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the District, and we have documents and materials that were necessary for the District to review.

- (2) October 6, 2003: See above regarding NB's work.
- (3) October 7, 2003: NB and Jubelt coverage discussion.
- (4) October 7, 2003: See above.

October 7, 2003 – WEI: Regarding Phylmar. These two entries both relate to work being done by Mark Katchen. Mark Katchen is a retained expert who is, or rather was, providing assistance for indoor and outdoor air quality studies. I have enclosed a copy of Mr. Katchen's most recently released report. As I am sure you can understand, Katchen's work, and reports, have dual uses. They are litigation oriented, as well as being part of the District's responsibility to have safe schools. There is an unavoidable overlap between those tasks. As defense counsel, I need to be involved in ensuring that there are no reports being generated by consultants who are experts on behalf of the School District, which can or will be evidence in support of the plaintiff's contentions that dangerous conditions existed at the school. There is no information currently available regarding conditions at the school during the times when many if not all the plaintiffs attended the school. While the plaintiffs will not necessarily agree that evidence of the lack of current exposure proves no past significant exposure, if the new reports are inartfully phrased or have unfavorable results, the plaintiffs will seek to capitalize upon those.

October 15, 2003 – WEI: Regarding Steve Sugerman. For better or for worse, this lawsuit is extremely public. The Board, and the City have both retained Steve Sugerman as a public relations consultant. We need to cooperate with Sugerman to ensure that statements that he makes do not create problems for the lawsuits as his statements are potentially admissible on multiple grounds.

October 17, 2003: One of the tasks that is required in a case with this many plaintiffs is to ensure that we have accurate and complete spreadsheets that include the information that is available regarding the individual claimants. Those spreadsheets do include the Yeshoua and Moss plaintiffs, as well as other potential or actual plaintiffs so that we can ensure that we know who we are dealing with. While that is a coverage issue, and properly one for Jubelt to discuss with you, there is a relationship to the defense of the