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July 24th, 2007

Honorable Andrew D. Owens, Jr.
2002 Ringling Boulevard
Sarasota, Florida 34237

RE: Hard drives; Sarasota County
Sheriff's Department

Dear Judge Owens:

On 7/20/07, I first received my copy of the order entered by the Court on 7/17/07, which appeared to have been faxed to the Court by Captain Hoffman's office on 7/17/07, together with two (2) other pages. The faxed copy of the order, mailed to me on 7/19/07, had a notation that the order was one (1) of three (3) pages. None of the three (3) pages, contrary to local custom of professional courtesy, were provide to me when Captain Hoffman submitted same to the Court. Nor did Captain Hoffman provide to me, when he submitted the several pages to the Court, the customary five (5) day letter allowing counsel the opportunity to review the proposed order and make any objections, if necessary, to the form or content thereof.

In addition to failing to comply with customary professional courtesy, Captain Hoffman submitted an order that addressed a matter not before the Court on 7/13/07, as the hearing of 7/13/07, was limited to the Esdales' request to allow the telephone testimony of Mr. Jeffery on 7/16/07. On 7/13/07, the Court had indicated that your Honor would entertain "one more hearing" regarding the Esdales' desire to have the hard drives independently analyzed. I respectfully submit that the order proposed by Captain Hoffman should simply have stated that the request for the telephone testimony of Mr. Jeffery was denied.

The order submitted to your Honor was inaccurate, and one to which I would have objected had Captain Hoffman provided to me, on 7/17/07, those same documents provided to the Court on 7/17/07, with the customary five (5) day courtesy letter. The order submitted to the Court on 7/17/07, which I first received on 7/20/07, with the other two (2) pages, which, to date, I have not received, appears to again underscore the Department's eagerness to release the hard drives with the knowledge that they would be destroyed without any independent testing for additional incriminating dialogue

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between Maria Cohen and the Decedent the day he died.

At the moment, I am uncertain whether Replay Systems has destroyed the hard drives. Enclosed are the original and copies of a temporary injunction preventing Replay Systems from destroying the hard drives until further order of Court.

Thanks for your consideration of these matters.

Respectfully,



Mark W. Lord

enc.: (7)

cc: Captain Kurt Hoffman
Allan F. Baily, Esquire