

From: Nolan Armstrong <Nolan.Armstrong@McNamaraLaw.com>
To: Roger F. Allen <rallen@ericksenarbuthnot.com>
Cc: Alyson Gleason <agleason@ericksenarbuthnot.com>; Marcia Schuyler <mschuyler@ericksenarbuthnot.com>; Marty Ambacher <Martin.Ambacher@McNamaraLaw.com>;
Jamie Latteri
Sent: Tue, March 8, 2011 10:53:10 AM
Subject: RE: Rhoads

Hi Roger,

Thanks for the prompt reply. I will incorporate your proposed revisions into the draft responses, and then send to Jamie for review and verification.

According to Nathan's criminal defense attorney, Dirk Manoukian, there was a preliminary hearing in the People v. Medina matter. Dirk indicated that he provided Jamie with copies of the majority of his file, including the preliminary hearing transcript and police reports, on multiple occasions. However, Jamie has indicated that the only documents in her possession are the reporter's transcripts of the criminal trial (copies of which were previously provided to you). I'm following up with Dirk to obtain a copy of his file, as this seems like the easiest and most efficient way to obtain all documents from the criminal action. Upon receipt, I'll forward copies to you. Please note that we will not be receiving copies of the videotapes of witness interviews by the City of Walnut Creek Police Department, as the District Attorney's Office copied the videotapes using proprietary software which prevents further duplication. Also, Dirk indicated that as a condition of receiving copies of the videotapes, he had to sign something indicating that he would not release them to anyone else, including his client. Thus, even if we get an authorization from Nathan, we won't be able to get the videotapes from Dirk. In order to obtain the videotapes, we will likely need to issue a subpoena to the City of Walnut Creek Police Department.

Let me know if you have any questions regarding the above or otherwise. Thanks.

Nolan