

COPIES

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

UNITED STATES,

v.

JOSEPH R. PRICE,
DYLAN M. WARD, and
VICTOR J. ZABORSKY,

Defendants.

Criminal No. 08-CF1-27068
Criminal No. 08-CF1-26996
Criminal No. 08-CF1-26997

Judge Lynn Leibovitz

Courtroom 310

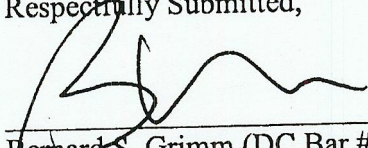
Status Hearing: March 12, 2010

NOTICE OF FILING

Defendant Joseph Price, by and through counsel, respectfully requests that the attached letter be filed in this case.

January 28, 2010

Respectfully Submitted,



Bernard S. Grimm (DC Bar # 378171)
Cozen O'Connor
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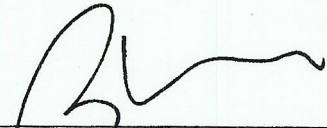
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice was faxed, this 27th day of January, 2010, to:

Glenn L. Kirschner
T. Patrick Martin
Office of the United States Attorney
555 4th Street, NW
Washington, DC 20530

David Schertler
Schertler & Onorato LLP
601 Pennsylvania Avenue, NW, North Building, 9th Floor
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January 27, 2010

PRIVILEGED AND CONFIDENTIAL

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T. Patrick Martin, Esq.
Assistant United States Attorney
Chief Homicide Section
555 4th Street, NW
Washington, DC 20530

Re: United States v. Joseph Price, Dylan Ward, Victor Zaborsky; 2008-CF1-027068; 2008-CF1-026996; 2008-CF1-026997

Dear Pat:

Dr. Lee wants to conduct an examination and analysis on the towel (Item 16) that will not involve consumption of the Item. I would like to invite your experts to watch this examination in a controlled laboratory setting. Let me know if you are interested in having your experts present when Dr. Lee examines the towel.

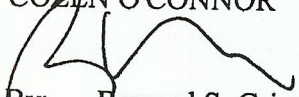
Alternatively, Dr. Lee can do the examination at your office or at a laboratory of your choosing. The phrase 'time is of the essence' is overused, but in this particular case it isn't. I have called you and Glenn back and emailed you. We want to be ready to defend this case for our clients but unless we have an open and active line of communication from here to the trial date, I expect problems.

Upon reviewing Judge Weisberg's Order, I think we are permitted to test the evidence without your consent, but thought we would give you the opportunity to witness this examination. If we do not hear from you by Wednesday, February 3, 2010, then we will proceed with the testing.

T. Patrick Martin, Esq.
January 27, 2010
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Sincerely,

COZEN O'CONNOR


By: Bernard S. Grimm
BSG

cc: Glenn Kirschner
Clerk of the Court