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July 20, 2018

VIA E-FILE

The Hon. Donna F. Martinez
United States Courthouse
450 Main Street, Suite 262
Hartford, CT 06130

Re: *Audet et al. v. Fraser et al.*, No. 3:16-cv-00940 (D. Conn.)

Dear Judge Martinez:

Plaintiffs write briefly to correct a factual error in Defendant Stuart A. Fraser's Reply Memorandum of Law in Support of his Motion to Compel Discovery (Dkt. 89). On page 9, Mr. Fraser argues:

This argument is moot, given that Plaintiffs' counsel—who apparently has access to Garza's whereabouts—has since successfully served him with a deposition subpoena, but advises that Garza will exercise his Fifth Amendment rights if deposed before sentencing (Reply Decl. ¶ 4), as discussed above.

Plaintiffs do not have "access to Garza's whereabouts" and did not serve him with a deposition subpoena. Rather, they attempted to serve him with a deposition subpoena through his criminal counsel. *See* Ex. A. Mr. Garza's criminal counsel refused to accept service.

Sincerely,



Colin Watterson