

Tab 2

Declaration of Robert PENCHINA
(Continued)

Exhibit H

Plus: Lonnae O'Neal Parker rides the mommy track;
Ron Carlson's message to graduates

The Washington Post Magazine

MAY 12, 2002



September 11, 2001
10:06 a.m.

The Day the Sky Fell on Shanksville

The making of the legend of Flight 93 By Peter Perl

Exhibit I

HEALTHCARE

Purchasing NEWS

The market's first choice for business news and analysis

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Physician preference...12

INSIDE...

14 Materials management at crash site

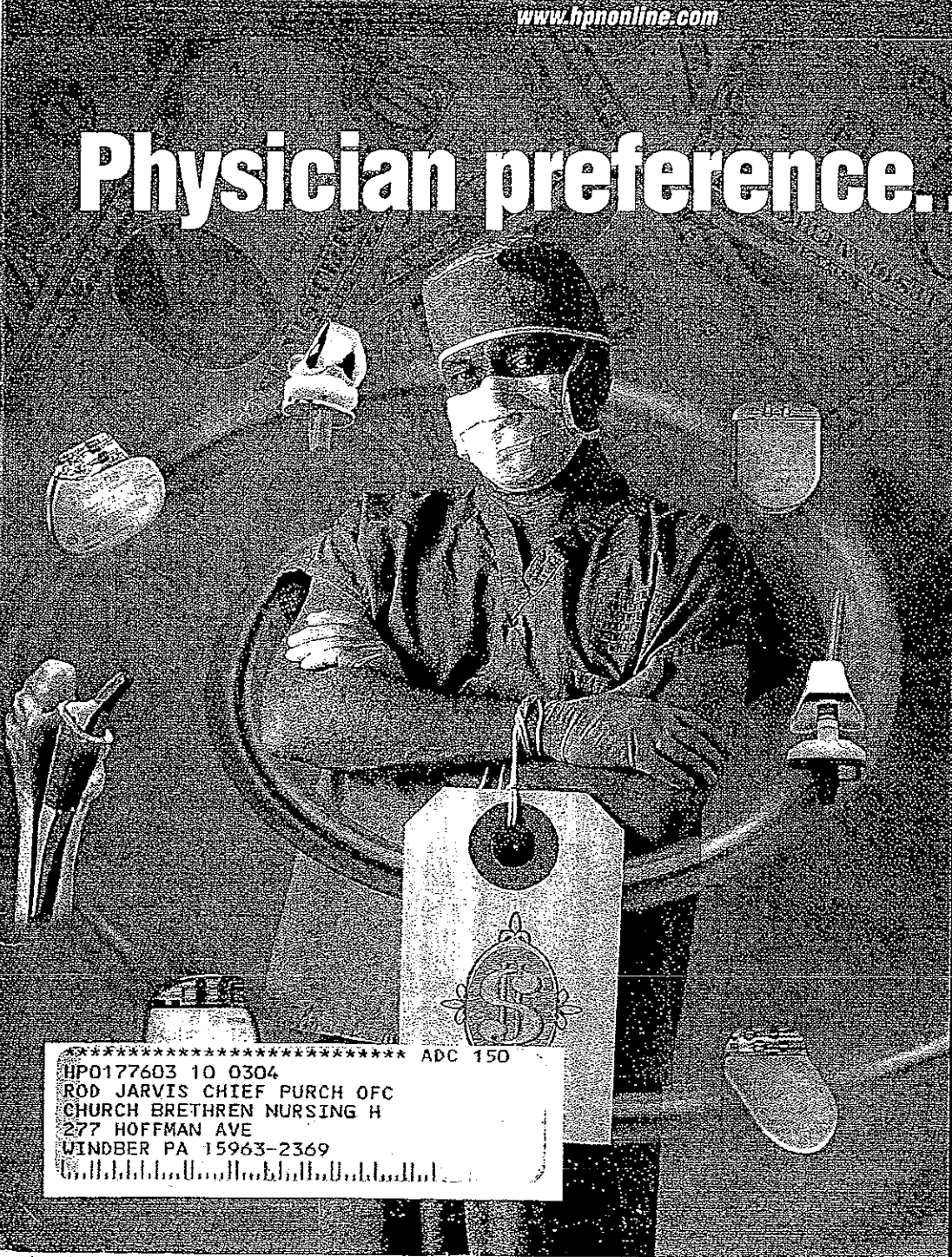
When Flight 93 crashed on Sept. 11, the materials staff at Somerset Hospital sprung into action.

26 Report on distributors

Goldman Sachs asked hospitals for their views on distributors. The results may surprise you.

34 Sterilization products

A multitude of choices are available today for sterilization. We guide you through them with a few useful tips.



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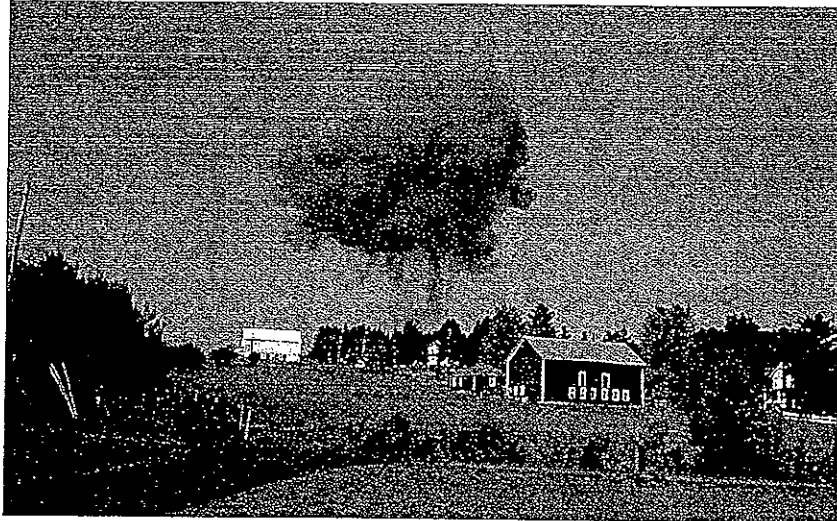
NEWS

Materials management department lends aid at Flight 93 crash site

by Greg Chiappelli

Day in and day out, the materials management departments of hospitals are called upon to literally "deliver the goods." In the days following Sept. 11, 2001, the materials management department of a rural hospital in Somerset County, PA, was summoned to "deliver the goods" in the recovery efforts in the wake of the crash of American Airlines Flight 93. The ill-fated Flight 93 plunged into the serene Pennsylvania countryside after determined passengers thwarted the attempts of hijackers to crash the jet into an unknown location in Washington, DC.

Like most Americans on that unforgettable morning, administrators, managers and employees at Somerset Hospital were huddled around television sets watching the horrible events transpiring in New York City and Washington. Just moments after the Pentagon crash the Somerset Hospital emergency department received word that



The End of Serenity. Smoke hovers over Pennsylvania farmlands following crash of Flight 93 on Sept. 11 after passengers overpowered hijackers and crashed the jet near the Somerset Hospital.

Photo courtesy of Todd Geamer Foundation



Seven Somerset Hospital radiology technologists were recruited by the materials management department to help in the victim identification process. They are (from left): Amanda Miller, Heather Maurer, Renee Mills, Penny Reiman, Kathy Lyon, Tina Mostoller and Linda Ellis.

a commercial airliner had gone down about eight miles north of Somerset near Shanksville, PA. That crash turned out to be American Airlines Flight 93.

Hospital administrators immediately sounded a disaster code. Managers assembled and were issued instructions to prepare for an undetermined number of casualties. Within minutes, Somerset Hospital was ready. Nurses, on duty and off duty, reported to the emergency depart-

ment along with dozens of physicians who were summoned from their offices and their homes. The materials management department also responded quickly with the extra supplies and equipment necessary to handle the treatment of any survivors. The disaster plan went like clockwork. The hospital was ready.

Somerset Hospital is a 180-licensed-bed acute care hospital situated approximately eight miles from the Flight 93 crash site. Somerset County is a rural county located in southwestern Pennsylvania with a population of approximately 81,000.

Materials management steps in to aid coroner's office

At about 11:30 a.m., Somerset Hospital received the news that there were no survivors. Everyone wanted to help but couldn't. A hush fell over the emergency department. Just like a lot of Americans, they wanted to

provide further assistance, but were handicapped by the circumstances. Little did anyone know at the time, however, that Somerset Hospital and its materials management department would play a vital role in recovery efforts of Flight 93 in the weeks ahead.

Somerset County coroner Wallace Miller was called to the crash site. His job was to assist the various federal and state agencies in the recovery and identification of remains from the crash. Coroner Miller needed help in gathering the supplies, medical equipment, radiology equipment and personnel needed to create and maintain a temporary morgue at the local Pennsylvania National Guard armory about three miles away. To do that, Miller called his friend and first cousin, Mark Miller, the director of support services at Somerset Hospital, for assistance.

Mark Miller's first challenge was to help coordinate radiology services for the temporary morgue. Through the assistance of Somerset Hospital's radiology director Penny Reiman and Greg Lowry of the clinical engineering department, Miller was able to put together a temporary X-ray department with equipment, processor, film and materials donated from

See FLIGHT 93 on page 16

Exhibit J

**AMERICA'S TWO-YEAR BATTLE:
TERRORIST TARGET TO FREEDOM'S SUPERPOWER**

HOW AMERICA CHANGED THE WORLD



FROM THE EDITORS OF *THE DAY THAT CHANGED AMERICA*

SEPTEMBER 11, 2001

SHANKSVILLE

THE LIFE and death drama played out at about 2500 feet over the tranquil, picturesque town of Shanksville, Pa. But not one of the 245 residents had any idea that they were about to play a role in American history that would forever change their lives. As passengers aboard United Airlines Flight 93 realized that the terrorists who had hijacked the plane were planning to crash the airliner into the White House if they could, some other symbol of America if they couldn't, the men and women drew a line and said "no more." They knew they were facing certain death, that for them the moment of ultimate decision was at hand. And they never hesitated. They chose to sacrifice their own lives on the slim chance that they could save thousands. A lucky few managed to reach their loved ones by cell phones and say good-bye and tell them of their love. Most didn't. No one knows exactly what happened but the result of this most heroic and self-sacrificing deed by strangers who were united in their love for this country and their determination that this terror was going to stop right here, less than half a mile above the rolling Pennsylvania countryside, is documented in the twisted, crushed wreckage that plummeted to Earth without harming a single individual on the ground. And in the immortal words of Todd Beamer as the passengers moved towards what they all knew was certain death: "Let's Roll."

A smoke cloud billows from the wreckage of United Airlines flight 93 just seconds after it went down in Shanksville, Pa.



Exhibit K



VIA FIRST CLASS MAIL

January 22, 2004

David G. Oberdick, Esq.
Meyer, Unkovic & Scott, LLP

REDACTED

Dear Mr. Oberdick:

Thank you for your letter dated October 21, 2003. AOL respects the intellectual property rights of others and has reviewed and addressed the concerns you raised in that letter.

We received your letter on October 29, 2003. AOL believes that the only manner in which AOL could have had access to the photo described in your letter was through an agreement between AOL and the Associated Press ("AP").

On October 31, 2003, I forwarded a copy of your letter via overnight mail to AP's attorney, George Galt. It is my understanding that Mr. Galt has since contacted you directly to follow up on your concerns. It is also my understanding from my conversations with Mr. Galt that any AOL access to this photo in the AP archives was removed.

We believe that the concerns raised in your letter have been addressed. Should you have any questions or concerns, please do not hesitate to contact me again.

Sincerely,

Roxanne Esch
Legal Specialist

cc: George Galt, Esq.

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