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a t t o r n e y s a t l a w

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September 21, 2006

VIA FACSIMILE

Hon. Christopher L. Burnham
Morgan County Superior Court No. 2
10 East Washington Street
P. O. Box 1556
Martinsville, IN 46151-1556

FILED
SEP 21 2006
MORGAN SUPERIOR COURT 2

Re: *Indiana v. John Myers*
Our File No. 17814-64103

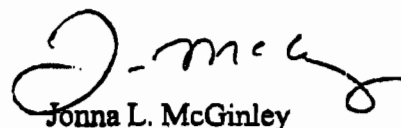
Dear Judge Burnham:

Our firm represents Ms. Kimberly King, who we have been advised is a potential witness in the matter of *Indiana v. John Myers* (better known as the Jill Berhman case). Pursuant to our representation of Ms. King, we would like to request a copy of any Separation of Witnesses Order entered in this matter. In addition, we would like to request the prosecutor's and the defendant's Witness Lists to confirm whether or not Ms. King has in fact been named as a witness.

I understand these filings may not yet be public information, and therefore we would respectfully request that absent a complete copy of the requested pleadings, that the Court provide us with appropriately redacted versions and/or a confirmation that Ms. King has in fact been named as a witness (and if so, by whom) and whether or not she is subject to any Separation Order and the terms of that order.

I appreciate the Court's time and attention to this request. If you have questions, please do not hesitate to call me.

Very truly yours,



Jonna L. McGinley

/leh

cc: Dan P. Byron, Esq.
1090686



Christopher L. Burnham

Judge

Morgan Superior Court No. 2

Courthouse, P. O. Box 1556

Martinsville, Indiana 46151

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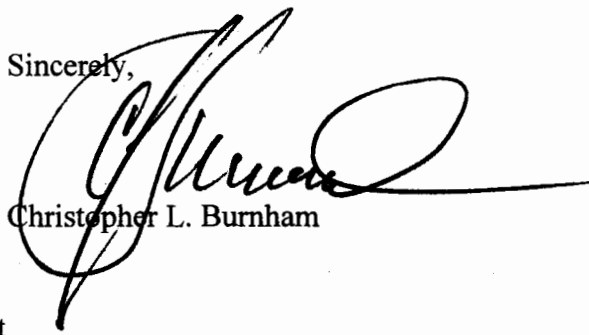
Subj: Your letter of September 21, 2006 re: Kimberly King

Dear Ms. McGinley:

We have received your letter of September 21, 2006 wherein you request information concerning your client, Ms. Kimberly King. After consultation with the attorneys for the State of Indiana and the Defendant in the case of *State of Indiana vs. John R. Myers, II*, (Case Number 55D02-0604-MR-87), I have been authorized by the attorneys for the State and the Defendant to respond to your request as follows:

1. Kimberly King has, in fact, been named as a witness in this case, by the State of Indiana and the Defendant.
2. Kimberly King is subject to the witness separation order issued by this Court as part of the Final Pretrial Order issued on July 11, 2006. I believe that my Court Bailiff has already provided you with a copy of the Final Pretrial Order. Please note page 3 of the Final Pretrial Order. The commencement date of the jury trial has been moved to October 16, 2006.

Sincerely,


Christopher L. Burnham

cc: Steven Sonnega, Prosecuting Attorney
Patrick V. Baker, Attorney for the Defendant