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Mr. John Cook  
Mayor - City of El Paso  
Delivered by Hand - May 5, 2009

Re: Castro vs. McNabb (City of El Paso) Cause No. 2005-8459  
On Appeal to the Eighth Court of Appeals for El Paso -  
No. 08-07-00074-CV

Dear Mr. Mayor:

On April 29, 2009 your attorney Charles McNabb, a named party to the litigation implicated in his opinion, issued a legal statement to the effect that unless I paid the attorney fees assessed in the Declaratory Judgment action, that you would not allow me to take office if the voters of Northeast El Paso determine that I should have a second term. I am perplexed to understand how a party to this litigation can be giving legal opinions as to the effect of the judgment, especially when this case has been on appeal for well over a year, but then that seems to be consistent with the way business is conducted by this council. My legal counsel strongly disagrees with Mr. McNabb's opinion, but then I understand that does not count for much of anything considering the present state

of affairs and the fact that you and Mr. McNabb are in control of these processes.

To clear the air, and resolve the confusion caused by Mr. McNabb's opinion, I am tendering with this letter a certified check in the amount of \$30,000.00 in full and final payment of the attorney fees assessed by the trial judge in the declaratory judgment action, subject to and retention of which by the City is dependent upon the outcome of my appeal to the Eighth Court of Appeals.

Respectfully,

A handwritten signature in cursive script that reads "Melina Castro".

Melina Castro

MC/mc