**From:** Antonio Puente <[antonioenriquepuente@gmail.com](mailto:antonioenriquepuente@gmail.com)>

**Subject: NBI**

**Date:** August 7, 2018 at 9:00:44 AM EDT

**To:** Nancy McGarrah <[nancymcg@bellsouth.net](mailto:nancymcg@bellsouth.net)>, Sally Harvey <[salsterhead@yahoo.com](mailto:salsterhead@yahoo.com)>, "Jeffrey N. Younggren" <[jeffyounggren@earthlink.net](mailto:jeffyounggren@earthlink.net)>

Dear Nancy, Sally and Jeff:

Thank you for your recent e-mail and your continued interest in achieving a mutually satisfactory solution. Here is your alternative as I understand it:

1.  The Hoffman Report will  be moved to a separate link  (which could be the timeline) and the following documents would be added to the timeline: the Div 19 TF paper, the letter from past APA Presidents, and the letter from the prior APA Ethics Committee Chairs, and

2.  The copy of the Hoffman Report would be revised to include a label that clearly states it is "pending  review." You also wanted us to include the following additional language, which we had previously expressed we were amenable to include as part of an agreement to reach an agreed substitute motion: **“On April 15, 2016, APA re-engaged attorney David Hoffman and the law firm Sidley Austin on a limited basis to review and respond to questions regarding specific Department of Defense (DoD) policies that may be relevant to the findings of the Independent Review the association released in 2015.”**

We believe the BOD would agree to recommend most of what your propose. However, we cannot comply with the first sentence of #2 due to the fact that plaintiffs’ counsel have warned us that adding anything (e.g., pending review") to the Report potentially opens up our association to a new statute of limitations.  So, if you could eliminate your requirement of labeling or stickering the Report, I think we find common ground.

I trust that this helps address the concerns that you raise but similarly appreciate the importance of the legal constraints.

See you in a very cool San Fransisco.

Thank you!

tony

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