

MOBILE REPORT

Nov. 07 2000 07:01PM

NO.	OTHER FACSIMILE	START TIME	USAGE TIME	MODE	PAGES	RESULT
01	978 928 1198	Nov. 07 06:59PM	01'13	TX	01	OK

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November 7, 2000

VIA FACSIMILE

Brekka & Brekka
P.O. Box 515
Hubbardston, MA 01452

Attention: Kenneth L. Brekka, Esquire

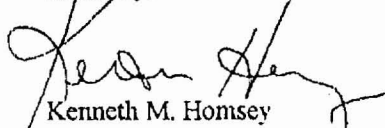
RE: Michael Elbery

Dear Attorney Brekka:

I am in receipt of your letter dated November 2, 2000 relative to requested access to various areas and information concerning the Mobil Oil retail sales outlet located at 696 Cochituate Road in Framingham. As per your request, Mobil will agree and assent to your taking pictures of the exterior and interior of the store, but will not assent to your accessing the "backroom". In addition, Mobil will not assent nor permit the requests listed in items number 2 and 3 in your letter of November 2, 2000. With respect to request number 4, you have the name of the manager of the particular Mobil facility in question, and she is the person with the most complete knowledge of the use and operation of the video system in question on the date in question. She has already made herself available at considerable inconvenience on two occasions pursuant to your subpoena. We have also provided you with considerable documentation on numerous categories specified by you concerning this matter. Finally, with respect to your request number 5, my client agrees to conduct a diligent search for documents which may be responsive to that request and to produce the same to you to the extent that they exist.

All of the above is agreed to on a voluntary basis and in an effort to cooperate to the extent that it is deemed reasonable and relevant to your client's defense of the criminal charges against him. However, nothing herein should be construed as a waiver of any privileges by my client, nor an admission of any facts or conduct. I hope that this letter proves useful to you.

Sincerely,


Kenneth M. Homsey

KMH:kms