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Subject: Decision to Depose Dallas Doctors

Judge Tunheim, this is the first time I have sent an e-mail to any Board member in the 3 years I have been here, just as my February 11, 1998 memo was the first (and only) memo I ever asked the Executive Director to pass to the Board. I composed the attached entreaty last night at home, and I will now append this short introduction. I can imagine how busy you must be, trying to serve as a Federal Judge, a Board Member, the Board Chair, and being the lightning rod for the media on every issue that is related to the ARRB. Even understanding all of this, I felt the issue addressed below was important enough to communicate my thoughts to you. For someone of my views, the "good news" is that we are going to depose some Dallas Doctors, and for that I am very grateful. The disorienting news for me (driven, I understand, by resource constraints) is that the very same person who withheld this issue from the Board since November, withheld my memo from the Board since February, and who drafted a Public Memo on Monday of this week explaining why we should not depose any Dallas Doctors, has now been charged with conducting the depositions. So be it. It is the initial approach to these sensitive witnesses that concerns me the most, and its critical importance to the success of this effort. That is why I am writing you today. In October of 1995 I listened to your "stump speech" about the JFK Act and the Review Board given to the COPA symposium in Washington. When one particularly insulting question about the Board's competence was asked from the floor, I was very impressed with your statement that the Board intended to hire staff members who would very quickly become experts in their respective areas, and that you had every confidence that these staff members would serve the Board well. That kind of confidence in "the process" was reassuring, and was one of the factors that led me to apply for work with the ARRB. It is in that spirit that I approached you on July 8th about the Dallas Doctors issue, and it is in that spirit that I approach you today---as a staff expert who wants to serve the Board in the best way he can at a critical moment on a very important issue. I know that recent events, particularly Jeremy's resignation and the fallout from that decision, have surely taken up a tremendous amount of your time and prevented us from discussing this issue. I am going to stay in the office, as close as possible to my desk today, in the event you wish to talk. I know that such a long written communication is an imposition on your time, but I believe in this case, it best serves our agency for you to give consideration to my views. Thank you, Doug Horne

To: Douglas_Horne @ jfk-arrrb.govcc: (bcc: Douglas Horne/ARRB) From: Douglas Horne @ INTERNET @ INTERLIANT Date: 07/29/98 03:24:41 AM GMT Subject: Decision to Depose Dallas Doctors

Judge Tunheim, Laura informed me late yesterday that the Board had decided to depose 2 or 3 Dallas Doctors, and that Jeremy would conduct the depositions as a paid consultant performing a "one-day multiple deposition." First, let me say that despite any reservations the

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