

Jim Leitner

From: "Gina Vitale" <givitale@sbcglobal.net>
To: "Jim Leitner" <leitnerlawoffice@sbcglobal.net>
Sent: Monday, October 03, 2005 10:34 AM
Subject: FW: Irvan

This email should clear up any confusion over what my suggestions were.

It is common practice for the neuropsych eval to be done first so that you know whether the QEEG is likely to show impairment- obviously you don't want to do testing if it's going to show a normal brain.

During the trial our psychologist did SOME neuro psych testing but not a comprehensive assessment. I went ahead and suggested the QEEG anyway based on Irvan's behavior and history.

GINA T. VITALE, LMSW
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-----Original Message-----

From: Gina Vitale [mailto:givitale@sbcglobal.net]
Sent: Tuesday, August 24, 2004 11:43 AM
To: 'Jim Leitner'
Subject: RE: Irvan

I would recommend Daneen Milam to do the neuropsych testing

The QEEG is done by Southwest Neuro diagnostics and is then read by Jack Johnstone out of California.

Usually they recommend the neuropsych testing first. If there is absolutely nothing found on the testing then it is not very likely that anything will show on the QEEG.

I emailed Daneen to make sure that she is available and I'll get you all of her contact information as soon as I hear back. You may already have some of it. I think we talked about using her on the Hargrove case and may have even gotten approval for funding.

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-----Original Message-----

From: Jim Leitner [mailto:leitnerlawoffice@sbcglobal.net]
Sent: Monday, August 23, 2004 5:34 PM
To: Gina Vitale
Subject: Re: Irvan

Gina, can you recommend a specific person to do the testing that you believe is necessary. If

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so, then let's get it done to see if it helps in any way.
Jim

----- Original Message -----

From: Gina Vitale
To: 'Jim Leitner'
Sent: Monday, August 23, 2004 10:55 AM
Subject: RE: Ivan

I never talked to Tamara, but Mack, Bob and I think JJ Gradoni went to Fort Worth and interviewed her there. I talked at length with her sister DeDe Hughes who testified for us about Tamara's bad character. She is still around and willing to help any way that she can.

I recommended specifically a neuropsych evaluation and a QEEG. The psychologist that we had look at William is not a board certified neuropsychologist and only administered one or two neuro specific tests. If I remember correctly the reasons I suggested that specifically were his extensive history of impulsivity going back to early childhood as well as at least two severe traumatic injuries that we were unable to locate records on but may have involved some type of head injury.

As far as records, I got some school records, TDC records, Harris County Jail records were filed with the court & I think I got some medical records.

I will look through my file and find out for sure what records I got and if you want I can put together a formal affidavit stating why I would recommend a neurological evaluation.

Other than his behavior in the Harris County Jail I'm not sure any of the other records were referred to. Some of his school records may have been brought in through our psychologist, I can't remember.

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-----Original Message-----

From: Jim Leitner [mailto:leitnerlawoffice@sbcglobal.net]
Sent: Sunday, August 22, 2004 7:29 AM
To: Gina T. Vitale
Subject: Ivan

Gina, I need to know which records on Ivan you have already obtained for the trial lawyers, and whether they used them at trial.

Also, at one point you told me that there was a doctor that you suggested they have examine William and they didn't do that. Fill me in on that again. Let me know just exactly what you told them, and why you told them that it was necessary.

Did you ever talk to the federal inmate that testified against him?

Jim

Q Dave

10/7/2005