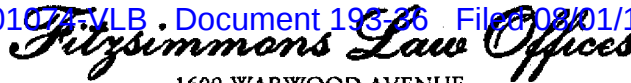


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February 17, 2010

Jerry S. McDevitt Esq. (Emailed: jerry.mcdevitt@klgates.com)
K&L | Gates (But Not Mailed)
Henry W. Oliver Bldg
535 Smithfield St
Pittsburgh, PA 15222-2312

Re: BIRI / WWE

Dear Mr. McDevitt:

I think you may have answered my inquiry as to the purpose of your request for non-medical information relating to Chris Benoit's brain by refusing to answer this very simple, straight-forward question.

Despite your claim, it's difficult for me to imagine that an attorney would be surprised about our "concern about the purpose behind [your] request." Your request has nothing to do with medical science or findings.

In addition, as you know, your request was initially made to another organization, who, according to you, refused to respond. That requested information would be and/or should be within the knowledge of the other organization.

Our concern has to do with the proper handling and treatment of an anatomical gift, which involves multiple individuals and their rights. What may be simple to you may not be as simple to the individuals who may or may not have rights in this matter. To that extent, we merely want to make sure the right decisions are made with consideration to whatever rights should be recognized.

Jerry S. McDevitt Esq.

February 18, 2010
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As you may or may not know, the Brain Injury Research Institute is an organization devoted to studying evidence of brain trauma, specifically including concussions, and their effects. The organization is not designed in any way to serve as support for litigation. It is not our intent to participate or become involved in litigation among individuals and/or entities. BIRI's goal is to decrease the number of concussions and publish and establish protocol and/or treatment that will lessen their effects. Your inquiries do not appear to be in line with those medical and scientific purposes.

You may want to continue your inquiry with the initial group to whom you wrote and which may be in a better position to provide you with answers to some of your inquiries.

Please be advised that I have passed your inquiry on for purposes of providing some response to you if any is warranted.

Very truly yours,

FITZSIMMONS LAW OFFICES



Robert P. Fitzsimmons

RPF/skh

cc: Thomas A. Vorbach Esq. (tom.vorbach@steptoe-johnson.com)
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