

August 12, 2007

In regards to: Southern District of Ohio, Case No. 2:07 CV 729, CareToLive v. FDA, et al.

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Dear Doctors and Advisory Panel Members,

Please be advised that I am counsel for CareToLive, a not for profit corporation. As you may already be aware, I have filed a legal complaint against the FDA, Howard Scher and Richard Pazdur, on behalf of my clients. The complaint is available on CareToLive.com.

First I would like to thank all of you for seeing the merits of Provenge and for voting that it is safe and shows substantial evidence of efficacy. My clients have come to regard you as "The Courageous 13". We believe that you did the right thing in the face of what we understand to have been efforts to pressure you to vote against Provenge at the FDA Advisory Committee.

We are interested in obtaining affidavits or depositions from each of you regarding your participation at the Provenge Biologics License Application Advisory Committee. We feel the "leaked" letters written by Drs. Scher, Hussain and Fleming and published by Goldberg's The Cancer Letter, were an abomination of a process gone awry.

I would like to provide you with questions and requests for information. Upon receiving your answers I would then craft an affidavit that could be edited by you accordingly. I will then, hopefully, be able to use these affidavits in court in lieu of taking personal depositions from you and thereby hopefully avoid the necessity of your attendance at any court hearings.

If you prefer not to do affidavits, but would rather have me take your deposition in person, please contact me to schedule a place and time that might be the most convenient for you.

We believe that your testimony may be a crucial part of our very important case. We hope you will help us to obtain justice and reform at the FDA. If you have questions or concerns, please call me at (614) 761-0402 or e-mail me at [DonahueDublin@aol.com](mailto:DonahueDublin@aol.com).

Thank you for your prompt attention to this matter.

Sincerely,

Kerry M. Donahue