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September 26, 2000

Michael Elbery, C57634  
M.C.I. Concord  
P. O. Box 9106  
Concord, MA 01742

RE: Commonwealth v. Michael Elbery  
Docket No. 0049CR1893

Dear Michael:

I am in receipt of your letter dated September 19, 2000. Please be advised that the information to the District Attorney (see enclosed copy) had already been sent out prior to receipt of your letter. However, we would be mandated under the discovery rules to provide the names and addresses anyway.

Enclosed please find a copy of the instruction manual for the SVT-100 Video Cassette Recorder that I obtained from Sony. Please note the information on Page 9.

In addition, I am including for your records a copy of the criminal records that I obtained on Peter H. Gear. Please note the following: (1) his Framingham address; (2) he went to court on July 5, 2000 on a 6-year old warrant; and (3) that he has a prior OUI offense, another reason for him to take off and not go to the station that night. I am requesting a certified copy of that conviction from the Newton District Court.

In reference to your statement that my "secretary" would not take your calls for two (2) days, it was necessary for my secretary to be away from the office intermittently last week. She states that she has taken each and every call that you have made to the office during this case. When the answering service is taking phone calls, they will not accept collect calls.

Should you have questions or comments, please feel free to contact me.

Very truly yours,

  
Kenneth L. Brekka, Esq.

KLb/mf  
Enc.