

MEMORANDUM

TO: LOPEZ FILE
FR: OLIVER
RE: MEETING W/BOB DOYLE
DT: April 25, 1995

LAST FRIDAY, MOC & SAH ASKED THAT I MEET WITH BOB AS HE REVIEWED THE DOCUMENTS WE HAVE COLLECTED IN SAM LOPEZ'S CASE. THEY ALSO ASKED THAT I TALK WITH BOB ABOUT FILING TWO MOTIONS WE PROVIDED HIM PRIOR TO HIS FILING THE LAST MOTION REQUESTING ADDITIONAL TIME TO FILE A SUPPLEMENTAL PETITION. SPECIFICALLY, AT THAT TIME WE PROVIDED A MOTION FOR DISCOVERY AS WELL AS A MOTION FOR LEAVE TO PROCEED EX PARTE IN REQUESTING FUNDS FOR INVESTIGATIVE AND EXPERT ASSISTANCE. (WE LATER PROVIDED HIM A MOTION FOR FUNDS FOR INVESTIGATIVE ASSISTANCE.)

LAST THURSDAY, SAH AND MOC SPOKE WITH BOB RE FILING THE PREVIOUSLY PROVIDED MOTIONS AS WELL AS FILING A MOTION FOR MORE TIME. SAH & MOC INDICATED THAT BOB STATED THAT HE IS RUNNING THE CASE AND REFUSED TO COMMIT TO FILING ANY DISCOVERY MOTION OR THE MOTION TO PROCEED EX PARTE. HE ALSO REFUSED TO COMMIT TO FILING A MOTION REQUESTING ADDITIONAL TIME. IN MY CONVERSATION WITH HIM ON FRIDAY, HE CONFIRMED THAT HE HAD REFUSED TO COMMIT TO FILING THESE MOTIONS. IT SHOULD BE NOTED THAT BEFORE PROVIDING HIM THE DISCOVERY MOTION, BOB TOLD ME HE WOULD REVIEW IT AND FILE IT OR SOME EDITED VERSION OF IT SHORTLY AFTER RECEIVING IT. HE PROMISED, TOO, THAT HE WOULD TALK WITH THE PROJECT ABOUT ANY EDITS TO THAT MOTION. IT SHOULD BE NOTED AS WELL THAT BOB TOLD ME HE WOULD FILE THE MOTION TO PROCEED EX PARTE AND THE DISCOVERY MOTION A FEW DAYS AFTER THE JUDGE RULED ON THE MOTION FOR MORE TIME. AS OF TODAY, BOB FILED ONLY THE MOTION FOR MORE TIME.

WHEN I MET WITH BOB LAST FRIDAY, HE STATED THAT HE WOULD FILE AN EDITED VERSION OF THE DISCOVERY MOTION. HE ALSO STATED THAT HE WOULD FILE A MOTION REQUESTING ADDITIONAL TIME TO FILE A SUPPLEMENT TO THE PETITION. HOWEVER, YESTERDAY HE INDICATED TO MOC THAT HE WOULD NOT REQUEST ADDITIONAL TIME.

I MET WITH BOB FOR ABOUT AN HOUR TODAY AT HIS OFFICE TO EXPLAIN WHY I BELIEVE IT CRITICAL TO MOVE FOR ADDITIONAL TIME. I EXPLAINED THAT I WAS NOT SUGGESTING THAT WE REFUSE TO FILE A SUPPLEMENTAL PETITION NEXT WEEK NO MATTER WHAT. RATHER, I EXPLAINED (REPEATEDLY, FOR BOB KEPT SAYING THINGS WHICH MADE CLEAR THAT HE DID NOT UNDERSTAND WHAT I WAS SAYING) THAT WE SHOULD FILE THE MOTION FOR MORE TIME AND A MOTION FOR EXPEDITED CONSIDERATION OF THE MOTION FOR MORE TIME. I FURTHER EXPLAINED THAT IF EITHER (A) THE COURT DOES NOT RULE ON THE MOTION FOR MORE TIME BY NEXT WEEK OR (B) THE COURT DENIES THE MOTION FOR MORE TIME, THEN WE SHOULD FILE THE SUPPLEMENTAL PETITION.

WE ENDED OUR DISCUSSION WITH HIS PROMISE TO THINK ABOUT MY PROPOSAL AND GET BACK TO ME TOMORROW OR EARLY THURSDAY MORNING. HE ALSO AGREED AT THE END OF THE DISCUSSION THAT IF A SUPPLEMENTAL PETITION IS FILED THAT THE PROJECT WOULD BE INVOLVED WITH DRAFTING/EDITING IT.