

**Terry L. Thompson**

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**From:** Terry L. Thompson [tl\_thompson@earthlink.net]  
**Sent:** Tuesday, January 12, 2010 8:34 PM  
**To:** 'Dettmer, Ethan D.'  
**Cc:** Nicole Moss  
**Subject:** RE: Perry v. Schwarzenegger, N.D. Cal. No. C 09-2292 VRW

Hi Ethan,

I have arranged earlier today with Nicole Moss to produce the earlier requested production of documents for Dr. Tam. They will be part of the rolling production.

When do you intend to call Dr. Tam as a witness? I will ensure that he is in court when you need him. He is not on your list of Thursday witnesses so it doesn't make sense to me for him to be in court Thursday.

Terry

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-----Original Message-----

**From:** Dettmer, Ethan D. [mailto:EDettmer@gibsondunn.com]  
**Sent:** Tuesday, January 12, 2010 8:21 PM  
**To:** tl\_thompson@earthlink.net  
**Cc:** McGill, Matthew D.; Monagas, Enrique A.; Justice Lazarus, Rebecca  
**Subject:** RE: Perry v. Schwarzenegger, N.D. Cal. No. C 09-2292 VRW

Dear Terry:

Pursuant to the subpoena served in this matter on your client Dr. Hak-Shing William Tam, please assure that he is present in Court beginning no later than 8:30 a.m. on Thursday, January 14, 2010, and continuing present in Court day to day until he is excused.

Please bring to Court on January 14, 2010 copies of all documents requested in the subpoena, or in the earlier request for production of documents, that are within Dr. Tam's possession, custody or control.

Thank you,

Ethan

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**From:** Dettmer, Ethan D.  
**Sent:** Tuesday, January 12, 2010 11:48 AM  
**To:** 'tl\_thompson@earthlink.net'; Nicole Moss  
**Cc:** Monagas, Enrique A.; Justice Lazarus, Rebecca  
**Subject:** RE: Perry v. Schwarzenegger, N.D. Cal. No. C 09-2292 VRW

Dear Nicole and Terry:

I am following up on my efforts to connect with both of you yesterday at trial. I would like to discuss two items in particular:

1/13/2010

- 1) when we can expect to receive all responsive documents authored or received by Dr. Tam in his possession custody and control; and
- 2) arrangements for his appearance at trial, if any.

Please let me know when you have an opportunity to discuss this.

Thanks very much,

Ethan

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**From:** Monagas, Enrique A.  
**Sent:** Monday, January 11, 2010 6:52 AM  
**To:** tl\_thompson@earthlink.net  
**Cc:** Dettmer, Ethan D.  
**Subject:** Perry v. Schwarzenegger, N.D. Cal. No. C 09-2292 VRW

Counsel,

It is my understanding that your client, Dr. Hak-Shing William Tam, has been personally served with Plaintiffs' trial subpoena in the above-referenced matter. Attached please find a courtesy copy for your reference. Please be advised that Plaintiffs do not anticipate calling for Dr. Tam's testimony either today or tomorrow. If we do anticipate calling Dr. Tam to testify, will provide your client 24 hours notice. Please further note that although the trial subpoena includes a request for Dr. Tam to bring certain documents with him to court, Dr. Tam is already under an obligation to produce documents, pursuant to Plaintiffs' First Set for Production, served on Dr. Tam's counsel on August 21, 2009.

Thank you.

Enrique A. Monagas | **GIBSON, DUNN & CRUTCHER LLP**  
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