

From: Regan [REDACTED]

Subject: Courtroom Evidence

Date: April 12, 2013 5:47:29 PM PDT

To: Jamie Clark [REDACTED], Judy Mikovits [REDACTED]

Dear Mr. Clark,

Per the request of Dr. Judy Mikovits-Nolde, I am sending you some information about what happened in court on January 25, 2012. Please let me know if I can be of any further help.

--Regan [REDACTED]

I wanted to go to all the court cases I possibly could in this matter, because I wanted to know the truth, whatever it was. And the best way to learn the truth is to see things for yourself. I got to court early for what was supposed to be the prove-up hearing. I waited outside, and also waiting was an older gentleman that I guessed to be Dr. Peterson. Then Carli West-Kinne arrived and told me it was ok to go inside--she thought I was a witness at first but I told her I was just there to watch. So the older gentleman and I went inside the courtroom, and I was greeted by Annette Whittemore, who seemed a bit surprised to see me but was cordial. She told me that Andrea had wanted to come that day, too, but she had told her not to, because it could be very stressful. It sounded like she was starting to say how she hoped that it wouldn't be too stressful for me, too. But I interrupted her and told her that it was actually more stressful for me when I didn't know what was going on, and so I'd rather be here--it was just like when my mom had her triple bypass--of course I'd rather be at the hospital than sitting home wondering what was going on. She told me that I wouldn't hear everything today, but that I would learn some things, that today would be what was called a "prove-up hearing." At some point, a woman walked into the room, and spoke with a man whom I now know to be Dennis Jones, the lawyer representing Dr. Mikovits in the civil lawsuit that the Whittemore Peterson Institute had filed against her. She told him that the judge wanted to meet with counsel in his chambers, and they both left.

Then I sat in the courtroom, and more time passed, and I wondered why the hearing wasn't getting started. I started not feeling well, so I leaned my head back against the top of the seat and closed my eyes, and listened to Annette talk with who I thought was Dr. Peterson. And at one point I heard someone enter the room, and a male voice said, "Remember, all we have to do is prevail today, and we've won. It's over." I sat up and turned around to see who was speaking, and it was Harvey Whittemore. "Perseverance, people," he added, while pumping his fist. Then he saw me, and said, "Hi, Regan," and I said "Hi, Harvey." I wondered what he meant about it being all over after today, and wanted to ask someone, but thought it best to be quiet and not make any waves, because I didn't want to get kicked out of court. Harvey left the room, and I got to sit in the courtroom for awhile longer and listen to Annette talking with who I thought was Dr. Peterson.

The conversation focused on the different things they could go after Judy for, for damages. They talked about things like the equipment, transportation from the VA for patients to get their blood drawn, things like that. At one point the man I thought was Dr. Peterson said that Judy was a glitch, a bump in the road, and they would move past it. Annette agreed. And I thought how wrong they were, that Judy was an integral part of the WPI, not just a cog in a wheel. My friends and I had been quite shaken when she was fired, and absolutely horrified when she was thrown in jail and held there without bail for 5 days and 4 nights. Many, if not most of us, would not have been so enthusiastic in our support of WPI if Judy had not been part of the picture, and we were following the cases and all the associated events with our hearts in our throats. To many patients, including me, what happened to Judy was very important, and in our eyes, she would NEVER be just a "bump in the road." I couldn't believe they were this "out-of-touch" with what the patients were feeling. I was also troubled that I never heard the conversation turn to the patients, to our needs, to what damages WE had suffered, anything like that. When I had moved out here to Nevada, I had honestly believed that the patients were the WPI's number one priority. But now, all the talk was about what money they could get for various things.

Then, about an hour after the hearing was supposed to have started, a woman entered the room, the same woman who had been speaking with Dennis Jones earlier. She said "The witnesses may be excused," and I wondered what was going on, since there had been nothing resembling a hearing. Harvey Whittemore also entered the courtroom. Annette and the man who I thought was Dr. Peterson stood up to talk with the woman, and this is what she said:

"We are trying to go for the maximum damages possible....." (Then she said something I couldn't hear) "Exchange for dropping the criminal charges....." (Annette nodded, and the woman said something else I couldn't hear.) "But we have to walk a fine line here, because if we ask for too much, it becomes extortion, and then....."

"Oh, we don't want "EXTORTION!"," Annette said, and she laughed.

Then Harvey put up his hands, and said "We really shouldn't be discussing this here," and he shifted his gaze towards my direction, and pointed his finger at me. Everyone followed his finger to look at me as well. So I picked up my GPS, which was under the seat, and headed out. Annette put her arm around my shoulders, thanked me for coming, and said we really should get together for lunch. I said I'd like that. I asked if there was going to be another trial, and what date would it be. Annette said that she didn't know, it depended on what happened today, and we probably wouldn't know until Thursday. Harvey thanked me for coming, and I left the courtroom thinking "That was weird." When I was in the halls of the courthouse, I called to the gentleman who I thought was Dr. Peterson: "Excuse me." And he turned around and stopped, and I was able to catch up to him. And I asked "Are you Dr. Peterson?", and he said, "No, Ken Hunter, University of Nevada," and held out his hand to shake. I was embarrassed that I had mistaken him for Dr. Peterson, but explained that I had never met Dr. Peterson in person and had wanted to ask him about his Incline Village practice. But he said that was fine, and asked, "And you are?" And I told him my name was Regan. We asked each other about where we had parked and then he headed down the hall, while I went in a different direction and got into an elevator. And I remember thinking, "So that's what they're doing. They're trying to use the criminal charges to get money out of her." And I thought how strange it was, because I remembered in the O.J Simpson case the criminal case had been tried before the civil. And suddenly it made sense.....What had it been like for Judy to be held in jail for 5 days and 4 nights? Would showing her that they had the power and willingness to throw her in jail like that, making it so she had no bail, be designed to intimidate her into doing whatever the Whittemores wanted, agreeing to anything, to avoid that fate? "Please don't give in to them, Judy," I prayed silently. "They want money. That's what this is all about."

And I continued that prayer as I walked out of the courthouse, as I drove home, and for the rest of the afternoon.