

FILED/ENDORSED

FEB 11 2009

Fee Exempt
Per Gov't. Code § 6103

1 MICHAEL J. STRUMWASSER (CA BAR No. 58413)
2 FREDRIC D. WOOCHEER (CA BAR No. 96689)
3 AIMEE DUDOVITZ (CA BAR No. 203914)
4 STRUMWASSER & WOOCHEER LLP
5 10940 Wilshire Boulevard, Suite 2000
6 Los Angeles, California 90024
7 Telephone: (310) 576-1233
8 Facsimile: (310) 319-0156

By

DEPUTY CLERK

9 *Attorneys for Respondents President Barack Obama, Vice President Joe Biden, Jaime Alvarado,*
10 *William Ayer, Joe Baca, Jr., Ian Blue, Roberta Brooks, Nathan Brostrom, Mark Cibula, Robert*
11 *Conaway, Ray Cordova, Lawrence DuBois, James Farley, John Freidenrich, Mark Friedman,*
12 *Bobby Glaser, Audrey Gordon, Ilene Haber, Robert "Bob" Handy, Mary Hubert, Aleita*
13 *Huguenin, Richard Hundrieser, Fred Jackson, Patrick Kahler, Mary Keadle, LeRoy King, Vinz*
14 *Koller, Mark Macarro, Alma Marquez, Ana Delgado Mascarenas, Betty McMillion, Michael*
15 *McNerney, Gwen Moore, Jeremy Nishihara, Gregory Olzack, Nancy Parrish, Lou Paulson, Joe*
16 *Perez, Anthony Rendon, Frank Salazar, David Sanchez, Larry Sheingold, Lane Sherman,*
17 *Stephen Smith, Juadina Stallings, Kenneth Sulzer, Aaruni Thakur, Norma Torres, Silissa*
18 *Uriarte-Smith, Sid Voorakkara, Greg Warner, Karen Waters, Sanford Weiner, Gregory*
19 *Willenborg, Kelley Willis, James Yedor, and Christine Young*

20 ROBERT F. BAUER (WDC BAR No. 938902) (*Pro Hac Vice pending*)
21 607 Fourteenth Street, N.W.
22 Washington, D.C. 20005
23 Telephone: (202) 628-6600
24 Facsimile: (202) 434-1690

25 *Attorney for Respondents President Barack Obama and Vice President Joe Biden*

26 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
27 FOR THE COUNTY OF SACRAMENTO

28 AMBASSADOR DR. ALAN KEYES, et al.,
Petitioners,

v.

CALIFORNIA SECRETARY OF STATE
DEBRA BOWEN, et al.,

Respondents.

Case No. 34-2008-80000096-CU-WM-GDS

DECLARATION OF FREDRIC D. WOOCHEER IN SUPPORT OF MOTION TO QUASH OF PRESIDENT BARACK OBAMA, VICE PRESIDENT JOE BIDEN, AND 55 CALIFORNIA ELECTORS, OR IN THE ALTERNATIVE, FOR AN ORDER THAT THE DEPOSITION OF THE CUSTODIAN OF RECORDS OF OCCIDENTAL COLLEGE NOT BE TAKEN

Hearing Date: March 13, 2009
Time: 9:00 a.m.
Dept.: 31
Judge: Hon. Michael P. Kenny
Action Filed: November 13, 2008

BY FAX

Printed on Recycled Paper

DECLARATION OF FREDRIC D. WOOCHEER IN SUPPORT OF MOTION TO QUASH

1 I, Fredric D. Woocher, hereby declare:

2 1. I am an attorney admitted to practice in the State of California and am a partner in the
3 firm of Strumwasser & Woocher LLP, counsel to President Barack Obama, Vice President Joe Biden
4 and the California Electors in this action. I have personal knowledge of the statements herein and,
5 if called upon to do so, could and would testify competently thereto.

6 2. On either January 15 or January 16, 2009, a Deposition Subpoena for the Production
7 of Business Records was apparently served by Petitioners Ambassador Dr. Alan Keyes, Dr. Wiley
8 S. Drake, Sr., and Markham Robinson on Occidental College. On January 16, 2009, I received via
9 facsimile a letter from Stuart W. Rudnick, counsel for Occidental College, alerting me to the
10 subpoena. Attached to the letter was a copy both of the subpoena and of the four additional
11 documents that Petitioners apparently served therewith. These four documents included: (1) an
12 "Affidavit" from Petitioners' counsel, Gary Kreep, which purports to set forth Petitioners' basis for
13 seeking the documents from Occidental College; (2) a Judicial Council form entitled "Notice to
14 Consumer or Employee and Objection" directed to my client, President Obama; (3) a "Certificate
15 of Compliance," which purports to establish Petitioners' compliance in all respects with Code of
16 Civil Procedure section 1985.3; and (4) a proof of service. A true and correct copy of the letter from
17 Mr. Rudnick and all attachments, including the subpoena, is attached hereto as Exhibit 1. This is
18 the first that I had heard of the issuance of the subpoena at issue in this Motion.

19 3. Later on the same day, January 16, 2009, my office received by regular U.S. Mail a
20 copy of the subpoena and of all four attachments. The proof of service confirmed that President
21 Obama was served with copies of the same by regular U.S. Mail on January 15, 2009. A true and
22 correct copy of the documents that I received in the mail from Petitioners on that date, including a
23 copy of the subpoena, are attached hereto as Exhibit 2.

24 4. Also on January 16, 2009, upon receipt of the service copy of the subpoena, I sent an
25 email to Mr. Kreep, counsel for Petitioners, to inform Petitioners that President Obama intended to
26 oppose the production of the requested records. I asked in this email if Petitioners would agree to
27 "cancel or withdraw the subpoena, at least until such time as the Superior Court rules upon the
28 pending demurrers and motion for judgment on the pleadings." I made clear that any "[s]uch

1 cancellation... would be without prejudice to [Petitioners'] right to re-issue the subpoena should the
2 litigation remain alive following the court's ruling on those motions." A true and correct copy of
3 this January 16 email to Mr. Kreep is attached hereto as Exhibit 3.

4 5. After receiving no response from Mr. Kreep, I again contacted counsel for Petitioners
5 by telephone, email, and finally letter on January 27, 2009 to inquire whether they would agree to
6 postpone the return date on the subpoena until after the hearing on March 13, 2009. A true and
7 correct copy of my email and attached letter are attached hereto as Exhibit 4.

8 6. On February 2, 2009, counsel for Petitioners responded by email and simply stated
9 that he had been "instructed to proceed on the discovery." A true and correct copy of this February
10 2nd email is attached hereto as Exhibit 5.

11 I declare under penalty of perjury under the laws of the State of California that the foregoing
12 is true and correct.

13 Executed this 10th day of February, 2009, at Los Angeles, California.

14
15 
16 Fredric D. Woocher

EXHIBIT 1

MUSICK, PEELER & GARRETT LLP
ATTORNEYS AT LAW

STUART W. RUDNICK
s.rudnick@mpglaw.com
(213) 629-7821

ONE WILSHIRE BOULEVARD, SUITE 2000
LOS ANGELES, CALIFORNIA 90017-3383

TELEPHONE: (213) 629-7600
FACSIMILE: (213) 624-1376
WWW.MUSICKPEELER.COM

LOS ANGELES
ORANGE COUNTY
SAN DIEGO
SAN FRANCISCO
SANTA BARBARA
WESTLAKE VILLAGE

FACSIMILE TRANSMISSION

Date: January 16, 2009

		<u>Telephone</u>	<u>Facsimile</u>
To:	Fredric D. Woocher, Esq. STRUMWASSER & WOOCHER, LLP	(310) 576-1233	(310) 319-0156
From:	Stuart W. Rudnick	(213) 629-7821	(213) 624-1376
Re:			

Message:

Number of pages (Incl. this page): 3 //

Original to follow by mail Original will NOT follow

If You Do Not Receive All Pages, Please Call 213-629-7888

CONFIDENTIALITY NOTICE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PROTECTED BY THE ATTORNEY-CLIENT AND/OR THE ATTORNEY/WORK PRODUCT PRIVILEGES. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL NAMED ABOVE, AND THE PRIVILEGES ARE NOT WAIVED BY VIRTUE OF THIS HAVING BEEN SENT BY FACSIMILE. IF THE PERSON ACTUALLY RECEIVING THIS FACSIMILE OR ANY OTHER READER OF THE FACSIMILE IS NOT THE NAMED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE RECIPIENT, ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE POSTAL SERVICE. THANK YOU.

MUSICK, PEELER & GARRETT LLP
ATTORNEYS AT LAW

STUART W. RUDNICK
s.rudnick@mpglaw.com
(213) 629-7821

ONE WILSHIRE BOULEVARD, SUITE 2000
LOS ANGELES, CALIFORNIA 90017-3383

TELEPHONE: (213) 629-7600
FACSIMILE: (213) 624-1376
WWW.MUSICKPEELER.COM

LOS ANGELES
ORANGE COUNTY
SAN DIEGO
SAN FRANCISCO
SANTA BARBARA
WESTLAKE VILLAGE

FILE NO. 002859 025

January 16, 2009

VIA FACSIMILE & U.S. MAIL

Fredric D. Woocher, Esq.
STRUMWASSER & WOOCHER, LLP
10940 Wilshire Blvd., Suite 2000
Los Angeles, CA 90024

Re: Barack Obama/Occidental College

Dear Mr. Woocher:

This firm is counsel to Occidental College. The College is in receipt of the enclosed subpoena that seeks certain information concerning President-Elect Barack Obama. The requested information constitutes education records pursuant to the Family Education Rights and Privacy Act (FERPA) 20 U.S.C. §1232g. Inasmuch as the subpoena appears to be valid on its face, the College will have no alternative but to comply with the subpoena absent a court order instructing otherwise. During our conversation of this date you indicated that you intend to file a motion to quash and we would appreciate it if you would keep us apprised.

As always, should you have any questions concerning the foregoing, please feel free to contact me.

Very truly yours,



Stuart W. Rudnick
for MUSICK, PEELER & GARRETT LLP

SWR:mab
Enclosure
623096.1

FROM

(THU) JAN 15 2009 14:43; ST. 14'42; No. 6839456911 P 2

SUBP-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): GARY G. KREEP, ESQ. (SBN 066482) LAW OFFICE OF GARY G. KREEP 932 D STREET, SUITE 2 RAMONA, CA 92065 TELEPHONE NO. (760) 788-6624 FAX NO. (Optional) (760) 788-6414 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): KEYES, DRAKE, AND ROBINSON	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA COUNTY OF SACRAMENTO STREET ADDRESS: 720 Ninth Street, Room 102 MAILING ADDRESS: same as above CITY AND ZIP CODE Sacramento, CA 95814-1380 BRANCH NAME: GORDON D. SCHABER COURTHOUSE	
PLAINTIFF/ PETITIONER: KEYES, DRAKE, AND ROBINSON DEFENDANT/ RESPONDENT: BOWEN, OBAMA, BIDEN, ET AL.	
DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS	CASE NUMBER: 34-2008-80000096-CO-WM-GDS

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
CUSTODIAN OF RECORDS, OCCIDENTAL COLLEGE
1600 CAMPOS ROAD, LOS ANGELES, CA 90041, PHONE: (323) 259-2500

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:

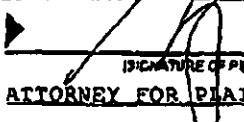
To (name of deposition officer): GARY G. KREEP On (date): 2/16/09 At (time): 10:00 a.m. Location (address): 932 D STREET, SUITE 2, RAMONA, CA 92065 Do not release the requested records to the deposition officer prior to the date and time stated above.
--

- a. by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1
 - b. by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
 - c. by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records shall be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
3. The records to be produced are described as follows: Academic and housing records of Barack Hussein Obama, including but not limited to approximately two years from September 1979 to June 1981
 Continued on Attachment 3.
4. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: 1/15/09

GARY G. KREEP
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PERSON ISSUING SUBPOENA)
ATTORNEY FOR PLAINTIFFS
 (TITLE)

(Proof of service on reverse)

EPCM

(THU) JAN 15 2009 14:43/ST. 14:42. No. 6839456911 P 3

1 Case Title: **KEYES, et al., v. BOWEN, OBAMA, et al.**

2 Case No. **34-2008-80000096-CU-WM-GDS**

3

4

AFFIDAVIT

5 These documents are material to the issues in this case in that they are relevant to the following
6 issues in this litigation:

7 The gravamen of the Petition is the question as to whether United States Senator Barack Hussein
8 Obama, of Illinois, is eligible to serve as President of the United States pursuant to the requirements for
9 that office in the United States Constitution. The records sought may provide documentary evidence,
10 and/or admissions by said Defendant, as to said eligibility or lack thereof.

11 Senator Obama has filed responsive pleadings in this matter and is represented by counsel, and
12 has the opportunity to object to this production, should he so desire.

13 Good cause exists for this production under Subpoena Duces Tecum, in that testimony will be
14 elicited from the original records obtained through the witness named herein, and there is no other
15 process available to secure said testimony.

16

Respectfully submitted,

17

Dated: January 15, 2009

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GARY C. KREPP

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FROM

(THU) JAN 15 2009 14:14/ST. 14:42/No. 6839456911 P 4

SUBP-025

<small>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):</small> GARY G. KREEP, ESQ. (SBN 066482) LAW OFFICE OF GARY G. KREEP 932 D STREET, SUITE 2 RAMONA, CA 92065 <small>TELEPHONE NO. (760) 788-6624 FAX NO. (760) 788-6414</small>		<small>FOR COURT USE ONLY</small>
<small>C MAIL ADDRESS (Optional):</small> <small>ATTORNEY FOR (Name):</small> KEYES, DRAKE, AND ROBINSON SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO <small>STREET ADDRESS:</small> 720 Ninth Street, Room 102 <small>MAILING ADDRESS:</small> Same as above <small>CITY AND ZIP CODE:</small> Sacramento, CA 95814-1380 <small>BRANCH NAME:</small> GORDON D. SCHABER COURTHOUSE		
<small>PLAINTIFF/PETITIONER:</small> KEYES, DRAKE, AND ROBINSON <small>DEFENDANT/RESPONDENT:</small> BOWEN, OBAMA, BIDEN, ET AL. NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION <small>(Code Civ. Proc., §§ 1985.3, 1985.6)</small>		<small>CASE NUMBER:</small> 34-2008-80000096-CU-WM

NOTICE TO CONSUMER OR EMPLOYEE

TO (name): **Senator Barack Hussein Obama**

- PLEASE TAKE NOTICE THAT REQUESTING PARTY (name): **GARY G. KREEP** SEEKS YOUR RECORDS FOR EXAMINATION by the parties to this action on (specify date):
The records are described in the subpoena directed to witness (specify name and address of person or entity from whom records are sought): **CUSTODIAN OF RECORDS, OCCIDENTAL COLLEGE, 1600 CAMPUS RD, LA, CA 90041**
A copy of the subpoena is attached.
- IF YOU OBJECT to the production of these records, YOU MUST DO ONE OF THE FOLLOWING BEFORE THE DATE SPECIFIED, IN ITEM a. OR b. BELOW:
 - If you are a party to the above-entitled action, you must file a motion pursuant to Code of Civil Procedure section 1987.1 to quash or modify the subpoena and give notice of that motion to the witness and the deposition officer named in the subpoena at least five days before the date set for production of the records.
 - If you are not a party to this action, you must serve on the requesting party and on the witness, before the date set for production of the records, a written objection that states the specific grounds on which production of such records should be prohibited. You may use the form below to object and state the grounds for your objection. You must complete the Proof of Service on the reverse side indicating whether you personally served or mailed the objection. The objection should not be filed with the court. **WARNING: IF YOUR OBJECTION IS NOT RECEIVED BEFORE THE DATE SPECIFIED IN ITEM 1, YOUR RECORDS MAY BE PRODUCED AND MAY BE AVAILABLE TO ALL PARTIES.**
- YOU OR YOUR ATTORNEY MAY CONTACT THE UNDERSIGNED to determine whether an agreement can be reached in writing to cancel or limit the scope of the subpoena. If no such agreement is reached, and if you are not otherwise represented by an attorney in this action, YOU SHOULD CONSULT AN ATTORNEY TO ADVISE YOU OF YOUR RIGHTS OF PRIVACY.

Date: 1/15/09

GARY G. KREEP

(TYPE OR PRINT NAME)

(SIGNATURE OF REQUESTING PARTY ATTORNEY)

OBJECTION BY NON-PARTY TO PRODUCTION OF RECORDS

- I object to the production of all of my records specified in the subpoena.
- I object only to the production of the following specified records:
- The specific grounds for my objection are as follows:

Date:

(TYPE OR PRINT NAME)

(Proof of service on reverse)

(SIGNATURE)

FROM (THU) JAN 15 2009 14:44/ST. 14'12/No. 5639456911 P 5

SUBP-026

PLAINTIFF/PETITIONER: KEYES, DRAKE, AND ROBINSON
DEFENDANT/RESPONDENT: BOWEN, OBAMA, BIDEN, ET AL. CASE NUMBER: 34-2008-80000096-CU-WM

PROOF OF SERVICE OF NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION
(Code Civ. Proc., §§ 1985.3, 1985.6)

Personal Service Mail

- 1. At the time of service I was at least 18 years of age and not a party to this legal action.
- 2. I served a copy of the Notice to Consumer or Employee and Objection as follows (check either a or b):
 - a. Personal service. I personally delivered the Notice to Consumer or Employee and Objection as follows:
 - (1) Name of person served:
 - (2) Address where served:
 - (3) Date served:
 - (4) Time served:
 - b. Mail. I deposited the Notice to Consumer or Employee and Objection in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:
 - (1) Name of person served: **SEE ATTACHED SERVICE LIST**
 - (2) Address:
 - (3) Date of mailing: 1/15/09
 - (4) Place of mailing (city and state):
Ramona, California
 - (5) I am a resident of or employed in the county where the Notice to Consumer or Employee and Objection was mailed.
- c. My residence or business address is (specify): 932 D Street, Suite 2, Ramona, CA
- d. My phone number is (specify): (760) 787-9907

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Date: January 15, 2009

DONNA SMITH
(TYPE OR PRINT NAME OF PERSON WHO SERVED)


(SIGNATURE OF PERSON WHO SERVED)

PROOF OF SERVICE OF OBJECTION TO PRODUCTION OF RECORDS
(Code Civ. Proc., §§ 1985.3, 1985.6)

Personal Service Mail

- 1. At the time of service I was at least 18 years of age and not a party to this legal action.
 - 2. I served a copy of the Objection to Production of Records as follows (complete either a or b):
 - a. ON THE REQUESTING PARTY
 - (1) Personal service. I personally delivered the Objection to Production of Records as follows:
 - (i) Name of person served:
 - (ii) Date served:
 - (iii) Address where served:
 - (iv) Time served:
 - (2) Mail. I deposited the Objection to Production of Records in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:
 - (i) Name of person served:
 - (ii) Address:
 - (iii) Date of mailing:
 - (iv) Place of mailing (city and state):
 - (v) I am a resident of or employed in the county where the Objection to Production of Records was mailed.
 - b. ON THE WITNESS
 - (1) Personal service. I personally delivered the Objection to Production of Records as follows:
 - (i) Name of person served:
 - (ii) Date served:
 - (iii) Address where served:
 - (iv) Time served:
 - (2) Mail. I deposited the Objection to Production of Records in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:
 - (i) Name of person served:
 - (ii) Address:
 - (iii) Date of mailing:
 - (iv) Place of mailing (city and state):
 - (v) I am a resident of or employed in the county where the Objection to Production of Records was mailed.
 - 3. My residence or business address is (specify):
 - 4. My phone number is (specify):
- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Date:

(TYPE OR PRINT NAME OF PERSON WHO SERVED)


(SIGNATURE OF PERSON WHO SERVED)

FROM

(THU) JAN 15 2009 14:44/ST. 14.42. No. 6839456911 P 6

Keyes, Drake & Robinson v. CA Secretary of State, et al.
Sacramento County Superior Court
Case No. 34-2008-80000096-CU-WM-GDS

Attachment to:
Notice to Consumer or Employee

LIST OF SERVICE

Fredric D. Woocher, Esq.
Strumwasser & Woocher, LLP
10940 Wilshire Blvd., Suite 2000
Los Angeles, CA 90024
(Ally for Barack Obama)

Edmund G. Brown, Jr.
Attorney General of State of California
Christopher E. Krueger, Sr., AAG
Jonathan K. Renner, Supervising DAG
Peter A. Krause, DAG
1301 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
(Ally for Secretary of State Debra Bowen)

FROM

(THU) JAN 15 2009 14:45/ST. 14:42/No. 5899456911 P 8

1 To: **THE CUSTODIAN OF RECORDS FOR OCCIDENTAL COLLEGE:**

2 I certify under penalty of perjury under the laws of the State of California that, with respect to
3 the attached Deposition Subpoena Duces Tecum, I have given notice pursuant to Code of Civil
4 Procedure §1985.3 to Defendant, **BARACK HUSSEIN OBAMA.**

5 Dated: January 15, 2009
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8 **GARY G. KREER**
9 Attorney for Plaintiffs
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FROM

(THU) JAN 15 2009 14:45/ST. 14:42. No. 683945691 P 9

Superior Court of California, County of Sacramento 720 Ninth Street, Sacramento, CA 95814		For Court Use Only	
Attorney(s) Name and Address Orly Taltz, Esq. (SBN 223433) 26302 La Paz, Mission Viejo, CA 92691 Mission Viejo, CA 92691		Telephone: (949) 683-5411 fax: (949) 586-8110	
Gary G. Kreep, Esq. (SBN 066482) Law Office of Gary G. Kreep 932 D Street, Suite 2, Ramona, CA 92065		Telephone: 760) 787-9907 fax: (760) 788-6414	
Attorney for: Petitioners			
Title of Case Abbreviated: Keyes, Drake, & Robinson v. Bowen, et al.			
Hearing Date:	Hearing Time:	Dept: 31	Case No. 34-2008-8000096-CU-WM-GDS

DECLARATION OF SERVICE

I, **DONNA SMITH**, declare, that: I am over the age of eighteen years and not a party to the action; I am employed in the County of San Diego, California, in which county and within-mentioned mailing occurred; my business address is 932 D Street, Ramona, California 92065. I am familiar with the practice for collection and processing of correspondence for mailing of this office pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day in the ordinary course of business. On January 15, 2009, I caused to be served the following document(s):

DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS - Occidental College, with attached AFFIDAVIT; NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION; CERTIFICATE OF COMPLIANCE

BY MAIL: I placed a true copy thereof in a separate envelope for each addressee as indicated above on January 15, 2009. It was deposited with the U.S. Postal Service on that same day and addressed to the below-listed parties;

BY FACSIMILE SERVICE: By facsimile transmission, pursuant to California Rules of Court 2008, from fax number (760) 788-6414, on January 15, 2009, I caused to be transmitted a true and correct copy thereof. The facsimile machine I used complied with CRC 2008 and no error was reported by the machine. Pursuant to CRC 2008, I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration.

See attached **LIST OF SERVICE**.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on January 15, 2009, at Ramona, California.

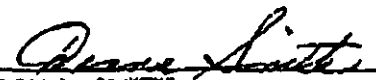

DONNA SMITH
 Declarant

EXHIBIT 2

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): GARY G. KREEP, ESQ. (SBN 066482) LAW OFFICE OF GARY G. KREEP 932 D STREET, SUITE 2 RAMONA, CA 92065 TELEPHONE NO (760) 788-6624 FAX NO (Optional) (760) 788-6414 E-MAIL ADDRESS (Optional) ATTORNEY FOR (Name) KEYES, DRAKE, AND ROBINSON	FOR COURT USE ONLY CASE NUMBER: 34-2008-8000096-CU-WM-GDS
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO STREET ADDRESS 720 Ninth Street, Room 102 MAILING ADDRESS: same as above CITY AND ZIP CODE Sacramento, CA 95814-1380 BRANCH NAME GORDON D. SCHABER COURTHOUSE	
PLAINTIFF/ PETITIONER: KEYES, DRAKE, AND ROBINSON	
DEFENDANT/ RESPONDENT. BOWEN, OBAMA, BIDEN, ET AL.	
DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
CUSTODIAN OF RECORDS, OCCIDENTAL COLLEGE
1600 CAMPUS ROAD, LOS ANGELES, CA 90041, PHONE: (323) 259-2500

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:

To (name of deposition officer): GARY G. KREEP	
On (date): 2/16/09	At (time): 10:00 a.m.
Location (address): 932 D STREET, SUITE 2, RAMONA, CA 92065	
Do not release the requested records to the deposition officer prior to the date and time stated above.	

- a. by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
- b. by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
- c. by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records shall be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
3. The records to be produced are described as follows: Academic and housing records of Barack Hussein Obama, including but not limited to approximately two years from September 1979 to June 1981
 Continued on Attachment 3.
4. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: **1/15/09**

GARY G. KREEP

(TYPE OR PRINT NAME)



(SIGNATURE OF PERSON ISSUING SUBPOENA)

ATTORNEY FOR PLAINTIFFS

(TITLE)

(Proof of service on reverse)

Page 1 of 2

1 Case Title: KEYES, et al., v. BOWEN, OBAMA, et al.

2 Case No. 34-2008-80000096-CU-WM-GDS

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4

AFFIDAVIT

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These documents are material to the issues in this case in that they are relevant to the following issues in this litigation:

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The gravamen of the Petition is the question as to whether United States Senator Barack Hussein Obama, of Illinois, is eligible to serve as President of the United States pursuant to the requirements for that office in the United States Constitution. The records sought may provide documentary evidence, and/or admissions by said Defendant, as to said eligibility or lack thereof.

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Senator Obama has filed responsive pleadings in this matter and is represented by counsel, and has the opportunity to object to this production, should he so desire.

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Good cause exists for this production under Subpoena Duces Tecum, in that testimony will be elicited from the original records obtained through the witness named herein, and there is no other process available to secure said testimony.

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Respectfully submitted,

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Dated: January 15, 2009

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GARY G. KREED

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) GARY G. KREEP, ESQ. (SBN 066482) LAW OFFICE OF GARY G. KREEP 932 D STREET, SUITE 2 RAMONA, CA 92065 TELEPHONE NO (760) 788-6624 FAX NO (Optional) (760) 788-6414 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name) KEYES, DRAKE, AND ROBINSON	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO STREET ADDRESS: 720 Ninth Street, Room 102 MAILING ADDRESS same as above CITY AND ZIP CODE Sacramento, CA 95814-1380 BRANCH NAME: GORDON D. SCHABER COURTHOUSE	
PLAINTIFF/ PETITIONER: KEYES, DRAKE, AND ROBINSON DEFENDANT/ RESPONDENT: BOWEN, OBAMA, BIDEN, ET AL.	
NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION (Code Civ. Proc., §§ 1985.3, 1985.6)	

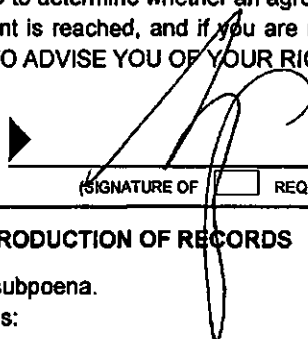
NOTICE TO CONSUMER OR EMPLOYEE

TO (name): Senator Barack Hussein Obama

- PLEASE TAKE NOTICE THAT REQUESTING PARTY (name): GARY G. KREEP SEEKS YOUR RECORDS FOR EXAMINATION by the parties to this action on (specify date):
 The records are described in the subpoena directed to witness (specify name and address of person or entity from whom records are sought): CUSTODIAN OF RECORDS, OCCIDENTAL COLLEGE, 1600 CAMPUS RD, LA, CA 90041
 A copy of the subpoena is attached.
- IF YOU OBJECT to the production of these records, YOU MUST DO ONE OF THE FOLLOWING BEFORE THE DATE SPECIFIED. IN ITEM a. OR b. BELOW:
 - If you are a party to the above-entitled action, you must file a motion pursuant to Code of Civil Procedure section 1987.1 to quash or modify the subpoena and give notice of that motion to the witness and the deposition officer named in the subpoena at least five days before the date set for production of the records.
 - If you are not a party to this action, you must serve on the requesting party and on the witness, before the date set for production of the records, a written objection that states the specific grounds on which production of such records should be prohibited. You may use the form below to object and state the grounds for your objection. You must complete the Proof of Service on the reverse side indicating whether you personally served or mailed the objection. The objection should not be filed with the court. **WARNING: IF YOUR OBJECTION IS NOT RECEIVED BEFORE THE DATE SPECIFIED IN ITEM 1, YOUR RECORDS MAY BE PRODUCED AND MAY BE AVAILABLE TO ALL PARTIES.**
- YOU OR YOUR ATTORNEY MAY CONTACT THE UNDERSIGNED to determine whether an agreement can be reached in writing to cancel or limit the scope of the subpoena. If no such agreement is reached, and if you are not otherwise represented by an attorney in this action, YOU SHOULD CONSULT AN ATTORNEY TO ADVISE YOU OF YOUR RIGHTS OF PRIVACY.

Date: 1/15/09

GARY G. KREEP
(TYPE OR PRINT NAME)



(SIGNATURE OF REQUESTING PARTY ATTORNEY)

OBJECTION BY NON-PARTY TO PRODUCTION OF RECORDS

- I object to the production of all of my records specified in the subpoena.
- I object only to the production of the following specified records:
- The specific grounds for my objection are as follows:

Date:

(TYPE OR PRINT NAME)

(Proof of service on reverse)

(SIGNATURE)

PLAINTIFF/PETITIONER: KEYES, DRAKE, AND ROBINSON DEFENDANT/RESPONDENT: BOWEN, OBAMA, BIDEN, ET AL.	CASE NUMBER: 34-2008-80000096-CU-WM
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PROOF OF SERVICE OF NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION

(Code Civ. Proc., §§ 1985.3, 1985.6)

Personal Service Mail

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. I served a copy of the *Notice to Consumer or Employee and Objection* as follows (check either a or b):
 - a. Personal service. I personally delivered the *Notice to Consumer or Employee and Objection* as follows:

(1) Name of person served:	(3) Date served:
(2) Address where served:	(4) Time served:
 - b. Mail. I deposited the *Notice to Consumer or Employee and Objection* in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(1) Name of person served: SEE ATTACHED SERVICE LIST	(3) Date of mailing: 1/15/09
(2) Address:	(4) Place of mailing (city and state): Ramona, California

(5) I am a resident of or employed in the county where the *Notice to Consumer or Employee and Objection* was mailed.
 - c. My residence or business address is (specify): 932 D Street, Suite 2, Ramona, CA
 - d. My phone number is (specify): (760) 787-9907

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 15, 2009

DONNA SMITH

(TYPE OR PRINT NAME OF PERSON WHO SERVED)



Donna Smith

(SIGNATURE OF PERSON WHO SERVED)

PROOF OF SERVICE OF OBJECTION TO PRODUCTION OF RECORDS

(Code Civ. Proc., §§ 1985.3, 1985.6)

Personal Service Mail

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. I served a copy of the *Objection to Production of Records* as follows (complete either a or b):
 - a. ON THE REQUESTING PARTY
 - (1) Personal service. I personally delivered the *Objection to Production of Records* as follows:

(i) Name of person served:	(iii) Date served:
(ii) Address where served:	(iv) Time served:
 - (2) Mail. I deposited the *Objection to Production of Records* in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(i) Name of person served:	(iii) Date of mailing:
(ii) Address:	(iv) Place of mailing (city and state):

(v) I am a resident of or employed in the county where the *Objection to Production of Records* was mailed.
 - b. ON THE WITNESS
 - (1) Personal service. I personally delivered the *Objection to Production of Records* as follows:

(i) Name of person served:	(iii) Date served:
(ii) Address where served:	(iv) Time served:
 - (2) Mail. I deposited the *Objection to Production of Records* in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(i) Name of person served:	(iii) Date of mailing:
(ii) Address:	(iv) Place of mailing (city and state):

(v) I am a resident of or employed in the county where the *Objection to Production of Records* was mailed.
3. My residence or business address is (specify):
4. My phone number is (specify):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF PERSON WHO SERVED)

(SIGNATURE OF PERSON WHO SERVED)

Keyes, Drake & Robinson v. CA Secretary of State, et al.
Sacramento County Superior Court
Case No. 34-2008-80000096-CU-WM-GDS

Attachment to:
Notice to Consumer or Employee

LIST OF SERVICE

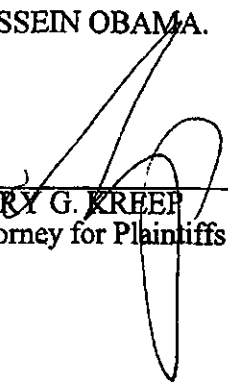
Fredric D. Woocher, Esq.
Strumwasser & Woocher, LLP
10940 Wilshire Blvd., Suite 2000
Los Angeles, CA 90024
(Atty for Barack Obama)

Edmund G. Brown, Jr.
Attorney General of State of California
Christopher E. Krueger, Sr., AAG
Jonathan K. Renner, Supervising DAG
Peter A. Krause, DAG
1301 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
(Atty for Secretary of State Debra Bowen)

1 To: **THE CUSTODIAN OF RECORDS FOR OCCIDENTAL COLLEGE:**

2 I certify under penalty of perjury under the laws of the State of California that, with respect to
3 the attached Deposition Subpoena Duces Tecum, I have given notice pursuant to Code of Civil
4 Procedure §1985.3 to Defendant, BARACK HUSSEIN OBAMA.

5 Dated: January 15, 2009
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8 GARY G. KREEP
9 Attorney for Plaintiffs
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Superior Court of California, County of Sacramento 720 Ninth Street, Sacramento, CA 95814		For Court Use Only	
Attorney(s) Name and Address Orly Taitz, Esq. (SBN 223433) 26302 La Paz, Mission Viejo, CA 92691 Mission Viejo, CA 92691		Telephone: (949) 683-5411 fax: (949) 586-8110	
Gary G. Kreep, Esq. (SBN 066482) Law Office of Gary G. Kreep 932 D Street, Suite 2, Ramona, CA 92065		760) 787-9907 fax: (760) 788-6414	
Attorney for: Petitioners			
Title of Case Abbreviated: Keyes, Drake, & Robinson v. Bowen, et al.			
Hearing Date:	Hearing Time:	Dept: 31	Case No. 34-2008-8000096-CU-WM-GDS

DECLARATION OF SERVICE

I, **DONNA SMITH**, declare, that: I am over the age of eighteen years and not a party to the action; I am employed in the County of San Diego, California, in which county and within-mentioned mailing occurred; my business address is 932 D Street, Ramona, California 92065. I am familiar with the practice for collection and processing of correspondence for mailing of this office pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day in the ordinary course of business. On January 15, 2009, I caused to be served the following document(s):

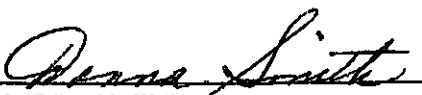
DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS - Occidental College, with attached AFFIDAVIT; NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION; CERTIFICATE OF COMPLIANCE

xxx **BY MAIL:** I placed a true copy thereof in a separate envelope for each addressee as indicated above on January 15, 2009. It was deposited with the U.S. Postal Service on that same day and addressed to the below-listed parties;

 BY FACSIMILE SERVICE: By facsimile transmission, pursuant to California Rules of Court 2008, from fax number (760) 788-6414, on January 15, 2009, I caused to be transmitted a true and correct copy thereof. The facsimile machine I used complied with CRC 2008 and no error was reported by the machine. Pursuant to CRC 2008, I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration.

See attached LIST OF SERVICE.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on January 15, 2009, at Ramona, California.


DONNA SMITH
 Declarant

Keyes, Drake, Robinson v. Bowen, Obama, et al.
Sacramento County Superior Court
720 Ninth Street, Sacramento, CA 95814
Case No. 34-2008-80000096-CU-WM-GDS

ATTACHMENT TO PROOF OF SERVICE

List of Service
(Served 1/15/09)

Edmund G. Brown, Jr.
Attorney General of State of California
Christopher E. Krueger, Sr., AAG
Jonathan K. Renner, Supervising DAG
Peter A. Krause, DAG
1301 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
(Atty for Secretary of State Debra Bowen)

Fredric D. Woocher, Esq.
Strumwasser & Woocher, LLP
10940 Wilshire Blvd., Suite 2000
Los Angeles, CA 90024
[Atty for Barack Obama]

EXHIBIT 3

Fredric Woocher

From: Fredric Woocher
Sent: Friday, January 16, 2009 8:08 PM
To: 'gkreep@sbcglobal.net'; 'usjf@usjf.net'
Cc: Michael Strumwasser; Aimee Dudovitz
Subject: Keyes v. Bowen – Subpoena to Occidental College Custodian of Records

Gary:

We just received the service copy of the Deposition Subpoena for Production of Business Records that you intend to serve upon the Custodian of Records for Occidental College. It will likely not surprise you to hear that President-elect Obama opposes the production of the requested records. In order to avoid the needless expense of our bringing and litigating a Motion to Quash the subpoena, I am writing to ask whether you would be willing to agree voluntarily to cancel or withdraw the subpoena, at least until such time as the Superior Court rules upon the pending demurrers and motion for judgment on the pleadings? Such cancellation or withdrawal would be without prejudice to your right to re-issue the subpoena should the litigation remain alive following the court's ruling on those motions, and likewise without prejudice to our right to object to and to move to quash the subpoena should it be re-issued.

Since time may be short for us to file a motion to quash, please let us know if you are willing to agree to the cancellation or withdrawal of the subpoena as soon as possible, but in no event no later than the close of business on Monday, January 26, 2009.

Thank you,

Fredric D. Woocher
Strumwasser & Woocher LLP
10940 Wilshire Blvd., Ste. 2000
Los Angeles, CA 90024
fwoocher@strumwooch.com
(310) 576-1233

EXHIBIT 4

Fredric Woocher

From: Fredric Woocher
Sent: Tuesday, January 27, 2009 4:09 PM
To: 'gkreep@sbcglobal.net'
Subject: Obama v. Keyes
Attachments: Letter to Kreep - 1-27-09.pdf

Gary:

Per your request, please see the attached letter.

I look forward to hearing from you tomorrow.

Fredric D. Woocher
Strumwasser & Woocher LLP
10940 Wilshire Blvd., Ste. 2000
Los Angeles, CA 90024
fwoocher@strumwooch.com
(310) 576-1233

STRUMWASSER & WOOCHER LLP

ATTORNEYS AT LAW

10940 WILSHIRE BOULEVARD, SUITE 2000
LOS ANGELES, CALIFORNIA 90024

TELEPHONE: (310) 576-1233
FACSIMILE: (310) 319-0156

FREDRIC D. WOOCHER
MICHAEL J. STRUMWASSER
GREGORY G. LUKE †‡
AJMEE E. DUDOVITZ
BRYCE A. GEE
BEVERLY GROSSMAN PALMER
APARNA SRIDHAR †

†Also admitted to practice in New York
‡Also admitted to practice in Massachusetts

January 27, 2009

VIA FACSIMILE & U.S. MAIL

Gary Kreep
The Law Office of Gary Kreep
932 "D" Street, Suite 2
Ramona, California 92065
Facsimile: (760) 788-6414

Re: *Keyes, et al. v. Bowen, et al.*
Sacto. Super. Ct. Case No. 34-200880000096-CU-WM-GDS

Dear Gary:

This letter, per your request, will confirm our telephone conversation of earlier today.

I contacted you regarding two outstanding matters:

(1) On January 16, I wrote to you — pursuant to your request to put the proposal in writing — regarding our proposal to postpone the briefing and hearing on the merits of the petition for writ of mandate until the Superior Court had an opportunity to rule upon the pending demurrers and motion for judgment on the pleadings filed by my clients and by the Secretary of State. The purpose of that proposal was to save all parties from wasting time and resources on the merits briefing while simultaneously briefing these potentially case-dispositive motions. We still have not received any response from you to that proposal.

(2) On that same date of January 16, upon learning of the subpoena that you served or intended to serve upon Occidental College for certain of President Obama's student records, I immediately e-mailed you and requested that you voluntarily cancel or withdraw the subpoena, at least until such time as the Superior Court rules upon the pending demurrers and motion for judgment on the pleadings. I explained that if you refused to do so, we would be forced to incur the time and expense in filing a motion to quash, and I asked for a response from you no later than the close of business on Monday, January 26, due to the impending deadlines for filing a motion to quash. You failed to respond by that date, and today you informed me that you still had no response for me from your clients.

We need to have your clients' response to the above requests. If we do not hear from you

Gary Kreep
January 16, 2009
Page 2

by the close of business tomorrow, we will have to assume that your clients are not willing to agree to either proposal, and we will proceed accordingly. Please be advised, in particular, that in the event we are forced to file a motion to quash and we prevail in that motion, we will seek the full measure of monetary sanctions provided for in the Code of Civil Procedure.

Sincerely,

A handwritten signature in black ink, appearing to read "Fredric D. Woocher". The signature is written in a cursive style with a large initial "F".

Fredric D. Woocher

cc: Peter Krause, Esq.

EXHIBIT 5

Fredric Woocher

From: Gary Kreep [gkreep@sbcglobal.net]
Sent: Monday, February 02, 2009 12:13 AM
To: Fredric Woocher
Subject: Obama v. Keyes

Mr. Woocher,

I apologize for the delay in responding to your letter, but I was out of the office ill much of last week, including part of Wednesday and Thursday, and I was in Orange County Superior Court most of Friday. I will sign and fax back to you Monday the stipulation regarding the continuance of the hearing on the writ, so that we can concentrate on the pending motions.

Without waiving attorney-client privilege, I have instructed to proceed on the discovery.

In His Name,

Gary G. Kreep
The Law Office of Gary G. Kreep
932 D Street Suite 2
Ramona, CA 92065
(760)787-9907 / (760)788-6414 fax

The information contained in this email is or may be attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this email is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. Due to the nature of the email, there is no guarantee that this message has not been edited after receipt.

From: Fredric Woocher [mailto:fwoocher@strumwooch.com]
Sent: Tuesday, January 27, 2009 4:09 PM
To: gkreep@sbcglobal.net
Subject: Obama v. Keyes

Gary:

Per your request, please see the attached letter.

I look forward to hearing from you tomorrow.

Fredric D. Woocher
Strumwasser & Woocher LLP
10940 Wilshire Blvd., Ste. 2000
Los Angeles, CA 90024
fwoocher@strumwooch.com
(310) 576-1233