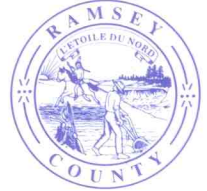


OFFICE OF THE RAMSEY COUNTY ATTORNEY

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Prosecution Division

December 4, 2008

Robert Kolstad
1005 W. Franklin Ave. #3
Minneapolis, MN 55405

Re: State v. David Mahoney
62-CR-08-10881

Dear Mr. Kolstad:

I am the prosecutor assigned to this case for trial. From my review of the file, it appears that you insisted that we identify victims in order to charge assault. We've done what you asked but still this case hasn't settled. I'm wondering if cooler heads have prevailed and we are headed for resolution or if your client continues to insist a trial.

Should we be going to trial, my investigators have continued to identify victims on the bus and we will add additional counts of both Terroristic Threats and Assault 2 as necessary. Please keep in mind that this concept of identifying individual victims was your idea and could lead to multiple consecutive sentences.

The tone of your prior correspondence seems to indicate that you don't believe this offense was particularly serious. I am assigned to handle all the felony charges arising from the RNC (other than those involving the conspiracy). Throwing large, heavy objects from an overpass onto an open interstate with the sole purpose of impairing the constitutional rights of busloads of citizens by either injuring or terrorizing them is by far the most serious RNC case I have.

Sincerely,

Richard Dusterhoft
Prosecutor
651 266-3055