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Badger Flats Gazette

Wednesday, August 27th, 2008

COPY

Mr. Karl Olson
LEVY, RAM & OLSON, LLP
639 Front Street, 4th Floor
San Francisco, CA 94111

FAXED & EMAIL

Re: #CU150880

Dear Mr. Olson:

I write this letter in response to your late afternoon phone call to me of August 26th, 2008 informing me that you were objecting to the deposition of Ms. Minerva Perez. Ms. Perez was served the subpoena on July 28th, 2008. It would have prudent and required of you to seek remedies with the court after conducting a meet and confer. You did not.

After your call I received an email from with an unfiled document labeled "Objections to Deposition Subpoena" asserting that Ms. Perez is immune from contempt charges. What I continually find amusing is that many attorneys for some reason think non-attorneys cannot read and are idiots. There is nothing in either Article I, Section 2(b) of the California Constitution and Evidence Code 1070 that prevents Ms. Perez from being found in contempt of court if she does not appear for her properly noticed deposition on September 2nd, 2008 at 9:00AM.

Granted, there may be questions that you can instruct her not to answer but neither you, she or I know which ones they are until that proverbial bridge is crossed.

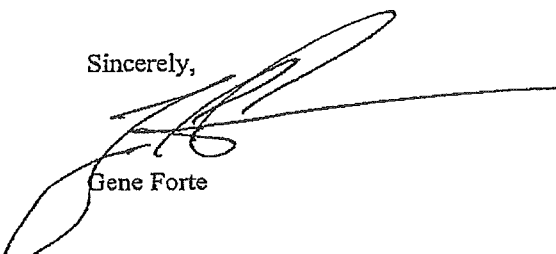
Bluntly put, I realize after dealing with your associate Ms. Erica Craven that lying and suborning perjury by her is par for the course. By your actions it appears that it may be your law firms' creed. If you would like proof of Ms. Craven's improprieties I suggest you look at the blistering Rule 11 Motion against her filed in C06-03948-JW.

If Ms. Perez has documents she feels are privileged, may I suggest she list them on a privilege log?

With that said, you are informed that the deposition will not be taken off calendar, it will take place as scheduled, and I will seek sanctions against both you and her if she does not attend with unprivileged documents in hand.

Thank you.

Sincerely,


Gene Forte

Cc: Mr. Benjamin Ratliff, Mr. James Harrison (counsels for Tommy Jones)