

EXHIBIT "B"

Mark R. Myers, MD, FACC
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626-793-1227

January 2, 2007

John Burton
414 South Marengo Avenue
Pasadena, CA 91101

Re: *Heston v City of Salinas*
N.D. Cal. Case No. C 05-03658 JW

Dear Mr. Burton,

At your request I have reviewed the following additional documents relevant to the demise of Mr. Heston:

- Webster, JG, et. al. "Can Tasers[®] directly cause ventricular fibrillation?"
- Expert Report, Richard M. Luceri, MD
- Electrical Engineering Forensic Report, Dorin Panescu, PhD
- Expert Report, Vincent J. M. DiMaio, MD
- Expert Report, Raymond E. Ideker, MD, PhD
- Expert Report, Jeffrey D. Ho, MD
- Opinion Report, Mark W. Kroll, PhD
- Opinion Report, Charles V. Wetli, MD
- Rebuttal Addendum Opinion Report, Mark W. Kroll, PhD

My opinions are unchanged:

Cause of Death: Multiple System Organ Failure
Due to: Cardiopulmonary Arrest
Due to: Applications of TASER[®]

Contributory causes: Agitated state associated with methamphetamine intoxication
Cardiac dilatation and hypertrophy
Rhabdomyolysis

The facts of this case are misstated when claims are made that Mr Heston was febrile at the time of his cardiopulmonary arrest. The paramedic record states that Mr Heston's temperature was "normal". The emergency room temperature was recorded at 97 degrees Fahrenheit. A later hospital unit rectal temperature was recorded at 101 degrees Fahrenheit, which is equivalent to only 100 degrees oral. The eventual development of

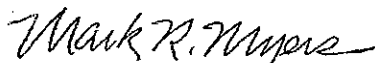
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an elevated temperature is consistent with the evolution of Rhabdomyolysis and not with "excited delirium".

Mr. Heston's cardiopulmonary arrest occurred after and/or during repeated and continuous applications of TASER[®] by multiple TASER[®] weapons. The fact that he was immediately cyanotic is indicative of TASER[®] induced hypoxia for a significant period of time. It is true that physiologic recording devices were not attached to the decedent to prove the exact mechanisms TASER[®] induced cardiopulmonary arrest, but reasonable inferences can be made and are supported by the objective clinical findings. As explained in my previous report, severe respiratory and metabolic acidosis were present and attributable to the use of TASER[®]. Malignant ventricular arrhythmias may have been transiently present and need not have been due to direct electrical stimulation of the heart, but secondary to the adverse metabolic, hypoxic milieu. The repeated, prolonged and multiple simultaneous painful applications of TASER[®] would be an extreme vasovagal stimulus which could cause a malignant vasodepressor and cardioinhibitory reaction leaving him in the documented state of asystole from which he was eventually resuscitated.

Hasty generalizations need to be avoided. All people with methamphetamine intoxication do not die of the methamphetamine or of "excited delirium". In the present case the only significant adverse physical stimulus was from the TASER[®] applications. Are we really expected to believe that the TASER[®] has no physiologic effects when delivered in the manner of this case? If so, then if the police had simply waited outside for 5 to 10 minutes, this man would have died spontaneously. I could not explain such a death.

Sincerely,



Mark R. Myers, MD, FACC

Mark R. Myers, MD, FACC

PROOF OF SERVICE BY MAIL

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I declare, under penalty of perjury, as follows:

I am over the age of eighteen years and am not a party to the within action. My business address is 414 South Marengo Avenue, Pasadena, California. On the date set forth below, I served the foregoing Supplement to Plaintiffs' Expert Mark E. Myers, M.d.'s Rule 26 Report on the interested parties by placing a true copy thereof in a sealed envelope with first-class postage paid thereon and depositing the same in the United States Mail at Pasadena, California, addressed as follows:

Vincent P. Hurley, Esq.
Law Offices of Vincent P. Hurley
38 Seascaple Village
Aptos, CA 95003

Mildred K. O'Linn, Esq.
MANNING & MARDER KASS, ELLROD, RAMIREZ LLP
801 S. Figueroa Street, 14th Floor
Los Angeles, California 90017

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on January 3, 2007 at Pasadena, California.



Richard Thompson