

Mark S. Estabrook
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CONFIDENTIAL

September 26, 2013

Dr. Thomas N. Bettes, MD
4255 Amon Carter Boulevard
Fort Worth TX 76155
Office 214-794-5098
Cell 442-1430

VIA: Email**tbettes@verizon.net**

Re: Captain Mark Estabrook

Dear Dr. Bettes,

I hope your trip to London was productive and enjoyable. When we spoke on the phone before your flight, you indicated you would return today, Thursday, September 26, and we would resume our conversation about counseling tomorrow, September 27, 2013.

Before we get started down the path of treatment, my attorney wanted to remind you, my personal physician and me that the Company has not been following the contract. For example, the necessity of me seeing a psychiatrist in the first place was not clearly established. There was a requirement under Section 15.G.2.a of our Collective Bargaining Agreement (see attached) that required you to consult with my physician, Dr. Mark Nugent, prior to the evaluation in Houston with Dr. Glass. That did not happen and since I did not want to be accused of insubordination by the Company, I attended the evaluation and cooperated fully.

In the present time, we should consider that the same section of the contract applies to treatment. Your decision to seek counseling for me logically falls under "treatment" in the CBA. I am still not sure what I am being treated for since the origin of these medical procedures is based on me filing security concerns with the Company. The Company has never provided the "reasonable basis" for these examinations to either you or me, even after they dropped their theory that I had allegedly experienced a Temporary Ischemic Attack (TIA).

As I have stated in the past, I consider the Company's initiation of these procedures to be a violation of Federal law. But if I am wrong, we should at least be following the procedures of Section 15.G.2.b which requires you to consult with Dr. Nugent as to whether or not counseling is appropriate at this point. In the event that you and Dr. Nugent cannot agree that the evaluation and treatment are inappropriate in this case, there is a mechanism in the language that triggers a third doctor's opinion. I refer you to the attached copy of Section 15 of our CBA.

Here is Dr. Nugent's contact information:

Mark A. Nugent, M.D.
FAA Senior Aviation Medical Examiner
3828 S. First St
Austin, TX 78704
Office 512-443-1311
Cell 512-791-7721

Dr. Nugent is both my personal physician and aeromedical examiner. Please let me know the outcome of your consultation with Dr. Nugent.

Sincerely,



Captain Mark S. Estabrook

Cc: Dr. Mark Nugent, MD
Lee Seham, Esq.
Terry McTigue, FedEx ALPA MEC Counsel