DISTRICT ATTORNEY

OF THE

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October 18, 2005

Gary S. Fish, Esq. 15 Maiden Lane Suite 1108 New York, New York 10038

> Re: Morgan Pillsbury v. John Fund Index No. 121868/02

Dear Mr. Fish:

As we discussed by telephone on July 7, 2005, I asked our Records Unit to conduct another search for the District Attorney's case file in the above matter. They were not able to locate the case file; and any photographs related to the case would have been stored in the file. As a result, I am writing to advise you that we were not able to produce any photographs of complainant Morgan Pillsbury in the case of the People v. John Fund, Docket No. 2002NY012199. Accordingly, I am returning your checks (nos. 721 and 797) payable to the district attorney each in the amount of eighteen dollars (\$18.00).

Very truly yours,

Charles Times

Charles E. King, III Assistant District Attorney 212-335-4037 (direct dial) 212-335-4390 (facsimile) kinge@dany.nyc.gov

Frederick Kessler, Esq.
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