

From: Allison Zieve

Sent: Thursday, August 30, 2012 6:34 PM

To: 'mikeg@gpalaw.com'; 'ahernandez@gpalaw.com'; 'kherd@gpalaw.com'

Subject: lawsuit agianst Public Citizen

To Kevin Herd, Michael Goodrich, and Amanda Hernandez:

I understand that you have filed an application for a temporary restraining order against Public Citizen's publication of statements about the marketing of the LipoTron 3000 and related issues. I will represent Public Citizen in opposition to that application, although we will also retain local counsel to aid in that representation. I also understand that there is a local rule in Tarrant County that requires you to notify counsel for any defendant of the details of any hearing that you may set seeking a restraining order. Because you are seeking a restraint against speech, the Supreme Court's decision in *Carroll v. President & Commissioners of Princess Anne*, 393 U.S. 175 (1968), similarly requires such notice.

If a hearing is set, we intend to participate in the hearing to defend Public Citizen. Accordingly, I am asking you to give me notice of any such hearing, and to send me copies of any papers that you may file in support of a restraining order.

Allison Zieve
General Counsel
Public Citizen