

EXHIBIT "C"

Charles A. Morgan, III, M.D., M.A.

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Lisa A. Barclay, Esq.
SNIFFEN & SPELLMAN, P.A.
123 North Monroe Street
Tallahassee, Florida 32301
Telephone: (850) 205-1996

Dear Attorney Barclay,

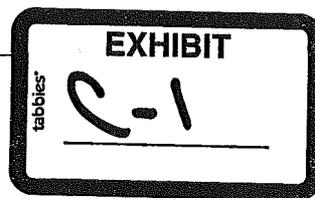
I have had an opportunity to review the documents you sent to me (see below) and have prepared the following letter. It was my understanding based on our conversation that I would A) review the documents noted below; B) provide comment regarding what is scientifically known about the nature of the human response to highly stressful events; C) give you my current opinion about the memory accounts provided in the documents below.

Documents reviewed:

Arias Incident Report
Internal affairs Investigation re Officer Pulido
Second Amended Complaint
Pulido Use of Force Report
Pulido TPD Interview
Dixon Interview
Creamer Incident Report

The Human Response to Highly Stressful Events:

The majority of scientific knowledge that informs what is currently known about the impact of threat to life situations on human physiology, neurobiology and cognitive performance is derived from studies conducted in military populations, law enforcement personnel, and victims of trauma. This body of scientific information regarding humans and how they respond to highly stressful events is compatible with a large body of scientific studies on the impact of stress on the neurophysiology and performance of non human animals. Taken together, this body of scientific knowledge indicate that it is within a reasonable degree of medical certainty that exposure to extreme situations and environments (i.e. those entailing realistic threats to life and physical safety) induce



levels of stress that can negatively impact the ability of humans to think clearly, to form accurate memories and to make decisions.¹

The primary reason why stress can negatively impact human cognition is this: Our bodies have systems that help protect us when we are in danger (i.e., our “fight/flight” response) and these systems exhibit increased activity during times of significant stress. Some of the critical hormones that are involved in our stress response are Cortisol, Norepinephrine (NE) and epinephrine (E). Although they are extremely beneficial in facilitating our ability to respond effectively to dangerous situations, they can be disruptive to areas of the brain involved in decision making and memory.

For example, cortisol, (a class of steroid hormones released from the adrenal glands) is essential for life and regulates a variety of important cardiovascular, metabolic immunologic and homeostatic functions. Cortisol plays a critical role in human adaptation to stress. Cortisol mobilizes energy, suppresses nonessential anabolic activity, and increases cardiovascular tone. Since the 1960 s scientific evidence has established that cortisol significantly increases with subjective awareness of distress. This is to say, if there is little psychological distress, elevations of cortisol are not observed; if there is psychological distress cortisol will rise. Indeed, the greater the subjective distress, the greater the release of cortisol.

Regarding human cognition, over the past two decades numerous scientific studies have demonstrated that exposure to high levels of stress (and the stress associated elevations of cortisol) may cause physiological harm: specifically, the high levels of cortisol induced by the stress damage neurons in some specific areas of the brain that are critical to information storage and memory. Stress-induced levels of cortisol (as well as cortisol related hormones) have been reported to correlate with cognitive deficits in humans and have been shown to selectively impair verbal declarative memory.

As noted above, NE is another critical neurohormone involved in the human stress response. As in other animals, NE helps humans during stress by assisting their ability to selectively attend to meaningful stimuli. However, under stressful conditions when NE release is increased in large quantities, it causes a decline in functioning in an area of the brain that is critical to decision making: the prefrontal cortex. Although this inhibition of PFC functioning during a stressful or dangerous situations may have value for enhancing our ability to survive - by allowing us to employ rapid habitual (subcortical) modes of responding - inhibition of the PFC has a negative effect on cognitive functions related to decision making and memory.

¹ Indeed, within military personnel, the negative impact of combat stress on cognitive functioning is so common it is referred to as the “fog of war” and has negated the assumption on the part of medical professionals that cognitive deficits observed in healthy service members are pathognomonic (i.e. a sign of illness or pathology).

Human Memory for Highly Stressful Events:

Although a great deal of non human animal and human data indicate that increases in NE and E have been shown to enhance memory retrieval when administered at the time of memory testing, this beneficial effect on memory has been documented in situations of controllable or moderate stress. Over that past two decades, numerous studies in humans have provided empirical evidence that increases in NE that are associated with highly intense realistically stressful events, degrade human cognition and memory.

These data, from controlled studies, are important and have helped us understand a great deal about the nature of human memory for traumatic events. Prior to 1993, it was commonly believed by trauma specialists and scientists working in the field of trauma that memories for traumatic events were indelible and did not change over time. This belief however is no longer supported by scientific evidence. Numerous studies in war veterans and with military personnel now exist and have provided robust evidence that memories for traumatic events are not indelible, but are subject to substantial alterations over time.

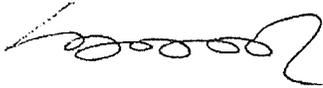
These studies have demonstrated that individuals exposed to highly stressful or traumatic event make alterations in both the content of their memories (i.e. the identity of people, events, injuries, deaths witnessed) and in the chronological elements of their memories (i.e. alterations in the perception of time, the order in which events have occurred). Finally, these studies have provided evidence that such alterations in memory are not restricted to people suffering from psychiatric illnesses or from other medical problems. To the contrary, these studies show that alterations or errors in memory can occur in health individuals.

Opinion about the memory recall content in the materials reviewed:

Concerning the materials that I have reviewed, it is my opinion that the events experienced by Officer Pulido can be legitimately characterized as a traumatic event. By this, I mean to indicate that the events describe meet both subjective and objective criteria as described by the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR 2000). As such, it is within a reasonable degree of medical certainty that the events triggered a significant fight flight response in Officer Pudilo. I have reviewed his statements about his recollections during the events and have, at your request, attended to his account of the events while in the back of the truck. Based on my clinical experience working with people exposed to traumatic events, my experience conducting scientific studies on the nature of memory for highly stressful and/or traumatic events, my experience conducting studies of genuine and deceptive eyewitness accounts of highly stressful events, it is my opinion that it is within a reasonable degree of medical certainty that the memory accounts provided by Officer Pulido are consistent with genuine memory accounts noted in people exposed to highly stressful and/or traumatic events. The accounts were not characterized by the features associated with deceptive eyewitness accounts.

I would be happy to review any additional information or materials you may have. As you know, my opinion about the materials related to this case is based on the information you have provided to me at this time. Additional information, if inconsistent with what I have reviewed may alter my opinion.

Sincerely

A handwritten signature in black ink, appearing to read 'CA Morgan III', written in a cursive style.

CA Morgan III MD, MA
Forensic Psychiatrist
New Haven Forensic Consulting, LLC
Associate Clinical Professor of Psychiatry
Yale University School of Medicine
National Center for PTSD, West Haven, CT

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February 17, 2011

Lisa A. Barclay, Esq.
Sniffen & Spellman, P.A.
123 North Monroe Street
Tallahassee, Florida 32301

Dear Attorney Barclay,

Per your request, this letter provides information regarding Dr. Charles A. Morgan's fees:

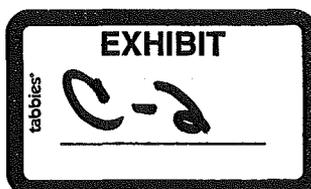
Dr. Morgan's fee per hour is \$300

It is the policy of New Haven Forensic Consultants to request a retainer in the amount of \$2500

I hope this information is helpful to you. Please do not hesitate to be in touch with me if you have any questions.

Sincerely,

Jennifer Dolan-Auten
Administrative Assistant
New Haven Forensic Consultants, LLC



BIOGRAPHICAL SKETCH

| | | | |
|--|---|-------------------|---------------------|
| NAME Charles A. Morgan III, M.D., M.A. (GS-15) | POSITION TITLE Associate Clinical Professor of Psychiatry & Research Affiliate, History of Medicine, Yale University | | |
| EDUCATION | | | |
| INSTITUTION AND LOCATION | DEGREE | YEAR CONFERRED | FIELD OF STUDY |
| Pacific Union College, Angwin, CA. | B.A. | 1982 | French |
| Loma Linda University School of Medicine, CA | M.D. | 1986 | Medicine |
| Yale University | M.A. | 1996 | History of Medicine |
| Yale University | Fellowship | 2002 | Forensic Psychiatry |

RESEARCH AND PROFESSIONAL EXPERIENCE

- 1986-87 Internship, Jerry L. Pettis Memorial VA Hospital, Loma Linda, CA.
- 1987-89 Psychiatry Resident, Dept. of Psychiatry, Loma Linda, University Medical Center, Loma Linda, CA.
- 1988-89 Staff Psychiatrist, David & Margaret Home for Girls, La Verne, CA.
- 1989-90 Chief Resident, Neurobiological Studies Unit, National Center for Post Traumatic Stress Disorder, West Haven VA Medical Center, West Haven, CT.
Yale University Dept. of Psychiatry
- 1990-93 Assistant Professor of Psychiatry, Yale School of Medicine.
- 1990-91 Medical Director, Dual Diagnosis Unit & Medical Director, Neurobiological Studies Unit, National Center for PTSD, V.A. Medical Center, West Haven, CT.
- 1991-92 Director of Substance Abuse/PTSD Clinic, Medical Director, Desert Storm Outreach Clinic, VA Medical Center, West Haven, CT.
- 1991-92 Director of Outpatient Psychotherapies, PTSD/Anxiety Clinic, National Center for PTSD, VAMC, West Haven, CT.
- 1992-93 Assistant Director, Outpatient Mental Health Department of Psychiatry, WHVAMC.
- 1993- Court Clinic Psychiatrist, Yale Dept. of Law and Psychiatry.
- 1993-96 Assistant Professor of Psychiatry, Yale University School of Medicine.
- 1996- Associate Professor of Psychiatry & Research Affiliate, History of Medicine, Yale University
Associate Director PTSD Program, National Center for PTSD, VA Connecticut.
- 2001-02 Fellow, Law & Psychiatry Fellowship Program, Yale University Department of Psychiatry.
- 2002- Associate Professor of Psychiatry & Research Affiliate, History of Medicine, Yale University School of Medicine
Fellow of the Jonathan Edwards College, Yale College, Yale University.
- 2002- Director, Human Performance and Psychophysiology Laboratory, National Center for PTSD, VA Connecticut;
Attending Physician, Section of Law & Psychiatry, Department of Psychiatry, Yale University School of Medicine.
Attending Physician, VA Connecticut, West Haven, CT. & National Center for PTSD.
- 2003- Associate Clinical Professor of Psychiatry & Research Affiliate, History of Medicine, Yale University School of Medicine; Subject Matter Expert, JFK Special Warfare Center and School, Fort Bragg, NC; Director, Human Performance and Psychophysiology Laboratory, National Center for PTSD, VA Connecticut; Attending Physician in Psychiatry & in the Section of Law & Psychiatry, Department of Psychiatry, Yale University School of Medicine;
- 2004- Editorial Board member, Psychiatry.
- 2005- Appointed to the position of Government Subject Matter Expert to the United States Intelligence Science Board for the Director of National Intelligence Educing Information Report, published in 2007 by the DNI; Masters Thesis Advisor, Joint Military Intelligence College, Bolling AFB, Washington, DC.
- 2006- Visiting Professor of Psychiatry, University of Bergen, Norway. Department of Operational Psychology. Special Advisor, Office of the Inspector General, Department of Defense, for investigation of project 'Able Danger.'
- 2007- ON GOING AS NOTED ABOVE.



Special Awards:

The Stephen Fleck Faculty Award as Exemplary Physician and Clinical Teacher, Yale Department of Psychiatry, 1996-97.

Lucia P. Fulton Fellowship Award (History of Medicine, the Nathan Smith Club, Yale University School of Medicine) 1999.
Special teaching award, Yale School of Medicine, Physician Associate Program, 2002.

Visiting Professorship Award, Department of Operational Psychology, University of Bergen, Norway. November 2006.

Grand Rounds, Ether Dome, Department of Neurology & Neurosurgery, Mass General Hospital, Harvard University, March 1, 2007.

United States Army Patriot Award, 2008.

International Forensic Experience:

Expert Witness, International Tribunal for War Crimes committed in the former Yugoslavia, United Nations Court, The Hague, Netherlands. Case: The Prosecutor vs. Anto Furundzija. 1998.

Grants & Contracts:

Principal Investigator: Assessment of Baseline and Fear Potentiated Acoustic Startle in PTSD, July 1, 1992. V.A. R.A.G. (completed)

Co-Principal Investigator: Startle Modulation in Combat Veterans with PTSD, 1993-1998, NIMH. (completed).

Principal Investigator: Psychobiological Assessment of High Intensity Military Training. (DoD).

Funding ongoing; Total funding to date: \$500,000.00 through fiscal year 2002.

Principal Investigator: Selection of Elite Special Operations Personnel. Joint Personnel Recovery Association. \$100,000.

Principal Investigator: Effect of Post-Stress Carbohydrate Administration on Cognitive and Memory Function in Special Operations Soldiers. \$125,000. Funding Source: US Army Special Operations Command (USSOCOM). Fiscal year 2003.

Principal Investigator: Accuracy of Memory for People, Places and Events Experienced During High Stress. (USDoD). \$200,000. Fiscal year 2005-6.

Principal Investigator: \$750,000. Funding Source: US DoD. Efficacy of Forensic Statement Analysis and of Cognitive Load Assessments in the Detection of Deception. Fiscal year 2006-2007.

Principal Investigator: \$798,000. Funding Source: US DoD (CIFA) Fiscal year 2007-2008. Basic and Advanced Interviewing Training designed to enhance credibility assessments.

SELECTED PEER REVIEWED PUBLICATIONS:

Nagy L, Morgan CA, Southwick SM, Charney DS: An open trial of fluoxetine in the treatment of PTSD. *J Clin Psychopharm* Vol 13, No. 2, 107-113, (1993).

Southwick SM, Krystal JH, Morgan CA, Johnson DR, Nagy LM, Nicolaou A, Heninger DR, Charney DS: Abnormal Noradrenergic Function in Posttraumatic Stress Disorder, *Arch Gen Psychiatry*, Vol. 50, 266-274, (1993)

Southwick SM, Morgan CA, Nagy LM, Bremner DJ, Nicolaou A, Johnson DR, Rosenheck R, Charney DS: Trauma-Related Symptoms in Veterans of Operation Desert Storm: A Preliminary Report, *Am J Psychiatry*, 150:10, 1524-1528, (1993)

Morgan CA, Grillon C, Southwick SM, Krystal JH, Davis M, Charney DS: Yohimbine Facilitated Acoustic Startle Reflex in Humans, *Psychopharmacol*, 110:342-346, (1993).

Morgan CA, Grillon C, Southwick S, Nagy LM, Davis M, Krystal, J.H., & Charney D. Yohimbine facilitated acoustic startle in combat veterans with post-traumatic stress disorder. *Psychopharmacol*, 1995, 117:466-471.

Morgan C.A., Grillon C., Southwick S.M., Davis M., & Charney D.S. Fear-potentiated startle in posttraumatic stress disorder. *Biol Psychiatry*. 1995, 38:378-385.

Morgan CA and Johnson DR: Art therapy as a treatment for nightmares in PTSD, *Am J Art Ther*, 12:4 (1995).

Morgan C.A., Grillon C., Southwick S.M., Davis M., & Charney D.S. Fear-potentiated startle in posttraumatic stress disorder. *Biol Psychiatry*. 1995, 38:378-385.

Southwick SM, Morgan CA, Nicolaou A, Darnell A, Charney DS: Trauma Related Symptomatology in Desert Storm Veterans: Two year follow-up, *Am J of Psychiatry*, 152:8, 1150-1155,(1995).

- Morgan CA, Grillon C, Southwick S, Davis M, Krystal, J.H., & Charney D. Exaggerated acoustic startle in Gulf war veterans with PTSD. *Am J Psychiatry*, 1996, 153:64-68.
- Karper L.P., Freeman G.K., Grillon C., Morgan C.A., Charney D.S., & Krystal J.H. Preliminary evidence of an association between sensorimotor gating and distractibility in psychosis. *J. Neuropsych. Clin Neurosc.*, 8, 60-66: 1996.
- Grillon C., Morgan CA, Southwick S, Davis M, & Charney D. Baseline startle amplitude and PPI in Vietnam veterans with posttraumatic stress disorder. *Psychiatry Res.*, 64, 169-178:1996.
- Krystal J.H., Webb E., Grillon C., Cooney N., Casa L., Morgan C.A. III, Southwick S.M., Davis M., & Charney D.S. Evidence of acoustic startle hyper-reflexia in recently detoxified alcoholics: Modulation by yohimbine and m-chlorophenylpiperazine (mCPP). *Psychopharmacol*, 131, 207-215: 1997.
- Southwick SM, Morgan III CA, Nicolaou AL, Charney DS: Consistency of Memory for Combat-Related Traumatic Events in Veterans of Operation Desert Storm. *Am J Psychiatry* (1997) 154:173-177.
- Morgan CA, Grillon C, Southwick SM: Startle Abnormalities in Women with Sexual Assault related PTSD. *Am J Psychiatry* (1997) 154:1076-1080.
- Southwick, Steven M; Krystal, John H; Bremner, J. Douglas; Morgan, C. A. III; et al. Noradrenergic and serotonergic function in posttraumatic stress disorder. [Journal Article] *Archives of General Psychiatry*. Vol 54(8) Aug 1997, 749-758.
- Grillon C, Morgan CA, Davis M, & Southwick SM. Effects of experimental context and explicit threat cues on acoustic startle in Vietnam veterans with posttraumatic stress disorder. *Biol Psychiatry*, Nov 15 1998, 44(10) p1027-36.
- Morgan CA, Kingham P, Nicolaou A, Southwick SM: Anniversary Reactions in Desert Storm Veterans: A Naturalistic Inquiry 2 years after the Gulf War. *J of Traumatic Stress* Vol. 11, No. 1, 1998.
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- Southwick, Steven M; Bremner, J. Douglas; Rasmusson, Ann; Morgan, Charles A. III; Arnsten, Amy; Charney, Dennis S. Role of norepinephrine in the pathophysiology and treatment of posttraumatic stress disorder. *Biological Psychiatry*. Vol 46(9) Nov 1999, 1192-1204.
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- Morgan III CA, Wang S, Hazlett G, Rasmussen A, Anderson G, Charney DS: Relationships among Cortisol, Catecholamines, Neuropeptide Y and Human Performance During Uncontrollable Stress. *Psychosomatic Med*. 63: 412-42; 2001.
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- Southwick, Steven M; Morgan, Charles A III; Vythilingam, Meena; Charney, Dennis. Mentors enhance resilience in at-risk children and adolescents. [References]. [Journal; Peer Reviewed Journal] *Psychoanalytic Inquiry*. Vol 26(4) Sep-Oct 2006, 577-584
- Morgan III CA, Hazlett G, Aikins D, Doran A, Baronoski M: Efficacy of Expected Alternative Testing Dilemmas in the Detection of Concealed Information in Humans Exposed to Interrogation Stress. *Journal for Intelligence Community Research & Development (JICRD)*, November 2006.
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- Morgan III CA, Steffian G, Colwell K, Coric V, Hazlett G: Efficacy of Forensic Statement Analysis in Distinguishing True from False Eyewitness Accounts. *Journal for Intelligence Community Research and Development (JICRD)*. July 2007.
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- Morgan III CA, Steffian G, Coric V, Hazlett G: Detecting Deception in Arabic: Efficacy of Forced-Choice Testing Dilemmas in Morrocans. *Journal for the Intelligence Community Research & Development (JICRD)*, August 2007.
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Morgan III CA, Hazlett GA, Dial Ward M, Southwick SM: Baseline Dissociation and Prospective Success in Special Forces Assessment and Selection. Psychiatry, 2008; 5(7): 52-57.

Morgan III CA, Colwell K, Steffian G, Hazlett G: Efficacy of Verbal and Global Judgments in the Detection of Deception in Moroccans Interviewed Via an Interpreter. Journal for Intelligence Community Research and Development (JICRD), March 2008.

Morgan III CA, Mishara A, Christian J, Hazlett G: Detecting Deception through Automated Analysis of Translated Speech: Credibility Assessments of Arabic Speaking Interviewees. JICRD, August 2008.

Morgan III CA, Dial Ward, MD, Christian J, Hazlett G: Improving HUMINT: Predicting Who Will be a More Accurate Eyewitness. JICRD, August 2008.

Morgan, CA, Hazlett G, Southwick SM, Rasmusson A, Lieberman HR: Effect of Carbohydrate Administration on Recovery from Stress-Induced Deficits in Cognitive Function: A Double Blind, Placebo-Controlled Study of Soldiers Exposed to Survival School Stress. Military Medicine, 174; 3:2009.

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Current Teaching Responsibilities:

Course Director, General Psychiatry, Yale University Physician Associate Program, Yale University School of Medicine.
Course Director, Human Sexuality, Yale University Physician Associate Program, Yale University School of Medicine.
Lecturer in course History of Gender and Science, Yale Undergraduate College and the Department of History of Medicine and Science, Yale University.

Lecturer in Law & Scholarship Seminar, Forensic Psychiatry Program, Yale Department of Psychiatry
Psychosocial Aspects of Medicine, 1st year Medical Student Course, Yale University School of Medicine.

Previous Courses:

Videotaped Psychiatric Interviewing for 3rd year Medical Students, Yale University School of Medicine.

Cognitive Behavioral Therapy: Theory and Practice., Department of Psychiatry, Yale University School of Medicine.

Cognitive Behavioral Therapy Course, US Army European Medical Command, 2000, 2002, 2004.

History of Medicine in Cinema Seminar, 1998, with Professor John Warner, History of Medicine.

Supervisory Experience:

Over the course of 20 years on the faculty of medicine at Yale, Dr. Morgan has supervised medical students, psychiatry residents, and psychology interns. In this capacity he has been responsible for ensuring that students and post doctoral trainees alike achieve the clinical goals that are set for them in their stage of training. As a supervisor to psychiatric residents and psychology interns, he reviewed their clinical cases on a weekly basis, actively assisted them in learning core clinical skills in assessment, diagnosis and treatment issues, and assessed their clinical performance for the departments of psychiatry and psychology. He has worked with psychiatry residents and psychology residents on an inpatient and outpatient basis in my roles as Medical Director of the inpatient PTSD unit at VA Connecticut and as Chief of the outpatient PTSD Anxiety program at VA Connecticut.

In addition to his work at Yale, Dr. Morgan has supervised students in the masters program at the Joint Military Intelligence College, Bolling AFB, Washington, DC.

Media: Dr. Morgan's work and research has been featured on CNN, ABC's 20/20, Discovery Channel (US and Canada) and on National Public Radio. In addition, his work has been cited in Popular Science, New Scientist, Wired Magazine and in The New Yorker magazine and the New York Times.