

**Jay Zager,
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March 23, 2011

Mr. Edward Lopez, P.A.
3440 Hollywood Blvd., Suite 415
Hollywood, FL 33021

Re: Florida v. Calabrese – Response to Subpoena

Dear Mr. Lopez,

Upon review of the information the state has asked for in this case I estimate that it would take me approximately 15 hours to research and copy the data they are looking for. My fee is \$250 per hour and \$.50 per page of copied materials. Please advise the Broward S.A.O. to forward a check to my office in the amount of \$3750.00 for the records they have asked for and I will begin my research after payment.

Please further advise the Broward SAO that I will need copies of the below listed documents so I may research the items they are asking for:

- 1) Name of every DUI trial where I testified or was listed as an expert or fact witness for the State of Florida, Broward County S.O. or the U.S. Government since 1996.
- 2) List the identity and contact information for every State and Federal prosecutor I have dealt with or has used my services related to breath testing, SFST, Widmark Equation, alcohol extrapolation, and the physiological effects of alcohol while employed by the Broward S.O.
- 3) List of all cases and copies of all court transcripts for cases where the Broward SAO made payments to ANY breath alcohol testing or Field Sobriety experts they have retained or FDLE Alcohol Testing Program members who testified to any issues dealing with breath alcohol or SFST's while I was employed by the Broward S.O. These are necessary to assist in determining what cases I testified as an expert on the government's behalf.
- 4) Copies of any and all transcripts where I have provided testimony related to breath testing or SFST while employed by the Broward S.O.
- 5) Copies of course materials and dates of all seminars or presentations I taught at or for the Broward SAO to include the names of the ASA or legal intern who assisted in such teachings.
- 6) Copies of all "letters of commendation" or awards authored by any member of the Broward SAO to the Broward S.O. or other organizations concerning myself.

- 7) Copies of all reports, studies, articles, or papers, published or unpublished, peer reviewed or not that were completed at the request of the Broward SAO by myself to include the case name and transcript of proceedings related to the researched issue.
- 8) Copies of all police reports and probable cause affidavits authored by myself or when I was on scene as a back-up Deputy concerning any and all DUI arrests while I was employed by the Broward S.O.
- 9) Copies of any trial or deposition transcripts in the possession of the State that related to any testimony I provided.
- 10) Copies of all materials to include transcripts released to any prosecuting attorney's office to include the name of the attorney and agency requesting such materials concerning any testimony I offered in any past trial or deposition.

Since the State has requested countless items and much of this material is in their control or possession, in order to accurately provide them with the materials they requested, please adhere to the list of items I have asked for. As a governmental agency I am sure they have this information at hand. Based on the items they produce, I may have further requests for documents. I am assuming in the interest of cooperation, the State will provide the information I have requested in a timely fashion.

Sincerely,

Jay Zager

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