presentation of your case. However, if upon reflection you feel that you need an additional opportunity to inspect the house or to have any of your experts inspect the house, I will work with you to make appropriate arrangements to do so. As stated clearly in Don Cowan's letter of 7 May 2010, any such inspection must be completed before 30 June 2010.

Finally, I understand from Kate Hendricks that she received a telephone message yesterday from someone who identified himself as Kenny Rucker and said he is a paralegal with Ekstrand & Ekstrand. I further understand that Mr. Rucker contacted Paul

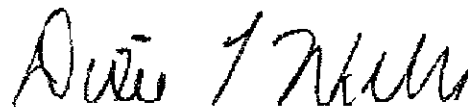
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Manning, as well as another person who works for Duke University. Mr. Rucker wanted to know when the house at 610 N. Buchanan Boulevard was going to be demolished. As you know, Duke University is represented by counsel in this litigation. Pursuant to Rule 4.2 of the Revised Rules of Professional Conduct of the North Carolina State Bar, please direct all communication relating in any way to the lacrosse litigation to the counsel of record representing Duke University in the McFadyen case. Please also instruct your staff members accordingly.

With kindest regards, I am

Very truly yours,

ELLIS & WINTERS, LLP



Dixie T. Wells

DTW/cas  
cc: J. Donald Cowan, Jr.