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*NOT ADMITTED TO NEW YORK BAR

April 30, 2007

Via Email & U.S. Mail

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***Diaz v. Browning, 04-22572-CIV-KING (S.D. Fla.)
Proposed Mediation***

Dear Jeff and Oren:

On behalf of the Plaintiffs in the above-captioned case, I hereby respond to your inquiry this past Friday, April 27, 2007, concerning your proposed motion to the Court to refer the present action to mediation. Plaintiffs respond as follows.

We agree to seek a mediation of this action with the defendant Supervisor of Elections of Miami-Dade County, any of the other Supervisors of Elections who wish to participate, or, to the extent possible, with the defendant Secretary of State. We propose that defendants who wish to participate in the mediation should advise us of their intent to do so.

The next step would be for the plaintiffs and defendants to exchange names of mediators that they deem appropriate for this case and acceptable to both sides and to agree upon a mediator. We understand that you have already proposed a mediator,

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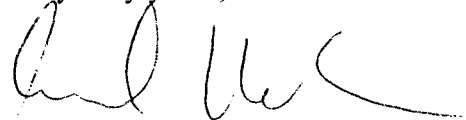
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the retired State court judge, Gerald Wetherington. Plaintiffs will consider this proposal and prepare to discuss it with the defendants. Plaintiffs will also provide names of mediators within the next week or two. In the meantime, the parties should consider the ground rules that they will accept for this mediation. We should set up a call next week, we propose May 10, 2007, to discuss the proposed mediation further.

Given that the plaintiffs agree to your proposed mediation, we do not believe that it is appropriate to involve the Court at this time. If you do decide to file your proposed motion with the court nonetheless, we ask that you include this letter with your motion, because it contains our complete response to your inquiry.

Nothing in this letter should be construed as amending any party's current obligations to fully participate in discovery.

Very truly yours,



Michael Halberstam

cc: Tracey Arpen
Mike Cirullo
Burnadette Norris-Weeks
Ernst Mueller
Ronald A. Labasky
Peter V. Antonacci
Allen Windsor
Elizabeth Westfall