From: Harwood, Valerie [vharwood@cas.usf.edu]
Sent: Monday, December 11, 2006 6:57 AM
To: Tamzen Macbeth; Sorenson, Kent; Olsen, Roger
Subject: RE: results

I agree w/Tamzen and Kent. This is method development in a relatively novel research area– nothing standard about it.

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From: Tamzen Macbeth [mailto:tmacbeth@northwind-inc.com]
Sent: Friday, December 08, 2006 8:15 AM
To: Sorenson, Kent; Olsen, Roger; Harwood, Valerie
Subject: RE: results

I agree with Kent. While PCR itself may be standard, the process of developing the biomarker procedure is NOT standard. In fact, we haven't even finished developing/verifying the analysis and so I think any disclosure of results at this point is premature. In addition, North Wind is not a commercial lab, and so one could argue that point as well. The entire process is highly specialized and is more appropriately considered "developmental" and "cutting edge" rather than "standard".

From: Sorenson, Kent [mailto:SorensonKS@cdm.com]
Sent: Thu 12/7/2006 9:35 PM
To: Olsen, Roger; Tamzen Macbeth; Harwood, Valerie
Subject: RE: results

Roger,
To me it comes down to your definition of "standard analytical procedures". While one could argue about whether the PCR or other techniques might be considered "standard", I would think we would be justified in saying this stuff is not standard given that we're dealing with a potential biomarker that has not previously been demonstrated, and for which we had to design new primers. In that sense this is uncharted territory. What does everyone else think?

Kent

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From: Olsen, Roger
Sent: Thursday, December 07, 2006 12:41 PM
To: Sorenson, Kent; Tamzen Macbeth; Harwood, Valerie
Subject: results

We are proposing to release "all analytical data" to the defendants. However, we don't want to release any of the PCR/molecular tracking results at this time. Would the following statement perclude the PCR results?

- **We will deliver to Defendants' copies of *all* chemical and bacteriological analytical results produced by standard analytical procedures and received from commercial labs (excluding any expert directed assessment, manipulation, evaluation, &/or interpretation, and opinions of the analytical results) from all media (litter, soil, gw, surface water (lakes, rivers, streams) springs, & sediments).**

If not, any suggestion of additional or different words?