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January 14, 2005

Honorable Deno Oconomou  
Sarasota County Court

Re: Steven Esdell Litigation

Dear Judge,

By way of introduction, I am a recognized expert in the field of recorded evidence. I have participated in well over 1,650 trials spanning 27 Federal districts over the last 30 years. Last week I testified at U.S. v. Lakhani on behalf of the U.S.D.O.J. in the case of an F.B.I. undercover buy of Stinger anti-aircraft missiles in Russia. In several weeks I will be called to testify in the case of HealthSouth CEO Scrushy on behalf of defense. My cases include Waco, World Trade, and various criminal and civil matters from coast to coast. Whenever there is a tape in the news I am invited to speak on CNN and to give a statement to the press. Please review my website at [www.proaudiolabs.com](http://www.proaudiolabs.com) for curriculum vitae, voir dire, and more information.

I am writing to advise Your Honor in this matter. I am familiar with Dictaphone 911 logging equipment. I have racks of the various generations of 911 logging machines manufactured by Dictaphone. All Dictaphone reps send clients with evidentiary recordings made on their machines, to me so that I can advise as to the best way to preserve evidentiary value for presentation at trial.

In this case the pertinent 911 telephone call was recorded on a Dictaphone Freedom System. This is a system that stores the calls onto a hard drive. It is my understanding that the system in use at the time has been preserved pursuant to Your Honor's ruling.

In response to my request, Dictaphone has agreed, to examine the system to determine whether or not calls on the date in question remain on the hard drive, at no cost to anyone. The contact is Earl Simmons at 1-888-471-3463 x4350.

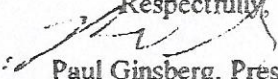
This will tell once and for all for Your Honor whether the Freedom system has any pertinent information on it relative to this matter.

Additionally, after some investigation, I have been informed that the system, at the time of this event, was generating backup DVD's containing material that was downloaded from the hard drive, so that the hard drive could be re-recorded without destroying the only copy of the previously recorded telephone calls.

\*  
Accordingly, the Sarasota Police Department or 911 call center should have the call archived onto DVD. Once this DVD is located I will be able to download, enhance, and examine it, so that you don't have to rely on copies. The former Dictaphone service technician's name is Bill Tidwell and he can be reached at (727) 743-8652.

I hope that these facts are helpful. As in any case I would like to see justice and if I can be of any assistance I would invite your call.

Respectfully,

  
Paul Ginsberg, President  
Professional Audio Laboratories, INC.

(845) 354-2229 office  
(914) 263-8010 cell

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Please refer to our file number: 13243-2

January 20, 2005

Mr. Paul Ginsberg, President  
Professional Audio Laboratories, Inc.  
7 Skylark Drive  
Spring Valley, NY 10977

Re: *Estate of Murray B. Cohen*

Dear Mr. Ginsberg:

It is my understanding that you have been retained by Steven Esdale in connection with the pending adversary proceedings in the Estate of Murray B. Cohen. I was provided with a copy of the enclosed correspondence. Please be advised that under no circumstances are you authorized to communicate directly with the presiding Judge in connection with this matter. In nearly 30 years of practice, this is the first occasion I have encountered where a consultant has attempted to communicate directly with the Court. Please be advised that any direct communication by you with the Court is considered an ex parte communication and is not permissible under Florida law.

In the event you attempt to communicate with the presiding Judge in connection with this matter, we will move for appropriate sanctions.

Sincerely,

ABEL, BAND, RUSSELL, COLLIER,  
PITCHFORD & GORDON, CHARTERED



Steven J. Chase

SJC:mjb

Enclosure

cc: Mrs. Maria Cohebn  
Mr. Steven Esdale

SARASOTA, FLORIDA

VENICE, FLORIDA

DENVER, COLORADO

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