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Saturday, December 13, 2008

Ms. Naomi Tsuda, Esq.  
FAA, AWP-7, Regional Counsel  
P.O. Box 92007  
Los Angeles, CA 90009-2007

Dear Ms. Tsuda:

This letter seeks to initiate an efficient Discovery Process with your office in the matter of my MSPB Appeal, docket number SF-0752-09-0139-1-1.

In accordance with the Additional Discovery Procedures, as presented in Administrative Judge Craig Berg's 12/5/2008 Acknowledgment Order, I understand we are expected to work together to ensure full discovery is accomplished as quickly as possible, and without Board intervention. Given the extraordinary gestational period of this case, there is a very substantial collection of documents that need to be considered. There are also many FAA personnel involved (e.g., in the past two years, three separate individuals have served in the role of District Manager for the SFO Terminal Hub).

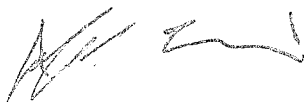
In an attempt to simplify the presentation of this information, and in the spirit of working with you toward an efficient Discovery Process, I have produced the following attachments:

1. Regarding Documents: please find the attached *Appellant's Index of Documents*. This index lists all correspondence I have generated and received, related to this case, during the past two years. It is presented chronologically with descriptions that I hope will aid your staff in determining which documents they need to see. Bear in mind, nearly all of these documents should already exist in key Agency files, provided Agency employees have been properly managing their records.
2. Regarding Individuals: given the large number of people involved in this case, I have provided this information in two formats. The *Appellant's Index of Individuals* lists all individuals thus far identified, on one page. The *Appellant's List: Potential Witnesses* presents the individuals grouped more or less functionally and chronologically; it includes contact information as well as an assessment of subject matter each may be able to assist with.

Please advise any documents or further information you feel I need to provide, which you do not already have. Please also accept that, while I have worked diligently to produce these discovery documents, the scope of the project is so large compared to the time-urgency to produce a document, that I may have inadvertently excluded a few witnesses or documents. Likewise, when we begin to discuss this Appeal, and if we are able to quickly stipulate key issues, we will likely find that many of these individuals and documents have no substantial relevance to the Appeal. At any rate, I would appreciate your patience in accepting any changes to these lists in the coming weeks...just as you can expect my patience and cooperation during this period.

I look forward to your presentation of the Agency's information, and to working with you for a complete Discovery.

Thank you,

A handwritten signature in black ink, appearing to read "Jeff Lewis", with a stylized flourish at the end.

Jeff Lewis

CERTIFICATE OF SERVICE

I certify that the documents listed below were sent as indicated this day to each of the following:

Agency Representative

U.S. Mail

Naomi Tsuda, Esq.  
AWP-7.10, FAA Regional Counsel  
PO Box 92007  
Los Angeles, CA 90009-2007

ATTACHMENTS:

Letter, Lewis to Naomi Tsuda, 12/13/08 (2p) ✓  
Appellant's Index of Documents (14p) ✓  
Appellant's Index of Individuals (1p) ✓  
Appellant's List of Potential Witnesses (9p) ✓

12-13-08

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(date)

  
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Jeffrey N. Lewis