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**From:** Andre, Abigail (ENRD) [<mailto:Abigail.Andre@usdoj.gov>]  
**Sent:** Tuesday, June 17, 2014 3:27 PM  
**To:** Israel, Brian D.  
**Subject:** RE: 30(b)(6) followup

Brian,

Thanks. Within the scope of Topic 1, Mark Miller will be made available to testify about U.S. knowledge of data related to the topics you listed below. The only caveat is that a separate witness, Damian Higgins, will discuss the aerial imagery listed in Table 2.

Abby

Abby André  
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U.S. Department of Justice  
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**From:** Israel, Brian D. [<mailto:Brian.Israel@APORTER.COM>]  
**Sent:** Tuesday, June 17, 2014 12:51 PM  
**To:** Andre, Abigail (ENRD)  
**Subject:** 30(b)(6) followup

Abby -- following up from the Merten deposition last week and our discussion, it appears that the U.S. has not yet designated a witness to testify about surface oiling data, including remote imagery, aerial photography, trajectory maps, and NOAA, NGA and other agency composite anomalies. Please clarify which witness will testify on this topic. Alternatively, please confirm that the US will not rely on any of this data in the penalty phase proceedings (in which case we will need to formalize).

Thanks!

Brian

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Brian D. Israel

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