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August 29, 2006

E-Filed & Mailed

Hon. William B. Shubb
U.S. Courthouse
501 "I" Street
Sacramento, CA 95814

Re: United States v. Amr Mohsen, CR-03-0095-WBS

Dear Judge Shubb:

We have discussed your rulings at the Friday August 25 hearing and reviewed your minutes of that hearing and your Order of August 28.

This letter will confirm that we will not be substituting in as counsel for the hearing on the new trial motions. Given your ruling that we would not be permitted to present any additional briefing on the new trial motions filed by current counsel and by Dr. Mohsen in proper, nor raise any claims not already developed in their motions before the court, and your ruling denying additional time to review the record, we have concluded that we could not adequately or effectively serve as Dr. Mohsen's retained counsel as to the new trial motions.

Thank you for your attention to this matter, and for your consideration of our request.

Sincerely,



DENNIS P. RIORDAN

MARC J. ZILVERSMIT

/mjz

cc: see Proof of Service

PROOF OF SERVICE BY MAIL -- 1013(a), 2015.5 C.C.P.

Re: United States v. Amr Mohsen No. CR 03-0095 WBS

I am a citizen of the United States; my business address is 523 Octavia Street, San Francisco, California 94102. I am employed in the City and County of San Francisco, where this mailing occurs; I am over the age of eighteen years and not a party to the within cause. I served the within:

August 29, 2006 Letter to Judge Shubb

on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at San Francisco, California, addressed as follows:

Robin L. Harris
Assistant U. S. Attorney
450 Golden Gate Avenue, 11th Floor
San Francisco, CA 94102


John Balazs
Attorney at Law
916 2nd Street, 2nd Floor
Sacramento, CA 95814

BY MAIL: By depositing said envelope, with postage thereon fully prepaid, in the United States mail in San Francisco, California, addressed to said party(ies);

BY PERSONAL SERVICE: By causing said envelope to be personally served on said party(ies), as follows: **FEDEX** **HAND DELIVERY**

I certify or declare under penalty of perjury that the foregoing is true and correct.

Executed on August 29, 2006 at San Francisco, California.



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