

September 7, 2007

Honorable James C. Fox
Senior District Court Judge
2 Princess St.
Wilmington, N.C. 28401

RE: U.S.A. v. Jeffrey R. MacDonald (No. 75-CR-26-3; No. 5:06-CV-24-F)

Dear Judge Fox:

This letter is to inform the court that Jim Britt, retired U.S. Marshal and a witness for the petitioner, is suffering from serious heart problems and just recently spent an extended time in the hospital. Mr. Britt has stood ready to testify since the petition was filed but it now appears that Mr. Britt's availability for any sort of court proceeding is doubtful. We feel compelled to make the court aware of this situation and stand ready to address any inquiries the court may have. A copy of this letter is being sent to Mr. Murtagh and Mr. Bruce as well.

Thanks as always for your time and consideration.

Sincerely yours,

Hart Miles
Co-counsel for Petitioner

cc: Brian Murtagh
John Bruce

November 5, 2007

Honorable James C. Fox
Senior District Court Judge
2 Princess St.
Wilmington, N.C. 28401

RE: U.S.A. v. Jeffrey R. MacDonald (No. 75-CR-26-3; No. 5:06-CV-24-F)

Dear Judge Fox:

This letter is to inquire as to whether the court would consider holding a status conference in the above-referenced case. This request is made due to the unique history of this particular case, the complexity of the issues, and the fragile health of key witnesses.

Thanks as always for your time and consideration.

Sincerely yours,

Hart Miles
Co-counsel for Petitioner

cc: Brian Murtagh
John Bruce