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U.S. House of Representatives
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Washington, DC 20515-6115

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September 14, 2006

BUD ALBRIGHT, STAFF DIRECTOR

Mr. Larry W. Sonsini, Esq.
Chairman
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304

Dear Mr. Sonsini:

I am writing to confirm the invitation for you to testify before the Subcommittee on Oversight and Investigations on Thursday, September 28, 2006, at 10:00 a.m. in 2123 Rayburn House Office Building. The hearing is entitled "Hewlett-Packard's Pretexting Scandal."

Please respond to the Committee in writing no later than 12:00 p.m., (EST) Tuesday, September 19, 2006, to confirm that you will appear voluntarily to testify and answer questions on this matter. Given the circumstances surrounding this particular case of pretexting involving the highest levels of corporate governance within Hewlett-Packard Company, the company's general counsel, and the Board of Directors' outside counsel, I ask that you carefully consider this hearing an opportunity to be fully open and transparent with the testimony that you provide.

Following are important details concerning the preparation and presentation of your testimony.

The Form of Your Testimony. You are requested to submit a written statement which may be of any reasonable length and may contain supplemental materials; however, please be aware that the Committee cannot guarantee that supplemental material will be included in the printed hearing record. Your written statement should be typed, double spaced, and should have attached a one-page summary of the major points you wish to make. You will have an opportunity to present an oral summary of your testimony to the Subcommittee; to ensure sufficient time for Members to ask questions, your oral presentation should be limited to five minutes.

Pursuant to Rule 4(b)(1) of the Rules of the Energy and Commerce Committee (a copy of which is enclosed), I am requesting you to provide 150 copies of your written statement at least two working days in advance of your appearance. This will allow Members and staff the opportunity to review your testimony.

You or an employee of your office or organization must deliver your testimony in person, and arrangements for delivery should be made in advance by contacting the Legislative Clerk of the Committee. If your testimony exceeds one box in volume, advanced notice of delivery must be given to the Legislative Clerk in order to satisfy the security procedures of the Capitol Police. Information needed for delivery includes the name of the person who will be delivering the testimony, the time of delivery, and the number of boxes being delivered in order to obtain security clearance. If you are unable to provide the requisite number of hard copies of your testimony personally, please contact the Legislative Clerk in advance to arrange for alternative means of delivery. In accordance with the guidelines established by the Chief Administrative Officer of the House, however, no commercial carriers will be allowed access to the House Office Buildings.

Rule 4(b)(1) of the Committee Rules also requires that, if you have the technological capability, you should also submit a copy of your testimony in electronic format, *i.e.*, on a computer disk or as an email attachment. The Committee will post your testimony to the Committee Website (at "<http://energycommerce.house.gov/>") after the hearing. This will increase public access to your testimony and reduce the Committee's printing costs. Please be aware that submission of your testimony in electronic form does not relieve you of the obligation to submit the requested number of printed copies of your testimony. Additional guidelines for submission of testimony in electronic format are enclosed.

Please personally deliver the electronic and printed copies of your testimony required two working days before the hearing to the Legislative Clerk for the Committee on Energy and Commerce in 2125 Rayburn House Office Building, Washington, D.C. 20515.

The Truth-in-Testimony Requirement. Clause 2(g)(4) of Rule XI of the Rules of the House, and Rule 4(b)(2) of the Committee Rules, require that witnesses appearing in a nongovernmental capacity disclose the amount and source of: (1) any federal grant, or subgrant thereof, by agency and program; and (2) any federal contract, or subcontract thereof, received by the witness, or by an entity represented by the witness, during the current fiscal year or either of the two preceding fiscal years. Enclosed is a two-sided page which is intended to assist you in complying with this requirement. This completed form, and a copy of your curriculum vitae or resume, should be attached to each copy of your testimony

Publication of the Hearing Record. Rule XI, clause 2(e)(1)(A) of the Rules of the House requires the Committee to keep a written record of committee hearings which is a substantially verbatim account of remarks made during the proceedings, subject only to technical, grammatical, and typographical corrections. Your testimony, the transcript of the hearing, and any other material that the Subcommittee agrees to include in the hearing record (subject to space limitations) will be printed as a record of the hearing. You will receive a copy of the

Mr. Larry W. Sonsini
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printed hearing record when it becomes available, usually 30 to 60 days after the date of the hearing.

Please be aware that, in accordance with its usual practice, the Subcommittee will employ the following procedures with regard to your testimony:

- (1) witnesses will be required to provide sworn testimony; and
- (2) witnesses have an absolute right to be represented by counsel, who may advise the witnesses on their Constitutional rights, but cannot testify. If appearing as a witness, counsel will be sworn.

If you have any questions concerning any aspect of your testimony, please contact Tom Feddo or Andrew Snowdon of the Energy and Commerce Committee staff at (202) 225-2927.

Sincerely,

A handwritten signature in black ink that reads "Ed Whitfield". The signature is written in a cursive style with a large, stylized initial "E".

Ed Whitfield
Chairman
Subcommittee on Oversight
and Investigations

Enclosures: (1) Electronic Format Guidelines
(2) Rules for the Committee on Energy and Commerce (**via U.S. Mail only**)
(3) Truth-in-Testimony disclosure form