R. Bruce Beckner
Sallie R. Beckner
3225 Highland Place, N.W.
Washington, D.C. 20008

November 13, 2003

By Facsimile

Maureen Dwyer, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, DC 20037

Re: *Application of National Child Research Center* No. 16970

Dear Ms Dwyer:

I recall your representation to Chairman Griffis at the end of the last Board of Zoning Adjustment hearing to the effect that any rebuttal testimony that you propose to offer through your traffic expert, Osborne George, will not be based on new evidence, but solely on evidence already in the record (as of November 4). I think everyone present for that discussion reasonably inferred that no new evidence regarding traffic volumes or patterns around NCRC would be offered.

NCRC's neighbors have noticed that the preschool's uniformed traffic assistants have been very busy with clipboards lately, apparently keeping track of something. Since you served all of the parties (or their counsel) with a variety of materials yesterday (not all of which relate to the subject of Mr. George's testimony) I respectfully request you serve us, forthwith, with any other documents that you plan to introduce in evidence on Tuesday, including any documents that purport to be a tabulation of traffic volumes, made at any time since the beginning of this school year. This will afford us the opportunity to cross-examine effectively and prevent a request for a recess while we study any new exhibits.

I have been expressly authorized by all of the parties (or their counsel) to send this request on their behalf.

Sincerely,

R. Bruce Beckner

BZA
Case No. 16970
Exhibit No. 303

Cc: Secretary to the Board of Zoning Adjustments

Board of Zoning Adjustment
District of Columbia
CASE NO.16970
EXHIBIT NO.303

FLEISCHMAN AND WALSH, L.L.P.
ATTORNEYS AT LAW
1919 PENNSYLVANIA AVENUE, N.W.
SUITE 600
WASHINGTON, D.C. 20006-----
(202) 939-7900

FACSIMILE TRANSMITTAL SHEET

PRIVATE AND CONFIDENTIAL

THIS COMMUNICATION IS INTENDED FOR THE NAMED ADDRESSEE ONLY. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, TRADE SECRET OR PRIVATE INFORMATION. IF YOU ARE NOT THE NAMED ADDRESSEE AND HAVE RECEIVED THIS COMMUNICATION WITHOUT AUTHORIZATION FROM THE NAMED ADDRESSEE, PLEASE TELEPHONE THIS OFFICE IMMEDIATELY AND EITHER RETURN THE DOCUMENT TO FLEISCHMAN AND WALSH, L.L.P. OR DESTROY IT. UNAUTHORIZED USE OR DISCLOSURE OF THIS COMMUNICATION CAN RESULT IN CIVIL LIABILITY.

TO: Secretary, Board of Zoning Adjustments

FAX: 202-727-6072

ACCOUNT: 1053.9999

FROM: R. Bruce Beckner

DATE: November 13, 2003

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 2

MESSAGE: **From parties in opposition Case No. 16970.**

Reply fax numbers: Regulatory Group (202) 745-0916 (Primary)
(202) 745-1863
Corporate Group (202) 265-5706

If you experience problems with this transmission, please call **Genet Teferi** at (202) 939-7975.