

Sean Harrington
197m Boston Post Rd., West #151
Marlborough, MA 01752

22 July 2005

Amos Martinez, Ph.D.
State Grievance Board
1560 Broadway, Suite 880
Denver, Colorado 80202

RE: Bill J. Fyfe, Psy.D.

Dear Dr. Martinez:

The purpose for my writing is to submit new evidence to the Board concerning the above-captioned practitioner. The evidence is the affidavit of Dana Cogan, M.D., attached hereto.

Dr. Cogan's affidavit addresses conduct that occurred both before and after July 1 of 2004. However, I note that, on or about June 21st, 2005, 20-day letters were issued to David Kieffer, Charles Hazelhurst, Bob LaCrosse, Richard Mangen, Judith Silver and Dee Brodbeck all concerning conduct that was alleged to have occurred before July 1st of last year.

Another grievance that I now have against Dr. Fyfe is his refusal to provide me with his underlying data (interview notes, *etc.*). Chief Justice Directive 04-08 Standard #12 requires him to release this data to parties to the case. Standard #13 forbids that information be released pursuant to subpoena for the introduction into collateral proceedings.

Dr. Fyfe's attorney has said that Fyfe will not provide these documents, to which I am legally entitled, simply because I have indicated that I am going to sue (*see* a copy of his attorney's letter, attached, hereto). Whether or not I intend to sue Dr. Fyfe has no relevance to the legality of the entitlement. At the moment, there is no law-suit and, therefore, there is no reason for Fyfe's attorney to make these representations. Further, my intention to file suit and whether Standard #13 precludes me from introducing his notes into evidence in that suit has no bearing on my legal entitlement to these records.

Clearly, Dr. Fyfe's refusal is another measure calculated to deter me from filing against him and is intended to deprive me of knowledge that I need to understand the complexity of the evidence. This also hindered Dr. Cogan from doing as thorough a job as might otherwise be necessary to serve the best interests of my daughter in the domestic proceedings (*see* Aff. of Cogan at ¶ 7).

Because Dr. Fyfe resigned as special advocate from this case on June 11th of 2004 and because his refusal to provide the underlying data is based on self-interests and/or deterrence, the conduct does not fall within the scope of his court-appointed duties and, therefore, the Board is not divested of jurisdiction.

. . . with kind regards,

Sean Harrington