

# **EXHIBIT E**

**REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE  
FROM THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDREA CONSTAND,	:	
	:	
Plaintiff,	:	
	:	No. 05-cv-1099
v.	:	
	:	
WILLIAM H. COSBY, JR.,	:	
	:	
Defendant.	:	

**REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE  
(INTERNATIONAL LETTER OF REQUEST)**

The United States District Court for the Eastern District of Pennsylvania presents its compliments to the appropriate judicial authority of Canada and requests international judicial assistance to obtain testimony to be used in a civil proceeding before this Court in the above captioned matter.

This Court requests the assistance described herein as necessary in the interests of justice. The assistance requested is that the appropriate courts in Ontario, Canada compel the following individual to give testimony during a deposition: Stuart Parsons, 114 Copley Street, Pickering, Ontario.

**PARTIES**

The parties and their representatives in this matter are:

Plaintiff, Andrea Constand  
represented by:

Defendant William H. Cosby,  
represented by:

Bebe H. Kivitz, Esq.  
Dolores M. Troiani, Esq.  
TROIANI/KIVITZ LLP  
38 Waterloo Road  
Devon, PA 19333

Patrick J. O'Connor, Esq.  
George M. Gowen III, Esq.  
COZEN O'CONNOR  
1900 Market Street  
Philadelphia, PA 19103

Andrew D. Schau, Esq.  
PATTERSON BELKNAP  
WEBB & TYLER LLP  
1133 Avenue of the Americas  
New York, NY 10036

## **FACTS AND CONCLUSIONS**

Plaintiff, Andrea Constand, brought this civil action against defendant, William H. Cosby, Jr., asserting claims of battery, sexual assault, intentional and negligent infliction of emotional distress, defamation/defamation per se and false light/invasion of privacy. Plaintiff, allegedly a Canadian citizen, alleges that she met defendant while she was employed at Temple University in Philadelphia, Pennsylvania.

The crux of plaintiff's complaint is that, while alone with defendant at defendant's Pennsylvania home in January 2004, defendant deceived plaintiff into ingesting a drug which caused her to become semi-conscious. According to plaintiff, defendant thereafter sexually assaulted her. Defendant denies plaintiff's allegations. In March 2004, plaintiff moved from Philadelphia to Ontario, Canada.

In January 2005, plaintiff reported defendant's alleged actions to the Durham, Ontario police. Plaintiff alleges that, after she spoke to police, she and her mother had telephone conversations with defendant. She further contends that after she reported defendant's alleged actions to the Durham, Ontario police, defendant and/or his authorized representatives knowingly made false statements to the media about plaintiff. The Durham Ontario police subsequently referred plaintiff's case to police in Pennsylvania. The District Attorney of Montgomery County, Pennsylvania decided not to file criminal proceedings against defendant.

In March 2005, plaintiff filed this civil action. Plaintiff alleges that defendant's conduct has caused her, among other things, "mental anguish," "post-traumatic stress disorder," "the loss of enjoyment of life's pleasures," "a set back in her education," and a "loss of earnings and earning capacity." Plaintiff seeks an award of compensatory damages plus reasonable attorneys' fees, interest, costs, punitive damages and other unspecified relief.

The parties are currently conducting discovery. To test plaintiff's allegations and prepare his defense, defendant seeks testimony and documents from several individuals and entities located in Ontario, Canada. Unable to procure these documents and testimony through domestic channels or agreement, defendant has applied to this Court for assistance. Defendant sought an international letter of request to the appropriate court in Ontario, Canada in order to obtain the testimony he seeks. This court granted defendant's request and issued this letter.

Stuart Parsons is plaintiff's brother-in-law and a Toronto police officer. He learned of plaintiff's allegations around the time plaintiff first reported the alleged incident to the police. Mr. Parsons discussed the alleged attack with plaintiff, helped her find a lawyer, and accompanied her to Pennsylvania to report the incident to the police in Montgomery County. Mr. Parsons is likely to possess information concerning the alleged attack, plaintiff's decision to make her allegations public, plaintiff's state of mind before and after the alleged attack, and plaintiff's motivations in instituting suit against defendant.

This Court is of competent jurisdiction and authorizes defendant to take Stuart Parson's deposition for purposes of this case. The information sought is relevant and necessary as a matter of pre-trial discovery. The evidence is not otherwise obtainable. In this Court's view, the relief sought is not unduly burdensome.

#### **PRAYER FOR RELIEF**

This Court hereby prays that the appropriate court in Ontario compel Stuart Parsons to participate in a deposition in Ontario. The topics the parties will cover during the deposition are: the alleged attack, plaintiff's decision to make her allegations public, plaintiff's state of mind before and after the alleged attack, and plaintiff's motivations in instituting suit against defendant.

**AUTHORITY**

This Court has the inherent authority to issue an international letter of request. This inherent authority is recognized in the United States Federal Rule of Civil Procedure 28(b), and Title 28, Section 1781 of the United States Code.

**REIMBURSEMENT OF COSTS**

This Court respectfully submits that any fees and costs endured by the appropriate court in Ontario in executing this Court's request for international judicial assistance are reimbursable. Requests for reimbursement should be sent to:

William H. Cosby c/o Patrick J. O'Connor  
Cozen O'Connor  
1900 Market Street  
Philadelphia, PA 19103  
212.665.2000

**SIGNATURE AND SEAL**

Dated: \_\_\_\_\_

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Eduardo C. Robreno, J.  
United States District Court  
for the Eastern District of Pennsylvania  
601 Market Street  
Philadelphia, PA 19106