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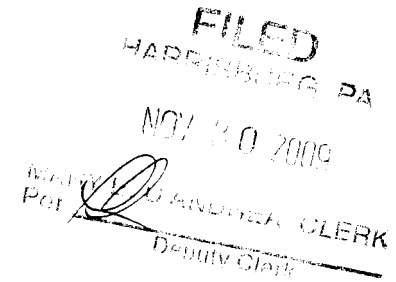
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November 25, 2009

VIA FEDERAL EXPRESS

The Honorable Martin C. Carlson
The United States District Court
for the Middle District of Pennsylvania
Federal Building & U.S. Courthouse
228 Walnut Street
Harrisburg, PA 17108



Re: Whitaker, et al v. Springettsbury Township, et al.
USDC for MD of Pa - 1:08-cv-00627

Dear Judge Carlson:

Pursuant to the Court's Order dated November 16, 2009 (Doc. No. 69), enclosed is a compact disc containing:

- 1) the Springettsbury Police Department ("SPD") surveillance video of the underlying incident, which has also been marked as Exhibit 1 to Defendants' Reply to Plaintiffs' Brief in Opposition to Defendants' Motion for Summary Judgment; and
- 2) a portion of the video of Officer Utter's discovery deposition, which is marked as Exhibit 7 to Defendants' Reply.

Please note that the compact disc contains a "Viewer" application file to view the SPD surveillance video, as well as two video files. The video file beginning with "01" is from the camera positioned inside the holding room, and the file beginning with "06" is from the camera positioned above the door at the north end of the hallway and shows the hallway where the holding cells are located. To view the surveillance videos:

- 1) Open the file marked "Viewer";
- 2) Click on the "open folder" icon;
- 3) Select File to be opened;
- 4) Click buttons to play, pause, stop, fast forward, rewind, or move frame-by-frame. The video can be advanced frame-by-frame by pausing the video and then clicking on either the "next image" button or the "previous image" button.

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The disc also contains two versions of a clip from the Officer Utter's video-taped discovery deposition – one is a file that will play on Windows Media Player, and the other will play on PowerPoint Viewer, which can be downloaded free of charge if the Court does not have PowerPoint.

Please let me know if you have any questions or concerns. Thank you.

Very truly yours,



David J. MacMain

DJM/bms
Enclosure

cc: Matthew B. Weisberg, Esquire (by Federal Express w/enclosure)
Brian Gabriel, Esquire (by regular mail w/o enclosure)

