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VIA EMAIL: [REDACTED]

City Attorney's Office
Mr. Terry White - Santa Monica Office
Mr. Spencer Hart - Los Angeles Office
11701 S. La Cienega Boulevard
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Dear Terry and Spencer:

Thank you both for affording me an opportunity to confer with you at your offices after the Court Proceedings. I most appreciated our brainstorming for a resolution not as adversaries, but, as expressed by Spencer, "as teammates that are part of the team that helps Lindsay Lohan."

Of course, I recognize that a part of the consideration is punishment, but as I noted, punishment's success is best measured by the impact and outcome that it has on its recipient, as qualified by the benefits that are realized by both society and the recipient.

During our meeting, I related that I have known Lindsay for many years and have witnessed the dynamics of her family and her experiences that are not known to the Public, and which have deeply impacted her and resulted in certain events in her life that has brought her before the Court and derivatively to your attention and professional assessment; yet, as I noted at our meeting these prior events and their portrayal in the media, regrettably always results in a distortion, creating a very negative public persona without consideration of what happened in Lindsay's life that brought her to that place and without considering the pain, torment and confusion which Lindsay has experienced and been afflicted with.

In the absence of seeing the full picture, it is impossible for even professionals like you both, with all your years of experience, to be able to appropriately assess the solution because

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the real problem has not yet been revealed by the limited picture that is before you. Accordingly, the only way we as a "team" are going to formulate a solution is for Lindsay, her Psychotherapist and I to provide a true window revealing the real problems we must solve.

When we sat down and you each expressed your well-intended suggestions of resolution, I respectfully submitted that you were both handicapped because how could you propose how to fix something without knowing just how broken it was.

Regrettably, in most cases, we do not have the time or luxury for an in depth evaluation and accordingly, we use "rules of thumb" and "statistical approaches" used in similarly situated cases even though they may have no connection or relationship to the specific facts of the matter at hand.

As we have seen and as you both have noted, due to no fault of your respective Offices or the Court, the well-intended solutions (i.e. "sentences") have not worked, which is why I appeal to your good conscience to join me in not rubber stamping this case but rather to be patient and understanding and open to productive alternatives, as we, as a team, help "fix" Lindsay Lohan.

In fact, you must know that Lindsay, like many lay people, is always fearful and apprehensive of Court and would probably prefer to go to the dentist to have her teeth drilled. However, in the spirit of her newly found strength and determination to meet the issues and find a resolution, and in spite of having been excused from her next Court appearance, Lindsay has asked me to facilitate an in-person meeting with both of you, not to discuss the merits of her defense or the details of her case, but rather for Lindsay to introduce herself to both of you and express her sincerest desire to share her thoughts and help in the process of our determining what the best course would be for her future and to personally affirm her commitment and dedication to fix the problems.

Prior to our next meeting, Lindsay will gladly be participating in intensive psychotherapy, submitting herself to regular screenings and contributing her time to the production of Public Service messages and periodic visits to schools, hospitals and other venues where she may provide inspirational talks, encouraging children to pursue positive goals and avoid bad habits. I am also exploring the establishment of a Lindsay Lohan Foundation that will provide a non-profit program to benefit young people. If either of you have any further suggestions they would be most welcomed. I hope to provide you each with written update reports on the progress of all of the aforesaid.

If, going forward, we all determine that good progress is being made, we might consider a stipulation and joint request to the Court to permit a continuance of the matter for as long a period of time as may be necessary, along with a waiver by Lindsay of her speedy trial rights. I have taken the liberty of providing a copy of this communication to the Court, so that the Court may be cognizant of the joint efforts we are making to address Lindsay's matter and the potential necessity of placing this case on the slow track conditional upon regular positive written reports pending the evolution of Lindsay's progress, and of course, subject to the approval of Court.

Ultimately, our joint team goal should be to assess all the reports of Lindsay's progress, her screening results and the recommendation of her Psychotherapist as to what would be a good plan moving forward. Hopefully then, and only then, will you both be poised to discuss a resolution and a conclusion to the case, which both of you would deem appropriate based on your enhanced insight into Lindsay's persona, by meeting her and through the series of in depth reports by her Psychotherapist, the screening results and a consideration of her voluntary community service activities as noted above.

With all due respect, in the end the alleged charges of lying, obstructing and reckless driving, though entitled to appropriate weight in future considerations, should at this point only be significant as that which brought this "team" together, with the greatest emphasis on how we can turn around this young lady's life in a positive way so she can be a proud, productive and positive contributor in her life, to her family, society and her industry. Let our team be recognized as a sterling example of how wonderfully the prosecuting attorneys, the defense attorney and the judicial system can work together for the good of all.

Respectfully yours,

Mark Jay Heller
Mark Jay Heller, Esq.

cc: Judge Stephanie Sautner

APPROVED

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