

10/2/12



**EXHIBIT 3 — E-MAIL THREAD BETWEEN
WALKER AND JIM HODGES. THE OUTSIDE ATTORNEY
RETAINED BY PHRI TO TERMINATE WALKER'S
EMPLOYMENT WITH PHRI**

Urgent

Jim Hodges

Tue, Feb 14, 2012 at 5:08 PM

To: Aaron Walker

Aaron,

Apparently your chickens are beginning to come home to roost. We have been informed that PHRI will be a target of protests and formal diplomatic actions if the groups behind those actions are not informed immediately that you are no longer employed by PHRI. Under the circumstances, we believe that you have a duty to prevent any involvement of PHRI in the situation that you have created. To that end, we demand that you immediately and continuously post prominent notices in every publication to which you contribute, including blogs, online magazine, newspapers, etc., that your employment with PHRI was terminated effective January 13, 2012. If you fail to do so, you will be liable for any damage incurred by PHRI and/or its personnel arising out of your activities and publications. Please copy me on all announcements that you publish in accordance with this demand.

Thank you,

Jim Hodges

Hodges & Associates, P.C.
11325 Random Hills Road, Suite 400
Fairfax, Virginia 22030
(703) 779-5700
(703) 779-0200

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Aaron Walker [redacted]

Urgent

AaronJW1972 [redacted]
To: Jim Hodges [redacted]

Tue, Feb 14, 2012 at 5:59 PM

Jim

Jim

Who exactly has contacted you and what did they say?

Aaron

Sent from my iPhone
[Quoted text hidden]

10/2/12

Gmail - Urgent



Aaron Walker

Urgent

Jim Hodges

Tue, Feb 14, 2012 at 6:02 PM

To: AaronJW1872 <[REDACTED]>

Aaron,

We are not inclined to provide more grist for your mill. Please comply with our demand immediately. We are in the process of notifying the appropriate authorities on our own. But you have a duty to publish the information concerning your employment immediately, completely, and effectively.

Jim Hodges

Hodges & Associates, P.C.
11325 Random Hills Road, Suite 400
Fairfax, Virginia 22030
(703) 779-5700
(703) 779-0200

[Quoted text hidden]

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1/1

10/2/12

Gmail - Urgent



Aaron Walker [redacted]@gmail.com

Urgent

Aaron Walker [redacted]@gmail.com
To: Jim Hodges [redacted]

Tue, Feb 14, 2012 at 8:20 PM

Jim,

This is the last time I am going to let you interrupt my evening with my wife.

If you want me to share your concern or your sense of urgency, or if you want me to convince anyone else to share it, you have to provide me with information. If you would like me to promise, as a condition of sharing that information, that I will not publicize what you tell me, I am amenable to that. I will want to share the information with law enforcement if that becomes necessary, but I will not publicize it. But you are asking me to do a favor for a company that has treated me and my wife very shabbily based on blind faith and I am not prepared to do that.

Also please inform Eileen that she is not to contact my mother-in-law any more. If she has concerns for our safety, she can communicate them to us—through you, I suppose.

Aaron
[Quoted text hidden]

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Aaron Walker [REDACTED]

Urgent**Jim Hodges** [REDACTED]
To: Aaron Walker [REDACTED]@gmail.com>

Wed, Feb 15, 2012 at 12:42 AM

Aaron,

I apologize for interrupting your evening with your wife. I was not aware that sending email to your account could be so disruptive.

As to the issues at hand, you have not addressed our demand that you publish an announcement concerning the termination of your employment. We can only take from your refusal to respond that you will refuse to do so. As you are well aware, that refusal to confirm your dissociation with your former colleagues will tend to put them in harm's way. If the publication of your name, address and place of employment in court filings constitutes an overt threat on your life, as you have asserted in writing, your refusal to announce that your employment at PHRI has ended is no less threatening to the people who still work at your former place of employment. So we ask you one more time to locate your conscience, put the well-being of others ahead of your curious concept of your self-interest and let your enemies, real and/or imagined, know that you do not work at PHRI any longer. Your former colleagues and those that care about them may have good reason in the future to thank you for it.

Jim Hodges

Hodges & Associates, P.C.
11325 Random Hills Road, Suite 400
Fairfax, Virginia 22030
(703) 779-5700
(703) 779-0200

From: Aaron Walker [REDACTED]@gmail.com>
Date: Tue, 14 Feb 2012 20:20:12 -0500
To: James Hodges [REDACTED]
Subject: Re: Urgent
(Quoted text hidden)



Aaron Walker [redacted]@gmail.com

Your courier can come by this afternoon...

Jim Hodges [redacted]
To: Aaron Walker [redacted]@gmail.com>

Mon, Jan 16, 2012 at 3:24 PM

Aaron,

Thank you for agreeing to have the laptop and other company property picked up by a courier today. I will have someone from Laser Courier out there later this afternoon. As for your property, we will take all of the property identified in your email out of your office and delivered to your address by courier no later than Wednesday. To that end, we have confirmed that you were not reimbursed for any expenses related to legal publications, other than the health care industry publications, so all of those books will be included in the package that we deliver to your home.

We note, however, that the fact that you might need any of your personal reference materials, which you kept in PHRI's office, to draft a complaint in private litigation is not the responsibility of PHRI. Also, unless you have a deadline for filing your complaint this week, which is almost certainly not true, then you will be able to make use of those materials in plenty of time to draft your complaint.

It is unfortunate that you still do not grasp the gravity of what you have done, and the risk that you have created for your co-workers at PHRI. If the situation is serious enough for you to alert no less than two local police departments, then it is serious enough for PHRI to protect its employees and prohibit you from returning to its offices. If you have any ability to empathize with the concerns of PHRI's personnel, you would not even attempt to return, even after hours. Apparently, you chose to start a blog for the express purpose of showing disrespect to the adherents of a major religion, which could be calculated to incite violent reprisals on the part of the most extreme elements of that religion. You also wrote disparagingly, even if accurately, about at least one person that you have described as a "terrorist." Perhaps that is the reason that you did so under a pseudonym – and understandably so given the threats leveled against others who published material that is considered offensive to such people. Now that your identity has been revealed, however, anyone with whom you associate can be considered a potential target. Thus, PHRI has a duty to act in ways that keep you from further exposing its employees to such risks. Finally, you write that whatever fear you have created is "beyond all rationality." If that is true, then why did you call the police, and why do you possess firearms? You cleverly denied possessing "handguns" in your email, but you did not deny possessing firearms of any kind. Whatever second amendment rights you exercise, it can be assumed that self-protection under the current circumstances is one of the primary reasons that you do so.

As for the reasons for your termination, while PHRI would have been justified in terminating you for your grossly irresponsible actions related to your blogging, especially on company time (many of your posts bear time stamps during normal working hours) the actual reason for your termination is the incredibly irresponsible way that you performed legal services for PHRI (or failed to) over the past four years, both as an outside attorney and, since July of 2011, as an employee of PHRI. As I mentioned to you on Friday, the state of your office is almost beyond description. Most of the legal documents in your office are piled haphazardly in no less than five legal size paper boxes, without regard to any kind of organization, filing, chronology, etc. The few files that were actually stored in your file cabinet are not filed alphabetically or by subject matter. Even those appear to be incomplete and provide no basis for determining what actions were taken or remain to be taken to conclude the matter. It is also obvious that most of the work that you did in that office, as revealed by the stacks of documents on top of your desk, relate to personal business, including your various blog activities. In fact, it is difficult to determine what you were working on for PHRI over the last few weeks, if anything. (Your characterization of your office as "messy" is belied by the photographs that we took to document the actual condition of that room.) The few documents that did relate to PHRI business do not indicate the current status of the matters to which they relate and PHRI is now in the position of retracing steps and contacting numerous third parties to determine where things stand. Obviously, those efforts will cost PHRI significant sums, including the cost for outside counsel to communicate with third party counsel and continue the representation of PHRI, as necessary. Given those circumstances, it seems clear that you failed to

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Gmail - Your courier can come by this afternoon...

perform your duties as counsel to PHRI, in favor of pursuing your personal interests, while being paid by PHRI. Thus, PHRI is entirely justified to terminate your employment for cause related to your failure to perform in accordance with its expectations and with your obligations as a member of the Virginia State Bar. Obviously, even if PHRI had a severance policy, which it does not, you would not be entitled to receive any such compensation under the circumstances. Rather, PHRI would be justified if it sought reimbursement from you for amounts paid for services that you did not perform or during periods during which you did not perform services.

In light of all the above, and in the context of your activities outside the scope of your employment, if you must consider yourself to be a victim, it is only of your own irresponsible actions. PHRI does not have a responsibility to provide you with a "soft landing" from those actions in the form of unearned compensation. It is interested, however, in entering into an agreement with you that will provide certain benefits to both parties. Accordingly, PHRI proposes to agree that your termination was by mutual consent rather than as a termination for cause, that the parties will waive any claims that they have against the other, and that the parties will agree to confidentiality terms that will include a provision that they will not refer to each other in any form (including in anything that you author such as blogs, books, etc.). PHRI also proposes to pay you and your wife through the end of last week and to provide a certain amount of severance to Mary in recognition of her many years of service to PHRI. She is not considered to be responsible for the current circumstances and PHRI regrets that she has been caught up in these issues. If you are willing to agree to the terms set forth in general above, I will draft an agreement for your review. We would like to get it done by Wednesday, along with the return of your property. If you are not willing to enter into such an agreement, please let me know immediately.

Jim Hodges
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p.s. To respond to your personal question to me, no, I was not afraid of you when I met you in the lobby of my building (although I did not know that you possess firearms at that time). But I met you in the lobby to avoid the appearance of you having any association with the company that provides me with office space. You chose to poke at a group that is known for violent reprisals, apparently in the name of asserting first amendment rights (even though the U.S. Government is not involved in suppressing cartoons about Mohammed). And you were fearful enough of your adversaries to alert the police in two counties. So it would be unreasonable for you to condemn common sense efforts to protect those who have nothing to do with your activities as "beyond all rationality." In hindsight, do you still consider your "Everyone draw Mohammed" blog to be rational? If so, I would not consider you to be a credible appraiser of rationality.

From: Aaron Walker [REDACTED]@gmail.com>
Date: Mon, 16 Jan 2012 13:41:17 -0500
To: James Hodges [REDACTED]
Subject: Your courier can come by this afternoon...
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2/2

My wife and I have lost our jobs due to the harassment of convicted terrorist Brett Kimberlin, including an attempt to get us killed and to frame me for a crime carrying a sentence of up to ten years. I know that claim sound fantastic, but if you read starting [here](#), you will see absolute proof of these claims using documentary and video evidence. If you would like to donate and help my wife and I in this time of need, please go to [this donation page](#) or use the PayPal buttons on the right. And thank you.