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September 25, 2008

The Honorable Dale Fischer  
United States District Court  
Central District  
255 East Temple Street  
Courtroom 840  
Los Angeles, CA 90012

Re: United States of America v. Anthony Pellicano and Terry Christensen  
Case No.: CR 05-1046(E)-DSF  
Terry Christensen - Sentencing

Dear Judge Fisher:

I write this letter to communicate my feelings about issues pertaining to the sentencing of Mr. Christensen. I realize the awesome power attached to your ability to very significantly affect the life of a person, and I take very seriously what I am about to say in an attempt to provide you with some input in connection with the decision you have to make.

I have been a lawyer since January 1966. I have practiced law in the most contentious and emotionally charged arena - divorce law - and I understand very well the importance of winning for one's client. It is difficult to adequately describe the utter feelings of frustration that occur when representing someone when the opposing side often seems be able to completely anticipate, not only what you are planning to do, but how you are planning to do it. The inability to explain this to a client and the feelings of "how did they anticipate that," "what am I doing wrong," is hard to explain unless it is happening to you.

I have been very successful in my area of specialization, a combination of very good luck and very hard work but the frustration and stress caused by what turned out to be

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Page 2

"a dirty trick" from an opponent, Mr. Christensen (who was effectively listening to my conversations with my client, and perhaps with my associates and partners), are difficult to quantify and explain. The loss of confidence by the client, the frustration of having to constantly attempt to explain why they were always one-step ahead and the loss of confidence by the client because of these things, was very upsetting both to me and my client.

Of course, the most horrible thing that resulted from the illegal activities of Mr. Christensen and Mr. Pellicano was the loss of Kira Kerkorian's privacy, taking from her, her legal parentage, and the shame that will forever be associated with that -- are the result of illegal activity of a member of the State Bar of California. The public humiliation that resulted to Lisa Kerkorian, the shame and embarrassment she was caused by this illegal activity will haunt her for the rest of her life. Yes, what was done to me was bad, but that Mr. Christensen's conduct caused the loss of innocence for Kira (who was then three years old), and public humiliation to Lisa Kerkorian is far worse.

Wiretapping to obtain such information is not only a crime against statutory law but it is really a most serious breach of the moral code by which common man, much less a lawyer, should be bound. There is no way to undo the harm that was done; there is no way to restore innocence to Kira; there is no way to undo that public humiliation that Lisa Kerkorian was forced to endure - there is only the opportunity for you to send a very clear and strong message to the legal community of Los Angeles, and elsewhere; that message being "break the law, break the public trust, breach the confidence which the law and our courts have imposed upon you, and the consequences will be severe."

As you know, Mr. Christensen was not Mr. Pellicano's only client. I suffered similar conduct when the opposing side always seemed to know what I was doing in other cases I was handling with lawyers who were not indicted. I hope the message that results from Mr. Christensen's sentence serves a clear and absolute warning to them of the peril they face if they ever engage in such conduct in the future.

You have an opportunity through whatever sentence you impose on Mr. Christensen, hopefully, to deter other lawyers who did, or are inclined to do, what Mr. Christensen

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Page 3

was convicted of doing. If the message from sentencing is "maybe the risk is worth taking, because the penalty is not too severe," then the opportunity to cause a decline in inappropriate conduct by those who have done it in the past, or are thinking a bout doing it in the future, is lost.

I urge you to impose the maximum sentence allowed by law upon Mr. Christensen and that he be required to serve his time incarcerated in a meaningful way, to punish him for the terrible wrongs that he has committed and the complete breach of morals and public trust that characterized him.

Very truly yours,



STEPHEN A. KOLODNY  
For the Firm

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