
From: Scott Jennings [SJennings@gwb43.com]
Sent: Monday, January 08, 2007 10:15 AM
To: Fahrenkopf, Leslie
Subject: FW:

Attachments: Document.pdf



Document.pdf (285
KB)

Incoming on New Mexico.

-----Original Message-----

From: Bell, Steve (Domenici)
Sent: Monday, January 08, 2007 10:12 AM
To: Wolff, Candida P.; Scott Jennings; Karl Rove
Subject: FW:

Sent out Friday; a fifth name coming today...

To repeat: Peifer is our overwhelming choice and will take the job...

Thanks for everything...

Bell

FOR IMMEDIATE RELEASE
JANUARY 5, 2007

CONTACT: MATT LETOURNEAU
(202) 224-

DOMENICI RECOMMENDS FOUR TO WHITE HOUSE FOR U.S. ATTORNEY POSITION IN NEW MEXICO

WASHINGTON – U.S. Senator Pete Domenici today announced that he has recommended four distinguished attorneys to President Bush for his consideration as the next U.S. Attorney for New Mexico.

In response to the Bush Administration's request for recommendations following the departure of David Iglesias, Domenici has submitted the following names to the White House: Jim Bibb of Santa Fe, T. Glenn Ellington of Santa Fe, Charles Peifer of Albuquerque, and Pat Rogers of Albuquerque.

The names will now be vetted by the Administration. Following that process, President Bush will nominate a new U.S. Attorney, who will then be considered for confirmation by the U.S. Senate.

"It is my pleasure to recommend four individuals that I believe would serve New Mexico and the nation with distinction as United States Attorney for our state. I am familiar with each of them, and I believe that they have the necessary legal backgrounds and right temperament for the job. I look forward to President Bush's choice," Domenici said.

Bibb, who was the Republican nominee for Attorney General of New Mexico in 2006, has been an Assistant U.S. Attorney and is a Major in the New Mexico Army National Guard. In addition to two years in private practice, he was a Special Agent for the FBI and an Assistant District Attorney in the 4th Judicial District. He graduated from UNM School of Law.

Ellington currently is in private practice with Ellington & Ellington, L.L.C. Prior to that, he was Secretary of Taxation and Revenue for the state of New Mexico, and has served as a District and Appellate Judge. He is a graduate of UNM School of Law.

Peifer is an attorney with the Albuquerque firm of Peifer, Hanson and Mullins, where he has been a litigator for the past sixteen years. He also served as Chief Assistant Attorney General for New Mexico, where he supervised the four civil divisions of the New Mexico Department of Justice. He holds a law degree from Cornell Law School.

Rogers is a longtime member of the Albuquerque firm Modrall, Sperling, Rochl, Harris and Sisk, where he serves on the Executive Committee. He has served as General Counsel to the New Mexico Republican Party and was on the Board of Directors of the Mountain States Legal Federation. He graduated from Georgetown University Law Center.

The nation's 93 U.S. Attorneys, under the direction of the Attorney General, are the chief federal law enforcement officers of the United States. The position has three statutory responsibilities: the prosecution of criminal cases brought by the federal government; the prosecution and defense of civil cases in which the United States is a party; and the collection of debts owed the federal government which are administratively uncollectible.

From: Goodling, Monica [Monica.Goodling@usdoj.gov]
Sent: Monday, January 08, 2007 7:54 PM
To: Sampson, Kyle
Cc: Fahrenkopf, Leslie
Subject: RE: FYI

Thanks - this is in progress.

-----Original Message-----

From: Sampson, Kyle
Sent: Monday, January 08, 2007 2:28 PM
To: Goodling, Monica
Cc: Leslie_Fahrenkopf@who.eop.gov
Subject: FW: FYI
Importance: High

Monica, here are Sen. Domenici's recommendations for U.S Attorney for the District of New Mexico. He intends, apparently, to send a fifth recommendation shortly. Unless Leslie objects, will you get the process rolling for these four? Thanks.

-----Original Message-----

From: Looney, Andrea B. [mailto:Andrea_B_Looney@who.eop.gov]
Sent: Monday, January 08, 2007 10:21 AM
To: Fahrenkopf, Leslie; Brosnahan, Jennifer R.; Sampson, Kyle; Brand, Rachel; Macklin, Kristi R
Subject: FW: FYI

-----Original Message-----

From: Wolff, Candida P.
Sent: Monday, January 08, 2007 10:16 AM
To: Looney, Andrea B.; O'Hollaren, Sean B.
Subject: FW:

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From: Bell, Steve (Domenici)
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From: Fahrenkopf, Leslie
Sent: Monday, January 08, 2007 2:34 PM
To: 'Sampson, Kyle'; Goodling, Monica
Subject: RE: FYI

No objection here. Thanks.

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Sent: Monday, January 08, 2007 2:28 PM
To: Goodling, Monica
Cc: Fahrenkopf, Leslie
Subject: FW: FYI
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From: Oprison, Christopher G.
Sent: Monday, February 05, 2007 10:45 AM
To: Fahrenkopf, Leslie
Subject: RE:

I'll call her

From: Fahrenkopf, Leslie
Sent: Monday, February 05, 2007 10:45 AM
To: Oprison, Christopher G.
Subject:

Chris:

I had a voicemail from Monica Goodling regarding Bibb to see if they could send his BI papers to him.

Thanks -
Leslie

From: Fahrenkopf, Leslie
Sent: Thursday, January 25, 2007 9:13 PM
To: 'SJennings@gwb43.com'
Subject: Re: nm usatty

I believe so. Confirm with Oprison -- he handled this vacancy for me.

-----Original Message-----

From: Scott Jennings
To: Fahrenkopf, Leslie
Sent: Thu Jan 25 19:01:35 2007
Subject: nm usatty

We are going with Bibb, right?

From: Scott Jennings [SJennings@gwb43.com]

Sent: Thursday, January 25, 2007 7:02 PM

To: Fahrenkopf, Leslie

Subject: nm usatty

We are going with Bibb, right?

From: Perkins, Paul R.
Sent: Wednesday, January 24, 2007 3:17 PM
To: Fahrenkopf, Leslie
Subject: RE: POTUS Approval

REDACTED

TAB 10 James William Bibb of New Mexico
United States Attorney for the District of New Mexico

REDACTED

From: Fahrenkopf, Leslie
Sent: Wednesday, January 24, 2007 2:32 PM
To: Perkins, Paul R.

3/15/2007

HJC 11079

Subject: RE: POTUS Approval

He's out of the office. I haven't heard back from him yet.

From: Perkins, Paul R.

Sent: Wednesday, January 24, 2007 2:07 PM

To: Stanton, Cheryl M.; Fahrenkopf, Leslie

Subject: RE: POTUS Approval

Have either of you contacted your candidates yet? I think the plan is to try to get the BI's back by Friday, so let me know as soon as you speak to them.

Thanks.

From: Perkins, Paul R.

Sent: Wednesday, January 24, 2007 8:12 AM

To: Brosnahan, Jennifer R.; Stanton, Cheryl M.; McIntosh, Brent J.; Fahrenkopf, Leslie; Oprison, Christopher G.; Lee, Kenneth K.

Subject: POTUS Approval

The President approved each of your respective candidates this morning. Please let me know after you have notified the candidate(s) and what address they would like their BI material sent.

Thanks,
Paul

----- Forwarded Message

From: Scott Jennings <SJennings@gwb43.com>
Date: Sat, 6 Jan 2007 12:42:27 -0500
To: Karl Rove <KR@georgewbush.com>
Conversation: US Attorney
Subject: Re: US Attorney

Domenici wants Peifer.

Our political team wants Bibb, but Domenici doesn't like him for some reason.

Rogers would be the dream, but won't do it.

The other is a throw-away name.

-----Original Message-----

From: Karl Rove
To: Scott Jennings
Sent: Sat Jan 06 12:31:01 2007
Subject: FW: US Attorney

What's the situation here?

----- Forwarded Message

From: Rod Adair
Date: Sat, 6 Jan 2007 11:56:05 -0500
To: Karl Rove <kr@georgewbush.com>
Conversation: US Attorney
Subject: US Attorney

This is a rare moment when a matter is of such importance that I must contact you.

The Albuquerque Journal this morning reported four names in consideration for US Attorney for New Mexico. Three are quite acceptable, the fourth would be a disaster. (Actually Rogers would be a fantastic choice, but it would be my hope that he would never accept it - which I am also certain is the case - in that he is simply too valuable an asset elsewhere.)

The singular wrong pick in this group would be Chuck Peifer. He is, in shorthand, a wuss.

I have personal, direct experience with him observing him and others when he was asked to help an independent expenditure group which had complied with every letter of the law, yet was being harassed by a partisan underling in the Secretary of State's office. The facts were clear beyond question. Documentation was full and authoritative. The matter was of trivial total value and expenditure. He refused out of fear of what he would appear to be by Democrats, clients, others, etc. In short, he had not

guts at all even for a situation that did not even call for a scintilla of courage.

Subsequently, a different Republican lawyer was contacted. He quickly approved the correspondence, affixed his name and disposed with the matter, which was never heard of again.

If you are looking for someone who will follow the law scrupulously, be fair, be honest, and be of service to the nation, all four, even Peifer, would be qualified (none more than Rogers, who better not get it). But if you are looking for someone who will do all the above AND withstand any criticism, stand up to the Ward Churchill/Michael Moore bullies of the world and not worry about criticism for doing his job, the PEIFER IS DEFINITELY NOT THE CHOICE.

He is a wuss, a cowardly wuss, who will disappoint.

In my alter ego as New Mexico Demographic Research I ran six state representative campaigns this year, including three targeted races on behalf of the RPNM. For the second cycle in a row, the only pickups by the GOP in New Mexico were my clients. We defeated a 17-year incumbent and we took an open seat away that had never been in GOP hands. A client also held a GOP open seat and two incumbent clients held their seats, one of which had the lowest Average Republican Vote Strength (average of DB state races) at 47.86, of any legislator in the state. I also lost one challenger race. So I know a team player, and I know a fighter when I see one. I also know someone who thinks primarily about himself/herself. Peifer is NOT the answer.

Happy New Year!

Rod Adair
State Senator
R-Roswell
Chaves & Lincoln Counties
627
www.rodadair.com <<http://www.rodadair.com>> <<http://www.rodadair.com>>

The first Republican I knew was my father and he is still the Republican I most admire. He joined our party because the Democrats in Jim Crow Alabama of 1952 would not register him to vote. The Republicans did. My father has never forgotten that day, and neither have I."

-Condoleezza Rice

"The Republican Party is the ship, all else is the sea."

-Frederick Douglass

"Every right that has been bestowed upon blacks was initiated by the Republican Party."

-Mary Terrell, African-American
Republican and co-founder of the NAACP

The Democrat Party: Tolerating Negroes and other minorities since 1964.
-Robert Byrd, Kluxer, 1941-48

----- End of Forwarded Message

----- End of Forwarded Message

From: Karl Rove
Sent: 1/8/2007 10:08:00 AM
To: Steve Bell
Cc:
Bcc:
Subject: FW: US Attorney

See Rod's email below. He then sent me a reply in response to my email saying he'd rather not. I will then send you what sent him.

----- Forwarded Message

From: Karl Rove <kr@georgewbush.com>
Date: Sat, 06 Jan 2007 12:30:49 -0500
To: Rod Adair
Conversation: US Attorney
Subject: Re: US Attorney

Thanks — I'd make certain you share your views with your State's GOP Senator and Republican House Members.

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Date: Sat, 6 Jan 2007 11:56:05 -0500
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Robert Byrd, Kilmer, 1941-48

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From: "Bell, Steve (Domenici)"
Date: Mon, 8 Jan 2007 12:12:10 -0500
To: Karl Rove <KR@georgewbush.com>
Conversation: I previously sent...
Subject: RE: I previously sent...

it is petty and boring; peifer comes with very high recommendations and, you should remember, he was Judge Browning's law partner for more than a decade and Browning thinks the world of him...and Browning is truly one of ours!

if we can help on other matters as the year progresses, please call...

bell

From: Karl Rove [mailto:KR@georgewbush.com]
Sent: Monday, January 08, 2007 11:10 AM
To: Bell, Steve (Domenici)
Subject: FW: I previously sent...

Adair's final message to me.

Seems small bore and petty.

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From: Rod Adair
Date: Sat, 6 Jan 2007 19:54:59 -0500
To: Karl Rove <kr@georgewbush.com>
Conversation: I previously sent...
Subject: RE: I previously sent...

There was a group called Republicans for Responsibility who raised money and sent out a mailer on behalf of one of our candidates. Their total expenditure came in under the limit for reporting to the Secretary of State's office. Nonetheless a political appointee in the SOS office tried to make them file a full report. R for R contacted Peifer asking him to sign a letter saying he had reviewed the receipts and expenditures, which he did, and that they had met the full requirements of the law, which they had. In the final moment he notified everyone that he just didn't want to do it.

Lawyer by the name of David A. Garcia stepped in and reviewed the documents and signed the letter. The SOS accepted it and closed the case.

Those are the facts.

However, I do believe Peifer is intelligent, competent and would very possibly be a good manager. I don't mean to down him. You would just have to know what it's like to be in the trenches to know the feelings you get when someone won't come through in the clutch. Oftentimes there is very little time to act.

Any of the nominees would be very qualified. I don't mean to speak out of line, and probably should just drop it.

-----Original Message-----

From: Karl Rove [mailto:kr@georgewbush.com]
Sent: Saturday, January 06, 2007 4:18 PM
To: Rod Adair
Subject: I previously sent...

Their opinions matter.

What group was this? How was involved? When did it take place? Who was the lawyer who was willing to take on the issue?

[This E-mail scanned for viruses by Declude EVA]

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Jay McCleskey - Political

From: Jay McCleskey - Political
sent: 1/6/2007 5:32:28 PM
to: Scott Jennings;
Cc:
Bcc:
Subject:

What's the deal with the US Attorney?

U.S. Attorney Picks Named

Journal Staff Report

Sen. Pete Domenici, R-N.M., is recommending four people for consideration as the state's next U.S. attorney.

Domenici, in response to the Bush administration's request for recommendations, has submitted the names of attorneys Jim Bibb of Santa Fe, T. Glenn Ellington of Santa Fe, Charles Peifer of Albuquerque and Pat Rogers of Albuquerque.

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Domenici announced his recommendations in a news release Friday.

"It is my pleasure to recommend four individuals that I believe would serve New Mexico and the nation with distinction as United States Attorney for our state," he said. "I am familiar with each of them, and I believe that they have the necessary legal backgrounds and right temperament for the job."

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Edward Lujan, a former state GOP chairman, said there is little doubt that one of the four attorneys Domenici recommended will get the president's nod.

"When our senior senator, who is from the same (political) party as the president, makes a recommendation, it's very, very likely one of them will be selected," Lujan said.

Bibb, the Republican nominee for state attorney general who was defeated by Democrat Gary King in the Nov. 7 general election, has been an assistant U.S. attorney and is a major in the New Mexico National Guard. In addition to two years in private practice, he was a special agent for the FBI and an assistant district attorney in the 4th Judicial District.

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Jay McCleskey - Political

From: Jay McCleskey - Political
Sent: 1/6/2007 5:35:15 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: RE:

Are we going to go with the Domenici suggestion?

*Jay McCleskey
Regional Political Director
Republican National Committee
505.280.*

From: Scott Jennings
Sent: Sat 1/6/2007 10:33 AM
To: Jay McCleskey - Political
Subject: Re:

Domenici wants Peifer. Rod just emailed karl, incidentally, to say Peifer is a disaster.

---Original Message---

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To: Scott Jennings
Sent: Sat Jan 06 12:32:28 2007
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Jay McCleskey - Political

From: Jay McCleskey - Political
Sent: 1/6/2007 5:44:57 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: RE:

Where did Pat Rogers name come from?

*Jay McCleskey
Regional Political Director
Republican National Committee
505.280.*

From: Scott Jennings
Sent: Sat 1/6/2007 10:33 AM
To: Jay McCleskey - Political
Subject: Re:

Domenici wants Peifer. Rod just emailed karl, incidentally, to say Peifer is a disaster.

-----Original Message-----

From: Jay McCleskey - Political
To: Scott Jennings
Sent: Sat Jan 06 12:32:28 2007
Subject:

What's the deal with the US Attorney?

U.S. Attorney Picks Named

Journal Staff Report

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Jay McCleskey - Political

From: Jay McCleskey - Political
Sent: 1/6/2007 5:40:23 PM
Scott Jennings;

Bcc:
Subject: RE:

According to the article, you have 4 choices.....

Pull the trigger and make Bibb the man....

Otherwise, trade in your corvette for a minivan

From: Scott Jennings
Sent: Sat 1/6/2007 10:36 AM
To: Jay McCleskey - Political
Subject: Re:

Do we have a choice? You guys need to talk him into Bibb.

-----Original Message-----

From: Jay McCleskey - Political
Scott Jennings
Sent: Sat Jan 06 12:34:56 2007
Subject: RE:

Are we going to go with the Domenici suggestion?

Jay McCleskey
Regional Political Director
Republican National Committee
505.280

From: Scott Jennings
Sent: Sat 1/6/2007 10:33 AM
To: Jay McCleskey - Political
Subject: Re:

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Sent: Sat Jan 06 12:32:28 2007

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Jay McCleskey - Political

From: Jay McCleskey - Political
Sent: 1/6/2007 5:48:29 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: RE:

He won't do it and now it's going to look like potus rejected him and chose someone else.....

From: Scott Jennings
Sent: Sat 1/6/2007 10:46 AM
To: Jay McCleskey - Political
Subject: Re:

Bell said they put it in to scare Richardson or something.

Why don't u talk Pat in to it?

-----Original Message-----

From: Jay McCleskey - Political
To: Scott Jennings
Sent: Sat Jan 06 12:44:48 2007
Subject: RE:

Where did Pat Rogers name come from?

Jay McCleskey
Regional Political Director
Republican National Committee
505.280.

From: Scott Jennings
Sent: Sat 1/6/2007 10:33 AM
To: Jay McCleskey - Political
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Bell

From: Bell
Sent: 1/8/2007 8:37:11 PM
To: Scott Jennings; Wolff, Candida P.;
Cc:
Bcc:
Subject: USA-NM

Off the record:

Senator Bingaman would have no problem with Peifer as the United States Attorney for NM...

This means that we face little opposition on getting him done quickly...

Bell

From: mickey barnett
Sent: 1/8/2007 9:20:45 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: In DC

Scott

Driving in from Dulles for Postal meeting. Nothing much new from my end. Holler if you have time and inclination to meet.

I deliberately waited till last minute so your plans wouldn't be interrupted. Happy to take you and Autumn back to Italian restaurant or anywhere else for that matter if you want tonight.

Any news on US Attorney nomination?

Mickey

Sent from my Verizon Wireless BlackBerry

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Scott Jennings

From: Scott Jennings
Sent: 1/9/2007 10:32:34 AM
To: Mickey Barnett
Cc:
Bcc:
Subject: RE: In DC

Rod wrote Karl BLASTING Peifer

-----Original Message-----

From: Mickey Barnett
Sent: Tuesday, January 09, 2007 8:27 AM
To: Scott Jennings
Subject: RE: In DC

For what it is worth I agree with PVD. Mickey

Mickey D. Barnett
Barnett Law Firm, P.A.
1005 Wyoming NE
Albuquerque, NM 87112
505.275.3200
505.275.3837 fax

www.thebarnettlawfirm.com

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-----Original Message-----

From: Scott Jennings [<mailto:Scott.Jennings@gwb43.com>]
Sent: Tuesday, January 09, 2007 5:57 AM
To: Mickey Barnett
Subject: Re: In DC

I'm hoping quickly. Domenici has expressed a clear preference for Peifer, so that should make it easy provided he interviews ok.

-----Original Message-----

From: Mickey Barnett
To: Scott Jennings
Sent: Tue Jan 09 07:37:24 2007
Subject: RE: In DC

We have a board meeting until at least 8:00 so we can try for next trip. I know how busy you must be with the new Congress but call when time permits.

Any idea how quickly you will move on U.S. Atty appointment?

Mickey

Mickey D. Barnett

Barnett Law Firm, P.A.
1905 Wyoming NE
Albuquerque, NM 87112
505 275 3200
505 275 3837 fax

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Sent: Tuesday, January 09, 2007 4:57 AM
To: Mickey Barnett
Subject: Re: In DC

Sorry I didn't get to this until now, Mickey. I had another dinner last night. Are you around tonight?

-----Original Message-----

From: mickey
To: Scott Jennings
Sent: Mon Jan 08 16:23:36 2007
Subject: In DC

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Sent from my Verizon Wireless BlackBerry

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Scott Jennings

From: Scott Jennings
Sent: 1/9/2007 3:32:28 PM
To: mickey
Cc:
Bcc:
Subject: RE: In DC

Yes, he launched a long and inappropriate email about that Karl as well.

-----Original Message-----

From: mickey
Sent: Tuesday, January 09, 2007 11:12 AM
To: Scott Jennings
Subject: Re: In DC

I am aware. I spent an hour on the phone with Rod after he wrote Karl. He has tunnel vision sometimes. He is still upset with Karl over Murphey appointment.

Mickey

Sent from my Verizon Wireless BlackBerry

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Mickey

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Mike Davis

From: Mike Davis
Sent: 1/9/2007 12:17:15 PM
To: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY;
Subject: Re: Joel Rohlf

REDACTED

Isn't it great about TG landing the USA job? I love it!

REDACTED

From: Bell, Steve (Domenici)
Sent: Tuesday, February 06, 2007 6:29 PM
To: Scott Jennings
Subject: RE: FW: NM

None...

I am desperately trying to get PVD to move one way or the other...

Sorry for the screwup...

Now, what about any movement on Valles Caldera board?

Bell

From: Scott Jennings [mailto:SJennings@gwb43.com]
Sent: Tuesday, February 06, 2007 6:19 PM
To: Bell, Steve (Domenici)
Subject: RE: FW: NM

Any movement on USATTY issue?

From: Bell, Steve (Domenici)
Sent: Tuesday, February 06, 2007 6:17 PM
To: Scott Jennings
Subject: FW: FW: NM

From: Gallegos, Chris (Domenici)
Sent: Tuesday, February 06, 2007 4:04 PM
Subject: FW: NM

Subject: FW: NM

Government Contracting - New Mexico Style

An example of how it works...

Three contractors are bidding to fix the White House fence—one from New Mexico, another from Kentucky and the third, Florida.

They go with a White House official to examine the fence. The Florida contractor takes out a tape measure and does some measuring, then works some figures with a pencil.

"Well," he says. "I figure the job will run about \$900: \$400 for materials, \$400 for my crew and \$100 profit for me."

The Kentucky contractor also does some measuring and figuring, then says, "I can do this job for \$700: \$300 for materials, \$300 for my crew and \$100 profit for me."

The New Mexico contractor doesn't measure or figure, but leans over to the White House official and whispers: "\$2,700."

The official, incredulous, says, "You didn't even measure like the other guys! How did you come up with such a high figure?"

"Easy," the New Mexican explains, "\$1,000 for you, \$1,000 for me and we hire the guy from Kentucky."

From: Bell, Steve (Domenici)
Sent: Thursday, February 08, 2007 5:49 PM
To: Scott Jennings; Wolff, Candida P.
Cc: Hild, Edward (Domenici); Macchiarola, Frank (Energy); Giadics, Frank (Energy); Rodriguez, Veronica (Domenici)
Subject: RE: Bingaman Valles Caldera Board Recommendations

Why are we going through this?

Really...

If you want to go ahead we can merely indicate our dismay publicly and you guys can make whoever who are trying to make happy happy...I am sure that what the WH is doing is sure to make Bingaman end his fervent opposition to our USA pick, Jim Bibb...and to support your judge nominees, et al., in the future...

Earth to White House--they ain't gonna help you on anything important....

And, who the heck is Martha C. Miller-- the woman who was away on maternity leave while this languished?

Turns out the information from Tracy from her friend from CEQ has been the most accurate we have gotten to date...this whole thing was estopped in PPO and our three guys never had a chance to get done before the Dems took over...

I will tell the Senator, he can throw a fit, and then I can explain that you all feel a real need to work with Bingaman because....

Holy Cow...

Bell

From: Scott Jennings [mailto:SJennings@gwb43.com]
Sent: Thursday, February 08, 2007 4:38 PM
To: Bell, Steve (Domenici)
Subject: FW: Bingaman Valles Caldera Board Recommendations

FYI

From: Silva-Bañuelos, Jorge (Bingaman)
Sent: Thursday, February 08, 2007 3:41 PM
To: Miller, Martha C.
Subject: Bingaman Valles Caldera Board Recommendations

Dear Martha:

I wanted to forward you this letter to the President from Senator Bingaman regarding his recommendations for the Valles Caldera Board of Trustees. Please do not hesitate to contact me if you need additional information. I look forward to working with you further on this matter.

Jorge Silva-Bañuelos
Legislative Assistant

Senate Energy and Natural Resources Committee
Wk.202-224-
Fx.202-224-

From: Oprison, Christopher G.
Sent: Thursday, February 15, 2007 7:58 PM
To: 'steve_bell'
Cc: Jennings, Jeffery S.
Subject: D NM US Attorney

Steve

Scott relayed to me a recent communication regarding a possible replacement for the US Attorney vacancy. There are some issues I would like to discuss with you before proceeding. Are you available Friday morning for a call?

Chris

Christopher G. Oprison
Associate Counsel to the President
phone: (202) 456-
fax: (202) 456-

From: griffin
Date: Tuesday, February 06, 2007, 2:10:52 AM
To: "Karl Rove" <kr@georgewbush.com>
Subject: Re: hey

We can fight over who pays but ok.

Pryor is testifying in front of judiciary tomorrow about me. Unbelievable.

-----Original Message-----
From: "Karl Rove" <KR@georgewbush.com>
Date: Mon, 5 Feb 2007 20:46:47
To: <griffin
Subject: Re: hey

Sounds good. But make it my treat.

-----Original Message-----
From: Tim Griffin
To: Karl Rove
Sent: Mon Feb 05 20:20:10 2007
Subject: hey

I am planning on being in d.c. for a long weekend for some army continuing legal education in a few weeks. May we have lunch, my treat? Looks like it will be Friday the 2 of March. Thanks, TG

From: griffin
Sent: 1/9/2007 5:48:44 PM
To: Karl Rove kr@georgewbush.com;
Cc:
Bcc:
Subject: Re: Update

Will do. Thank you. Btw my wife is pregnant. We are thinking about naming him karl. Lol

-----Original Message-----

From: Karl Rove <KR@georgewbush.com>
Date: Tue, 09 Jan 2007 17:54:41
To: <griffin
Subject: Re: Update

We will — you stay strong!

On 1/9/07 5:24 PM, "griffin" wrote:

I think both lincoln and pryor went better than I expected. Pryor asked me about the bogus 2004 greg palast bbc voter supression article. I told him it was untrue. Clearly the dems will bring it up when I am submitted to the senate. Pryor suggested I withdraw my name if I get stuck in the senate. I told him I couldn't promise to do that. I hope yall hang in there with me. Thank you tg

-----Original Message-----

From: "Karl Rove" <KR@georgewbush.com>
Date: Tue, 9 Jan 2007 11:20:03
To: <griffin
Subject: Re: Update

I know that. And be cool in your meetings. Don't let them rattle you.

-----Original Message-----

From: griffin
To: Karl Rove
Sent: Tue Jan 09 11:15:32 2007
Subject: Re: Update

No worries! I will make you proud.

-----Original Message-----

From: Karl Rove <KR@georgewbush.com>
Date: Tue, 09 Jan 2007 10:30:30
To: <griffin
Subject: Re: Update

Then do them!

On 1/9/07 8:00 AM, "griffin" wrote:

Just a fyi:

I am en route to DC this a.m. to meet with Senators Pryor and Lincoln regarding potential confirmation. I am not optimistic but will shall see.

Of course, I will keep yall updated.

Thank you Tim

PS Things at the US Attorney's Office are going fabulous. Couldn't be better. I see lots of opportunity to do things better.

-----Original Message-----

From: Allen Weh
To: Karl Rove
Sent: Tue Jan 09 21:27:40 2007
Subject: FW: illegals DL litigation

You may have interest in this initiative that I've just given our congressional delegation a heads up on

Will avoid sending too much stuff from down in the weeds since your inbox volume is likely staggering

From: Allen Weh
Sent: Tuesday, January 09, 2007 6:43 PM
To: 'HAWilson'; 'Pearce, Steve'; 'Bell, Steve (Domenici)';
Patrick J. Rogers; Mark Jarmie; Nina Martinez; 'Jay McCleskey - Political'
Subject: FW: illegals DL litigation

FYI, I sent you a copy of an email regarding an active lawsuit we filed against the state of New Mexico, which is the only one remaining of several we filed pre election day as part of our efforts to deal with voter fraud. The below summary of the issues at stake may give you an appreciation for what we are now dealing with.

This particular lawsuit has to do with the policy of NM state government to issue drivers license to illegal aliens. Our discovery has revealed a program that has apparently allowed (or fails to prevent) drivers licenses to be issued to lots of people who aren't who they claim to be, and/or can't be traced. It's a program that has been exploited for all the wrong reasons and its vulnerability clearly has nation security implications. When we started this case it was simply intended to enable us to do a records check of those who were issued these licenses against the voter rolls to see how many illegal aliens were registered to vote. That objective still exists, but the breach of national security inherent in this on going state program makes it even more important that we find a way to get this policy amended and under sane control. It is now obvious the Richardson administration does not want us to have, or to get near, the records of this program as they have taken "executive privilege" to a whole new level. We intend to contest the latter in court, and will explore any and all avenues to attain a remedy to this problem.

From: Lyn Ott
Sent: Friday, January 05, 2007 11:38 AM
To: Allen Weh

Cc: 'Chris Atencio'; 'Nina Martinez'
Subject: illegals DL litigation

Chairman,

One piece of information that was not redacted looks like it's from the results of the audit that the Gov ordered Tax & Rev to conduct, requiring it to check the documents used by illegals to attain a NMDL for authenticity. Part of my public records request asked for the results of that audit.

Apparently, the auditor sent names and Tax ID #'s to the IRS. The results shows of the 9631 records checked (which isn't even 1/3 of the NMDL's issued to illegals,) over 2400 did not match IRS records. 1,367 records indicate the TIN's are not currently issued by the IRS. 1,055 records indicate the TIN and name combo don't match IRS records.

This is obviously a national security issue. First, we all know the 9/11 hijackers had multiple DL's. Second, what has been done to question, and possible bring these 2400 illegals to justice?

How do we hold NM Homeland Security's feet to the fire? Does the IRS need to investigate since it involves TINs? If the state government does nothing how do we pull in DOJ or other federal departments?

n.Ott

RPNM HAVA Director

505.298.

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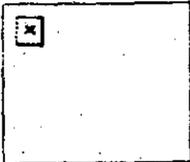
Allen Weh

From: Allen Weh
Sent: 1/10/2007 9:52:44 PM
To: Scott Jennings; Bell, Steve (Domenici);

Bcc:
Subject: Monahans Blog today
Attachments: image001.jpg;

Monahan has to be talking to some of our GOP lawyers to arrive at this.....but whoever thinks that the "they", which is us, would have Bibb move to ABQ to run for DA has a great imagination

BIBB BASHING?



I wouldn't call it an anti-Bibb bandwagon, but in reaction to our Tuesday blog in which the Alligators pinpointed Jim Bibb as the likely replacement for outgoing U.S. Attorney David Iglesias, we did receive some comment saying President Bush and Senator Domenici, who will have the ultimate say on the appointment, should not rush to judgment; that ABQ attorney Charles Peifer should not be underestimated. Here's an example:

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Interesting stuff. If it comes down to who can be a bigger thorn in the side of the state D's and Big Bill, it would seem Bibb would have the edge, If it comes to getting the most qualified and experienced candidate, it appears Peifer has the inside track. It's a powerful position and one worth watching which we will be doing.

Allen E. Weh
Chief Executive Officer
CSI Aviation Services, Inc.
3700 Rio Grande, NW
Suite 1
Albuquerque, NM 87107
(O) 505.761.9000
(D) 505.342



Bell

From: Bell
Sent: 1/11/2007 1:22:57 AM
To: Allen Weh; Scott Jennings;
Cc:
Bcc:
Subject: RE: Monahans Blog today
Attachments: image001.jpg;

Yes...

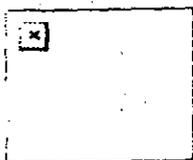
I have had a very candid talk with Jim and told him that we were bothered by depth and breadth of actual prosecutorial experience...I cleared that with the Senator before I talked to Jim...

Even lawyers have big mouths...

From: Allen Weh
Sent: Wednesday, January 10, 2007 5:01 PM
To: Scott Jennings; Bell, Steve (Domenici)
Subject: Monahans Blog today

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Allen Weh

From: Allen Weh
Sent: 1/11/2007 6:43:03 AM
To: Scott Jennings;
Cc:
Bcc:
Subject: FW: Monahans Blog today
Attachments: image001.jpg;

FYI

From: Allen Weh
Sent: Wednesday, January 10, 2007 11:17 PM
To: 'Bell, Steve (Domenici)'
Subject: RE: Monahans Blog today

Because Pfeiffer, Kennedy and Rogers have professional associates who are aware of what's going on I figure that's where the leaks are coming from... as long as no one confirms who is on the list it probably won't hurt anything.

You're not telling me anything new reference Bibb...we had that conversation and I don't disagree with that assessment. However, we also discussed the fact that Bibb views the job as a leadership post, that he'd fire this guy Gomez who has apparently been part of the problem, and that he'd call in the tough dogs from Justice in DC to help out with prosecuting these pending cases.....what else do we want? We agreed he was "acceptable" if the AG picked him..... so why do we (you my friend) still signal the WH that Pfeiffer is the only guy acceptable.....FYI, Kennedy is one of my best friends, but the last time I checked he hasn't been delegated the authority to hand pick the next US Atty. We are grateful he helped us eliminate a few folks that were weak, but that's where he should stop.....I'm going to tell the senator this when I see him next Wednesday and then you, Scott and I can talk about this.

Non-Responsive Material Redacted

From: Bell, Steve (Domenici)
Sent: Wednesday, January 10, 2007 6:24 PM
To: Allen Weh; Scott Jennings
Subject: RE: Monahans Blog today

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Sara Taylor

From: Sara Taylor
Sent: 1/15/2007 10:46:20 AM
To: Karl Rove /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KR; Ken Mehlman - Chairman's Office /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KMehlman; 'Wehner, Peter H.' Peter_H._Wehner@who.eop.gov;
Cc:
Bcc:
Subject: FW: NY Times Editorial: Politicizing Prosecutors

Pryor is going after Griffin. He's made this his cause.... We need to find some folks to defend Tim and his credentials, not to mention our policy.

Your thoughts? Rich Lowry offered to help Tim -

Anyone better?

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Sent: Monday, January 15, 2007 10:39 AM
To: Sara Taylor
Subject: NY Times Editorial: Politicizing Prosecutors

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January 15, 2007

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It is particularly dangerous to put United States attorneys' offices in the hands of political operatives because federal prosecutors have extraordinary power to issue subpoenas and bring criminal charges. The Senate should fix the law and investigate whether such offices in Arkansas and elsewhere are being politicized.

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HJC 11132

Sara Taylor

From: Sara Taylor
Sent: 1/15/2007 10:46:19 AM
To: Karl Rove kr@georgewbush.com; Ken Mehlman - Chairmans Office kmehlman@georgewbush.com; Wehner, Peter H. peter_h._wehner@who.eop.gov;
Cc:
Bcc:
Subject: FW: NY Times Editorial: Politicizing Prosecutors

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Sara Taylor

From: Sara Taylor
Sent: 1/15/2007 10:48:07 AM
To: 'Adam Nagourney'
Cc:
Bcc:
Subject: FW: NY Times Editorial: Politicizing Prosecutors

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To: Karl Rove /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KR; Ken Mehlman - Chairman's Office /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KMEHLMAN; Wehner, Peter H. Peter_H._Wehner@who.eop.gov;
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Sent: 1/15/2007 9:07:29 PM
To: 'Adam Nagourney'
Cc:
Bcc:
Subject: RE: NY Times Editorial: Politicizing Prosecutors

Yes - they should at least print a retraction. Tim has significant prosecutorial experience including as an Army Jag officer and at DOJ. Totally unfair characterization of him. Fine if you disagree w/ the Patriot Act's provision, but don't malign someone's qualifications when you clearly don't have the facts. It's sloppy and the NY times should not make these mistakes.

Thanks for listening. Really irritating and unfair.

From: Adam Nagourney
Sent: Monday, January 15, 2007 5:22 PM
To: Sara Taylor
Subject: RE: NY Times Editorial: Politicizing Prosecutors

Yeah, this came out of the blue to me. You want to contact Andy Rosenthal, the editorial page editor?

From: Sara Taylor [mailto:st@gwb43.com]
Sent: Monday, January 15, 2007 10:48 AM
To: Adam Nagourney
Subject: FW: NY Times Editorial: Politicizing Prosecutors

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From: griffin
Sent: Monday, January 15, 2007 12:19 PM
To: Karl Rove; Sara Taylor; Tim Griffin
Subject: Re: NY Times Editorial: Politicizing Prosecutors

Bud might but he admitted in a front page story on saturday that he was asked to leave. He puts foot in mouth a lot.

There is a Democrat prosecuting attorney I have worked with a lot who could be very helpful but I am not sure he wants to stick his neck out. I talked with him this a.m. He will probably help. He is in a difficult position as a democrat. A few days ago he said he would speak on my behalf to the nyt but never got called. He would probably write an oped etc. If we can get someone to write, he will say great things.

Bud seems sort of cozy with the pryor folks to be honest.

Maybe fred thompson who is a friend of mine?

I have a great friend, kevin crass, who is the partner at the largest firm down here. He is highly respected and is on a presidential board. He might.

-----Original Message-----

From: Karl Rove <KR@georgewbush.com>
Date: Mon, 15 Jan 2007 12:11:39
To: Sara Taylor <st@gwb43.com>, Tim Griffin, Tim Griffin
Subject: Re: NY Times Editorial: Politicizing Prosecutors

What about Bud Cummins?

On 1/15/07 10:46 AM, "Sara Taylor" <st@gwb43.com> wrote:

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Sara Taylor

From: Sara Taylor
Sent: 1/17/2007 3:47:20 PM
To: 'Rick_Dearborn'
Cc:
Bcc:
Subject: FW:
Attachments: Griffin, Tim Resume.doc;Griffin, Tim Military Bio.doc;Griffin, Tim Bio.doc;TG Editorial.doc;

Thanks for consideration, Rick. Attached is Tim's background and a draft editorial for the NY Times.

Below is a couple graphs on interim US Attys. We've always envisioned sending Tim through the confirmation process. Of course, Pryor will block.

From: Jane Cherry
Sent: Wednesday, January 17, 2007 2:42 PM
To: Sara Taylor
Cc: 'griffin'
Subject:

How does all this look to you guys?

Section 502 of the USA Patriot Act Reauthorization:

'SEC. 502. INTERIM APPOINTMENT OF UNITED STATES ATTORNEYS. Section 546 of title 28, United States Code, is amended by striking subsections (c) and (d) and inserting the following new subsection:

'(c) A person appointed as United States attorney under this section may serve until the qualification of a United States Attorney for each district appointed by the President under section 541 of this title.'

28 USC section 546 - Updated:

'3-2.160 Vacancy in Office - Appointments: As amended on March 9, 2006, Section 546 of Title 28 authorizes only the President and the Attorney General to appoint a United States Attorney for the district in which the office of the United States Attorney is vacant. See 28 U.S.C §§ 541, 546. The amendment also authorizes that individuals appointed by the Attorney General to serve as the interim United States Attorney will continue until such time as the Attorney General takes further action or a Presidential appointment is made pursuant to 28 U.S.C. § 541, thereby eliminating the provision of a 120-day term for United States Attorney appointments by the Attorney General, as well as the appointment authority for federal district courts. See USAP 3-4.213.003.'

DOJ Talking Points:

In every case, it is a goal of this Administration to have a U.S. Attorney that is confirmed by the Senate. It is inconceivable for a member of Congress to believe that use of an appointment authority to fill a vacancy is in any way an attempt to circumvent the confirmation process. When a United States Attorney submits his or her resignation, the Administration has an obligation to ensure that someone is able to carry out the important function of leading a U.S. Attorney's office. Following such a situation, we consult with the home-state Senators prior to nomination regarding candidates for Senate consideration.

Our record since this authority was amended demonstrates we are committed to working with the Senate to nominate candidates for U.S. Attorney positions. Specifically, since March 9, 2006, the Administration has nominated 13 individuals to serve as U.S. Attorney (12 have been confirmed). Additionally, since the appointment authority was amended, there have been 11 vacancies created by outgoing U.S. Attorneys - of those 11 vacancies, the Administration nominated candidates to fill four of these positions to date and has already interviewed candidates for the other seven positions.

J. TIMOTHY GRIFFIN

EDUCATION

Tulane University Law School. New Orleans, Louisiana. Juris Doctor, *cum laude*, May 1994. Cumulative G.P.A.: 3.25/4.00; Rank: 80/319, Top 25%. Common law and civil law curricula. Legal Research and Writing grade: A.

- Senior Fellow, Legal Research and Writing Program. Taught first year law students legal research and writing.
- Volunteer, The New Orleans Free Tutoring Program, Inc.

Oxford University, Pembroke College. Oxford, England. Graduate School, British and European History, 1990-1991.

- Under-secretary and Treasurer, Oxford University Clay Pigeon Shooting Club.

Hendrix College. Conway, Arkansas. Bachelor of Arts in Economics and Business, *cum laude*, June 1990. Cumulative G.P.A.: Major 3.79/4.00, Overall 3.78/4.00; Rank: 22/210, Top 10%.

- Oxford Overseas Study Course, September 1988-May 1989, Oxford, England.

LEGAL EXPERIENCE

U.S. Attorney (Interim). Eastern District of Arkansas, U.S. Department of Justice. Little Rock, Arkansas. December 2006-present.

- Served as a Special Assistant U.S. Attorney, Eastern District of Arkansas, September-December 2006.

Trial Counsel, U.S. Army JAG Corps. Criminal Law Branch, Office of the Staff Judge Advocate. Fort Campbell, Kentucky, September 2005-May 2006; August-September 2006.

- Successfully prosecuted U.S. v. Mikel, involving a soldier's attempted murder of his platoon sergeant.
- Provided legal advice to E Co., 1st and 3rd Brigade Combat Teams, 101st Airborne Division (Air Assault)(R)(P).
- Prosecuted 40 Army criminal cases at courts-martial and federal criminal cases as a Special Assistant U.S. Attorney, Western District of Kentucky and Middle District of Tennessee, and handled 90 administrative separations.

Brigade Judge Advocate, U.S. Army Judge Advocate General's (JAG) Corps. Operation Iraqi Freedom. Task Force Band of Brothers. 501st STB, 101st Airborne Division (Air Assault). Mosul, Iraq, May-August 2006.

- Served on the Brigade Operational Law Team (BOLT), 172d Stryker Brigade Combat Team, FOB Marez, Iraq.
- Provided legal advice on various topics, including financial investigations, rules of engagement, and rule of law.

Special Assistant to the Assistant Attorney General. Criminal Division, U.S. Department of Justice. Washington, D.C. and Little Rock, Arkansas. March 2001-June 2002.

- Tracked issues for Assistant Attorney General Michael Chertoff and worked with the Office of International Affairs (OIA) on matters involving extradition, provisional arrest and mutual legal assistance treaties (MLATs).
- Prosecuted federal firearm and drug cases and served as the coordinator for Project Safe Neighborhoods, a strategy to reduce firearm-related violence through cooperation between state and federal law enforcement, as a Special Assistant U.S. Attorney, Eastern District of Arkansas, in Little Rock, September 2001-June 2002.

Senior Investigative Counsel. Committee on Government Reform, U.S. House of Representatives. Washington, D.C. January 1997-February 1998; June 1998-September 1999.

- Developed hearing series entitled "National Problems, Local Solutions: Federalism at Work" to highlight innovative and successful reforms at the state and local levels, including: "Fighting Crime in the Trenches," featuring New York City Mayor Rudolph Giuliani, and "Tax Reform in the States."
- Pursuant to the Committee's campaign finance investigation, interviewed Johnny Chung and played key role in hearing detailing his illegal political contributions; organized, supervised and conducted the financial investigation of individuals and entities; interviewed witnesses; drafted subpoenas; and briefed Speaker of the House Newt Gingrich.

Associate Independent Counsel. U.S. Office of Independent Counsel David M. Barrett. In re: Henry G. Cisneros, Secretary of Housing and Urban Development (HUD). Washington, D.C. September 1995-January 1997.

- Interviewed numerous witnesses with the F.B.I. and supervised the execution of a search warrant.
- Drafted subpoenas and pleadings and questioned witnesses before a federal grand jury.

Associate Attorney. General Litigation Section. Jones, Walker, Waechter, Poitevent, Carrere & Denegre, L.L.P. New Orleans, Louisiana. September 1994-September 1995.

- Drafted legal memoranda and pleadings and conducted depositions.

ADDITIONAL WORK EXPERIENCE

Special Assistant to the President and Deputy Director. Office of Political Affairs, The White House. Washington, D.C. April-September 2005. On military leave after mobilization to active duty, September 2005-September 2006.

- Advised President George W. Bush and Vice-President Richard B. Cheney.
- Organized and coordinated support for the President's agenda.

Research Director and Deputy Communications Director. 2004 Presidential Campaign, Republican National Committee (RNC). Washington, D.C. June 2002-December 2004.

- Briefed Vice-President Richard B. Cheney and other Bush-Cheney 2004 (BC04) and RNC senior staff.
- Managed RNC Research, the primary research resource for BC04, with over 25 staff.
- Worked daily with BC04 senior staff on campaign and press strategy, ad development and debate preparation.

Deputy Research Director. 2000 Presidential Campaign, Republican National Committee (RNC). Washington, D.C. September 1999-February 2001.

- Managed RNC Research, the primary research resource for Bush-Cheney 2000 (BC00), with over 30 staff.
- Served as legal advisor in Volusia and Brevard Counties for BC00 Florida Recount Team.

Campaign Manager. Betty Dickey for Attorney General. Pine Bluff, Arkansas. February 1998-May 1998.

SUMMARY OF MILITARY SERVICE

Major. JAG Corps, U.S. Army Reserve. Commissioned First Lieutenant, June 1996.

- Served on active duty in Mosul, Iraq with the 101st Airborne Division (Air Assault), and at Fort Campbell, Kentucky, September 2005-September 2006.
- Authorized to wear 101st Airborne Division (Air Assault) "Screaming Eagle" combat patch.
- **Medals, Ribbons and Badges:** Army Commendation Medal with Five Oak Leaf Clusters; Army Achievement Medal with Four Oak Leaf Clusters; Army Reserve Components Achievement Medal with Two Oak Leaf Clusters; National Defense Service Medal; Iraq Campaign Medal; Global War on Terrorism Service Medal; Armed Forces Reserve Medal with Bronze Hourglass and "M" Devices; Army Service Ribbon; and Army Reserve Overseas Training Ribbon with "3" Device; and Combat Action Badge.

ACTIVITIES AND ASSOCIATIONS

Arkansas Bar Association. Little Rock, Arkansas. *Member*, 1995-present. Annual Meeting Subcommittee on Technology, 2002. Admitted to Arkansas Bar, April 26, 1995.

Friends of Central Arkansas Libraries (FOCAL). Little Rock, Arkansas. *Life Member*.

Florence Crittenton Services, Inc. Little Rock, Arkansas. *Member*, Board of Directors, 2001-2002.

Louisiana State Bar Association. New Orleans, Louisiana. *Member*. Admitted October 7, 1994. Currently inactive.

The Oxford Union Society. Oxford, England. *Member*, 1990-present.

Pulaski County Bar Association. Little Rock, Arkansas. *Member*, 2001-2002. *Cochair*, Law School Liaison Committee, 2001-2002.

Reserve Officers Association. Washington, D.C. *Life Member*.

BIOGRAPHICAL SUMMARY

January 1, 2007

GRIFFIN, John Timothy

Major, Judge Advocate General's Corps, USAR

Date and Place of Birth: Charlotte, NC

Mandatory Removal Date: 14 June 2024

Home Address:

Phone Numbers: Home (501) 666- Work (501) 340-

Civilian Occupation: United States Attorney for the Eastern District of Arkansas, United States
Department of Justice, Little Rock, Arkansas

Enlisted Service: None

Source and Date of Commission: Direct, 15 June 1996

Years of Commissioned Service: Over ten years

Military Schools Attended:	Year Completed:
The Judge Advocate General's School, Officer Basic Course, Phase I	1997
The Judge Advocate General's School, Officer Basic Course, Phase II (correspondence)	1998
The Judge Advocate General's School, 7 th Intel Law Course	2005
The Judge Advocate General's School, Officer Advanced Course, Phase I (correspondence)	2005
The Judge Advocate General's School, Officer Basic Course, Phase II	2006

Civilian Education:	Degrees Completed:
4 Years, High School, Magnolia, AR	Graduated 1986
4 Years, Hendrix College, Conway, AR	BA (Economics) 1990
1 Year, Oxford University, Pembroke College, Graduate School Oxford, England	1990-1991
3 Years, Tulane University School of Law, New Orleans, LA	JD 1994

U.S. Decorations/Badges:	Year Awarded:
Combat Action Badge	2006

BIOGRAPHICAL SUMMARY (Continued)

Army Commendation Medal	2000
First Oak Leaf Cluster	2001
Second Oak Leaf Cluster	2003
Third Oak Leaf Cluster	2005
Fourth Oak Leaf Cluster	2005
Fifth Oak Leaf Cluster	2006
Army Achievement Medal	1997
First Oak Leaf Cluster	1998
Second Oak Leaf Cluster	2001
Third Oak Leaf Cluster	2003
Fourth Oak Leaf Cluster	2006
Army Reserve Components Achievement Medal	2000
First Oak Leaf Cluster	2005
Second Oak Leaf Cluster	2005
National Defense Service Medal	2003
Iraq Campaign Medal	2006
Global War on Terrorism Service Medal	2005
Armed Forces Reserve Medal with "M" Device	2005
Bronze Hourglass Device	2006
Army Service Ribbon	1997
Army Reserve Overseas Training Ribbon	1997
"2" Device	1998
"3" Device	2003

Chronological List of Appointments:

ILT	USAR	15 June 1996
CPT	USAR	20 March 2000
MAJ	USAR	22 May 2006

Chronological Record of Duty Assignments:

	From	To
USAR - Not on Active Duty		
Assistant S-3, 2d Legal Support Organization (LSO), New Orleans, Louisiana	15 Jun 96	12 Mar 97
USAR - Not on Active Duty		
Assistant S-1, 10th LSO, Upper Marlboro, Maryland	13 Mar 97	18 Apr 98
USAR - Not on Active Duty		
Defense Counsel, Team 4, 2d LSO, North Little Rock, Arkansas	19 Apr 98	9 Aug 98
USAR - Not on Active Duty		
Recorder, Military Justice Team, 10th LSO, Upper Marlboro, Maryland	10 Aug 98	4 Sept 01

BIOGRAPHICAL SUMMARY (Continued)

<p>USAR - Not on Active Duty Assistant Staff Judge Advocate (SJA), 90th Regional Support Command (RSC), North Little Rock, Arkansas</p>	<p>5 Sept 01</p>	<p>27 Aug 02</p>
<p>USAR - Not on Active Duty Legal Assistance Attorney and Arms Room Officer, 10th LSO, Upper Marlboro, Maryland</p>	<p>28 Aug 02</p>	<p>31 Dec 03</p>
<p>USAR - Not on Active Duty Deputy S-2 and Arms Room Officer, 10th LSO, Upper Marlboro, Maryland</p>	<p>01 Jan 04</p>	<p>25 Sept 05</p>
<p>USAR - On Active Duty, Operation Iraqi Freedom Attached as Trial Counsel and Special Assistant U.S. Attorney, Office of the Staff Judge Advocate, Headquarters and Headquarters Company, U.S. Army Garrison, Fort Campbell Installation, Fort Campbell, Kentucky</p>	<p>26 Sept 05</p>	<p>20 May 06</p>
<p>USAR - On Active Duty, Operation Iraqi Freedom. Assigned to 501st Special Troops Battalion (STB), 101st Airborne Division (Air Assault), FOB Speicher, Tikrit, Iraq. Serve as Brigade Judge Advocate, Brigade Operational Law Team (BOLT), 172^d Stryker Brigade Combat Team (SBCT), FOB Marez, Mosul, Iraq.</p>	<p>21 May 06</p>	<p>13 Aug 06</p>
<p>USAR - On Active Duty, Operation Iraqi Freedom Office of the Staff Judge Advocate, Headquarters and Headquarters Company, U.S. Army Garrison, Fort Campbell Installation, Fort Campbell, Kentucky</p>	<p>14 Aug 06</p>	<p>25 Sept 06</p>
<p>USAR - Not on Active Duty 10th LSO, Upper Marlboro, Maryland</p>	<p>26 Sept 06</p>	<p>30 Nov 06</p>
<p>USAR - Not on Active Duty Assistant Staff Judge Advocate (SJA), 90th Regional Readiness Command (RRC), North Little Rock, Arkansas</p>	<p>1 Dec 06</p>	<p>Present</p>

ADDENDUM TO BIOGRAPHICAL SUMMARY

GRIFFIN, John Timothy,

**Civilian Occupation: United States Attorney for the Eastern District of Arkansas, United States
Department of Justice, Little Rock, Arkansas**

**Nature, Scope and Extent of Responsibilities: Serve as chief federal law enforcement officer in the
Eastern District of Arkansas, composed of 41 counties.**

TIM GRIFFIN

In December 2006, Tim Griffin was named U.S. Attorney for the Eastern District of Arkansas. The Eastern District includes 41 Arkansas counties.

Tim recently completed a year of active duty in the U.S. Army. He is in his 10th year as an officer in the U.S. Army Reserve, Judge Advocate General's (JAG) Corps and holds the rank of Major. In September 2005, Tim was mobilized to active duty to serve as an Army prosecutor at Fort Campbell, Kentucky, the home of the 101st Airborne Division (Air Assault). At Fort Campbell, he prosecuted 40 criminal cases. One of those cases, U.S. v. Mikel, drew national interest after Private Mikel attempted to murder his platoon sergeant and fired upon his unit's early morning formation. Private Mikel pleaded guilty to attempted murder and was sentenced to 25 years in prison.

In May 2006, Tim was assigned to the 501st Special Troops Battalion (STB), 101st Airborne Division and sent to serve in Iraq. From May through August 2006, he served as an Army JAG with the 101st Airborne Division in Mosul, Iraq, as a member of the 172d Stryker Brigade Combat Team (SBCT) Brigade Operational Law Team (BOLT), for which he was awarded the Combat Action Badge and the Army Commendation Medal.

When he was called to active duty in September 2005, Tim was serving as Special Assistant to the President and Deputy Director, Office of Political Affairs at the White House. In that capacity, he advised President George W. Bush and Vice-President Richard B. Cheney and organized and coordinated support for the President's agenda, including the nomination of Judge John Roberts to be Chief Justice of the U.S. Supreme Court.

From 2001-2002, Tim served as an appointee at the U.S. Department of Justice where he was Special Assistant to the Assistant Attorney General, Michael Chertoff, the Criminal Division Chief. In the summer of 2001, AAG Chertoff granted Tim a year detail as a Special Assistant U.S. Attorney at the U.S. Attorney's Office for the Eastern District of Arkansas in Little Rock. While in Little Rock, Tim prosecuted a variety of federal cases with an emphasis on firearm and drug cases. He also organized the Eastern District's Project Safe Neighborhoods (PSN), the Bush Administration's initiative to reduce firearm-related violence by promoting close cooperation between state and federal law enforcement, and served as the PSN coordinator.

Tim served as Research Director and Deputy Communications Director for the Republican National Committee (RNC) during the 2004 presidential campaign and Deputy Research Director for the RNC during the 2000 presidential campaign. Tim has also served as Senior Counsel to the Government Reform Committee, U.S. House of Representatives; Associate Independent Counsel, In Re: Housing and Urban Development (HUD) Secretary Henry Cisneros; and as an associate attorney with the New Orleans law firm of Jones, Walker.

Tim is a member of the Arkansas and Louisiana bars. He is a *cum laude* graduate of both Hendrix College in Conway, Arkansas, where he received his B.A., and Tulane Law School in New Orleans, Louisiana, where he received his J.D. He also attended graduate school at Pembroke College, Oxford University, in Oxford, England. Tim was born in Charlotte, North Carolina, was raised in Magnolia, Arkansas, and now resides in Little Rock, Arkansas, with his wife, Elizabeth, a native of Camden, Arkansas.

January 3, 2007

"Don't be fooled Person vs. perception"

TIM GRIFFIN will make a fine U.S. attorney for the Eastern District of Arkansas. Enter hysteria from left. Mr. Griffin is an experienced lawyer and prosecutor, a cum laude graduate of both Hendrix College rah cheer in Arkansas and Tulane University in New Orleans. He even went to grad school at Oxford, the one across the big pond. He has experience in the private and public sectors. Gnashing of teeth, rending of garments on cue. All that's just a smokescreen! Despite his rough-and-tumble years in Washington, this son of Magnolia, Ark., knows and loves the Natural State. Wrath, fury, charges of rewarding blind political loyalty over real qualifications. But didn't Tim Griffin leave a high-ranking post in the White House to spend a year serving in Iraq? Scarcely the act of a blind partisan. Irrelevant! It was probably just a PR stunt! He's still a GOP hit man! YOU KNOW how easy it'd be to do a slash-and-burn piece on Tim Griffin? We mean a real verbal kneecap job on the guy? Google "tim griffin" and "republican"-and stand back. He's as easy to demonize as his old boss, Karl Rove. And since Mr. Griffin has now been appointed the next U.S. attorney for the Eastern District of Arkansas, well, let the demonizing begin! It already has from Arkansas' junior senator, Mark Pryor. Or, rather from the junior senator's flack, Michael Teague. He/they are shocked-shocked!-at the idea of the president's making a political appointment to a political office. And to appoint Mr. Griffin during a congressional recess, why, that's . . . playing politics! To quote Mark Pryor's mouthpiece: "The one thing that stands out is that [Tim Griffin] worked for Karl Rove in the West Wing of the White House. Is he getting special treatment? . . . Is he going to make good legal decisions, or is he going to make political decisions?" Gosh, we don't remember Mark Pryor/Michael Teague/the DNC expressing similar reservations when President Bill Clinton was plunking all those Democrats into U.S. attorney slots during his seemingly endless tenure. But here's the difference: Tim Griffin is . . . a Republican. Horrors! Not only that, but he spent the '04 campaign running Oppo Research for the Republican National Committee. He can't deny it! In the politics-ain't-beanbag world of, well, politics, yes, Tim Griffin played hardball. So he must be evil incarnate, right? Nah. There's no doubt Mr. Griffin has been a Republican loyalist, operative, opporesearcher and all-around hand for the Grand Ol' Party, which can sling mud as fast as . . . the other grand ol' party. There's also no doubt that he's perfectly qualified for this post, having twice served as deputy federal prosecutor, and having worked as a lawyer in the Justice Department. (He was a special assistant to Michael Chertoff in the criminal division of the U.S. attorney general's office.) Whatever Mr. Griffin's politics-and at least you don't have to guess about 'em-he's sharp as a new box of tacks, and the kind of God-and-country Arkansan you'd expect to do just what he did. That is, leave behind a desk job as Karl Rove's deputy to serve in Iraq. Tim Griffin may have played hardball, but far as we know he never threw at anybody's head. Always a good source for information, not just rumor and scuttlebutt, we called Mr. Griffin on occasion when he lived in Washington. Inevitably, the conversation would go from politics to the real stuff-the Hogs and their chances. We'd ask Tim how the gig was going, and he'd say, every time: It's okay. But it's not Arkansas. We can't remember a young, off-to-Washington politico who was so regularly homesick. And who kept getting dragged back to the Beltway by one exciting job offer after another. How does a young Republican turn down a personal appeal from Karl Rove? Remember,

before Mr. Rove was this election's goat, he was last election's genius. But why let the actual person get in the way of Mark Pryor's caricature of him? Here's the party line of the other party: Tim Griffin wouldn't have a snowball's chance at this post if he didn't have all those suspicious connections to the Bush White House. And look how close he is to Karl Rove. And look at those vicious campaigns he worked on. (Never mind that Democrats have plenty of their own Tim Griffins. Just check out the bright young types in their war rooms.) Well, as the kids used to say and maybe still do, Duh. That's the way these things work. That's why they're called political appointments. The most we the people can hope for is that the appointees have qualifications other than their politics. IF YOU'RE looking for legal qualifications—and Camp Pryor seems to be—then just look a little closer at Tim Griffin's background: Now in his 10th year as an officer in the Army Reserve, Major Griffin of the Judge Advocate General's Corps served as a prosecutor at Fort Campbell, Ky. Remember that case about the private who tried to murder his platoon sergeant? Major Griffin prosecuted it—as well as some 40 other criminal cases. When he previously served as a special assistant U.S. attorney in Arkansas, Tim Griffin handled drug and firearm cases. He also organized the Eastern District of Arkansas' state-federal effort to reduce gun violence, which was styled Project Safe Neighborhoods. For a partisan appointee, Tim Griffin makes a pretty nonpartisan law-and-order guy. But something tells us that Mark Pryor isn't especially interested in carefully appraising this appointee's record in the law, but in how much hay he can make of Tim Griffin's association with Karl Rove, the man everybody loves to hate this year. After all, Mark Pryor's own résumé didn't exactly scream Perry Mason before he ran for attorney general of Arkansas. He'd spent a decade in private law practice (did he ever try a case?) while serving a few less than distinguished terms in the Legislature and, naturally, lobbying the Ledge once he was out. Then when he got to be Arkansas' attorney general, what brilliant stroke did he exhibit in that office—besides letting the payday lenders loose on the state? Mark Pryor may not be the greatest legal mind ever to serve in the U.S. Senate (may not be?) but, boy, he's got plenty of nerve. Because that's what it takes for somebody with his nondescript record at the bar to challenge Tim Griffin's. But this wasn't supposed to be about Mark Pryor's qualifications and experience but Tim Griffin's. To review: Tim Griffin comes with a law degree, experience as a federal prosecutor in at least two jurisdictions, a sense of loyalty and duty, and a love of country, especially Arkansas, USA. Plus, if you know the guy, you know he's quality. About the only knock on him is that he's too Republican for Mark Pryor. But that's Mark Pryor's problem, not Tim Griffin's.

Dearborn, Rick (Sessions)

From: Dearborn, Rick (Sessions)
Sent: 1/17/2007 3:50:17 PM
To: Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR;
Cc:
Bcc:
Subject: RE:

Must be honest, he had many questions about this ask when I mentioned it to him, but he did tell me he'd review what you sent.
Be back to you soon.

RAD

Rick A. Dearborn
Chief of Staff
U.S. Senator Jeff Sessions
ph (202) 224-4124
fax (202) 228-

From: Sara Taylor [mailto:st@gwb43.com]
Sent: Wednesday, January 17, 2007 3:47 PM
To: Dearborn, Rick (Sessions)
Subject: FW:

Thanks for consideration, Rick. Attached is Tim's background and a draft editorial for the NY Times.

Below is a couple graphs on interim US Attyns. We've always envisioned sending Tim through the confirmation process. Of course, Pryor will block.

From: Jane Cherry
Sent: Wednesday, January 17, 2007 2:42 PM
To: Sara Taylor
Cc: 'griffin'
Subject:

How does all this look to you guys?

Section 502 of the USA Patriot Act Reauthorization:

"SEC. 502. INTERIM APPOINTMENT OF UNITED STATES ATTORNEYS. Section 546 of title 28, United States Code, is amended by striking subsections (c) and (d) and inserting the following new subsection:

'(c) A person appointed as United States attorney under this section may serve until the qualification of a United States Attorney for such district appointed by the President under section 541 of this title.'

28 USC section 546 - Updated:

"3-2.160 Vacancy in Office - Appointments: As amended on March 9, 2006, Section 546 of Title 28 authorizes only the President and the Attorney General to appoint a United States Attorney for the district in which the office of the United States Attorney is vacant. See 28 U.S.C §§ 541, 548. The amendment also authorizes that individuals appointed by the Attorney General to serve as the interim United States Attorney will continue until such time as the Attorney General takes further action or a Presidential appointment is made pursuant to 28 U.S.C. § 541, thereby eliminating the provision of a 120-day term for United States Attorney appointments by the Attorney General, as well as the appointment authority for federal district courts. See USAP 3-4.213.003."

7J Talking Points:

in every case, it is a goal of this Administration to have a U.S. Attorney that is confirmed by the Senate. It is inconceivable for a

member of Congress to believe that use of an appointment authority to fill a vacancy is in any way an attempt to circumvent the confirmation process. When a United States Attorney submits his or her resignation, the Administration has an obligation to ensure that someone is able to carry out the important function of leading a U.S. Attorney's office. Following such a situation, we consult with the home-state Senators prior to nomination regarding candidates for Senate consideration.

Our record since this authority was amended demonstrates we are committed to working with the Senate to nominate candidates for U.S. Attorney positions. Specifically, since March 9, 2006, the Administration has nominated 13 individuals to serve as U.S. Attorney (12 have been confirmed). Additionally, since the appointment authority was amended, there have been 11 vacancies created by outgoing U.S. Attorneys -- of those 11 vacancies, the Administration nominated candidates to fill four of these positions to date and has already interviewed candidates for the other seven positions.

Sara Taylor

From: Sara Taylor
Sent: 1/17/2007 5:40:43 PM
To: 'Rick_Dearborn'
Cc:
Bcc:
Subject: FW: Who is Tim Griffin - for Dearborn
Attachments: Who is Tim Griffin.doc;

I was wrong; I didn't attach.

From: Jane Cherry
Sent: Wednesday, January 17, 2007 5:38 PM
To: Sara Taylor
Subject: Who is Tim Griffin - for Dearborn
Importance: High

WHO IS TIM GRIFFIN?

On Monday, The New York Times criticized the appointment of Tim Griffin as the U.S. Attorney for the Eastern District of Arkansas and in doing so noted that Mr. Griffin "has a resume that includes working for Karl Rove and heading up opposition research for the Republican National Committee." The Times characterized Mr. Griffin's legal record with one word: "thin." Mr. Griffin's resume deserves a closer look.

First and foremost, Mr. Griffin is a lawyer, a *cum laude* graduate of Tulane Law School, in New Orleans. He is a member of both the Arkansas and Louisiana bars, and has a resume that lawyers---including many U.S. Attorneys---from New York to California would envy.

Mr. Griffin has served as an officer---currently a major---in the U.S. Army Judge Advocate General's (JAG) Corps for over ten years. Like all JAGs, he has routinely practiced the basic legal skills that many lawyers never acquire: drafting wills, writing opinions and advising soldiers. In 2002, his supervisor wrote: "CPT Griffin has the gift of easily identifying legal issues and drafting clear, concise, and correct opinions. . . . CPT Griffin is a born litigator."

In fact, in 2005, Mr. Griffin was serving as Special Assistant to President Bush when he was mobilized to active duty for a year. He picked up and moved to Fort Campbell, Kentucky, where he served as an Army prosecutor. At Fort Campbell, he prosecuted numerous criminal cases. One of those cases, U.S. v. Mikel, drew national interest after Private Mikel attempted to murder his platoon sergeant and fired upon his unit's early morning formation.

After the Mikel case, Mr. Griffin was allowed to fill a need for a JAG officer in Mosul, Iraq. He was assigned to the 501st Special Troops Battalion (STB), 101st Airborne Division and detailed to the 172d Stryker Brigade Combat Team (SBCT) Brigade Operational Law Team (BOLT), for which he was awarded the Combat Action Badge and the Army Commendation Medal.

Mr. Griffin served the Department of Justice as Special Assistant to then-Assistant Attorney General, Criminal Division, Michael Chertoff and on three separate occasions as a federal prosecutor, including from 2001-2002 in the Eastern District of Arkansas where he now serves. During that stint, he prosecuted a variety of federal cases with an emphasis on firearm and drug cases. He also organized the District's Project Safe Neighborhoods (PSN), the Bush Administration's initiative to reduce firearm-related violence by promoting close cooperation between state and federal law enforcement, and served as the PSN coordinator.

He served from 1997-1999 as Senior Counsel to the Government Reform Committee, U.S. House of Representatives. Immediately following law school, he practiced law for Jones, Walker, et al., of New Orleans, one of the best law firms in the South.

Mr. Griffin is a *sum laude* graduate of Hendrix College in Conway, Arkansas, where he received his B.A., and attended graduate school in Modern European History at Pembroke College, Oxford University, in Oxford, England.

Certainly, in addition to his legal experience, Mr. Griffin has significant political experience. Imagine that— political appointee with political experience. Mr. Griffin's political experience consists primarily of two tours at the Republican National Committee for the 2000 and 2004 presidential campaigns. And what one word characterizes both Mr. Griffin's political and legal work? Excellence.

Mr. Griffin is a fifth-generation Arkansan, son of a Baptist minister and cousin of the legendary Democrat Governor of Arkansas, Sidney S. McMath. Mr. Griffin developed an interest in public service while interning for Democrat Senator Dale Bumpers of Arkansas and followed opportunity to Washington time and time again, but his heart remained in Arkansas. Mr. Griffin is fortunate to be back in Arkansas, and Arkansas is fortunate to have him as U.S. Attorney.

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After the Mikel case, Mr. Griffin was allowed to fill a need for a JAG officer in Mosul, Iraq. He was assigned to the 501st Special Troops Battalion (STB), 101st Airborne Division and detailed to the 172d Stryker Brigade Combat Team (SBCT) Brigade Operational Law Team (BOLT), for which he was awarded the Combat Action Badge and the Army Commendation Medal.

Mr. Griffin served the Department of Justice as Special Assistant to then-Assistant Attorney General, Criminal Division, Michael Chertoff and on three separate occasions as a federal prosecutor, including from 2001-2002 in the Eastern District of Arkansas where he now serves. During that stint, he prosecuted a variety of federal cases with an emphasis on firearm and drug cases. He also organized the District's Project Safe Neighborhoods (PSN), the Bush Administration's initiative to reduce firearm-related violence by promoting close cooperation between state and federal law enforcement, and served as the PSN coordinator.

He served from 1997-1999 as Senior Counsel to the Government Reform Committee, U.S. House of Representatives. Immediately following law school, he practiced law for Jones, Walker, et al., of New Orleans, one of the largest law firms in the South.

Mr. Griffin is a *cum laude* graduate of Hendrix College in Conway, Arkansas, where he received his B.A., and attended graduate school in Modern European History at Pembroke College, Oxford University, in Oxford, England.

Certainly, in addition to his legal experience, Mr. Griffin has significant political experience. Imagine that—a political appointee with political experience. Mr. Griffin's political experience consists primarily of two tours at the Republican National Committee for the 2000 and 2004 presidential campaigns. And what one word characterizes both Mr. Griffin's political and legal work? Excellence.

Mr. Griffin is a fifth-generation Arkansan, son of a Baptist minister and cousin of the legendary Democrat Governor of Arkansas, Sidney S. McMath. Mr. Griffin developed an interest in public service while interning for Democrat Senator Dale Bumpers of Arkansas and followed opportunity to Washington time and time again, but his heart remained in Arkansas. Mr. Griffin is fortunate to be back in Arkansas, and Arkansas is fortunate to have him as U.S. Attorney.

Jon Seaton

From: Jon Seaton
Sent: 1/17/2007 7:29:12 PM
To: 'mike.shields'
Cc:
Bcc:
Subject: Re: US Attorney

Still very early in the process. Let's chat tomorrow.

-----Original Message-----

From: Shields, Mike
To: Jon Seaton
Sent: Wed Jan 17 19:28:09 2007
Subject: US Attorney

Hey Jon - can you call me when you get a chance?

We have now finally gotten our hands around the issue of this nomination. Dave has spoken to Norm Maleng and he is setting up an outside process of interviewing some potential candidates so we can forward a name.

I would hate for someone to be named before we can have that process move forward. I believe someone named Ken Lee at DOJ is in the person to contact. Do you have their contact info?

Mike Shields

Chief of Staff

U.S. Rep. Dave Reichert

202-225-7761

www.house.gov/reichert

Jon Seaton

From: Jon Seaton
Sent: 1/17/2007 9:45:42 PM
To: 'connie.partoyan'
Cc:
Bcc:
Subject: Re: Slade

Appreciate the info. Slade's endorsement will help, no question.

Reichert needs to be involved with this. For some reason, thought he was on board with White. Shields tells me they are just starting their process, so we will wait on his input as well.

Harry Korrell has also put his name in and will be strongly considered.

Will let you know what I am hearing.

--Jon

-----Original Message-----
From: Partoyan, Connie
To: Jon Seaton
Sent: Wed Jan 17 21:38:24 2007
Subject: Slade

Jon,

Rick called Slade today and he agreed earlier in the day to endorse Michael Vaska for US Attorney, though Slade didn't know Rick was interested and told Rick he would serve as a reference.

Vaska is on the more liberal side of the party, he ran against Rob McKenna in the primary. He is also the lead attorney on a lawsuit against Kirby Wilbur and John Carlson. Groups like BIAW, the Cato Institute, the Center for Competitive Politics, etc., have filed briefs supporting Wilbur and against Vaska's client. The case is No. 77966-0, San Juan County (respondent) v. No New Gas Tax (appellant).

Just wanted to pass that along. Rick is talking to Reichert and Doc to try to get their support then we will see where it goes. I'm not sure how Slade's position will impact things.

Thanks for all your help!

Connie

Sent from my BlackBerry Wireless Handheld

From: Tim Griffin
Sent: Thursday, January 18, 2007 3:40 AM
To: Oprison, Christopher G.
Subject: From the Hill

I wish this guy had the facts. This has at least two glaring errors: a) Bud knew for six months he was leaving and b) not my Al Gore sign!

<http://thehill.com/thehill/export/TheHill/Comment/JoshMarshall/011807.html>

White House boots federal prosecutors, replaces them with cronies On Tuesday of this week Sen. Dianne Feinstein (D-Calif.) went to the Senate floor to sound the alarm about a series of suspicious de facto firings of U.S. attorneys (USAs) across the country in recent weeks and months. USAs, of course, serve at the president's will. Legally and constitutionally, he can fire them whenever he chooses. In practice, however, a sitting president seldom, if ever, without cause, cashiers serving USAs whom he himself has appointed. I've counted as many as seven USAs who appear to have been forced out. And Feinstein said that the administration has told her that between five and 10 USAs have been asked to tender their resignations.

And there's another wrinkle to the story. Using a little-noticed provision dropped into last year's renewal of the Patriot Act, the attorney general can appoint new USAs to serve for the duration of the president's term without the need for Senate approval.

So what's going on here? For folks like myself, there's too much water under the bridge to grant this White House too many benefits of the doubt. But the evidence on the table suggests pretty strongly that the White House is up to no good - both in the choice of USAs who are getting the boot and those they're choosing to appoint outside the confirmation process.

First is Carol Lam, U.S. attorney in San Diego, who announced her resignation on Tuesday. Lam's office headed up the prosecution of arch-congressional crook ex-Rep. Randy "Duke" Cunningham (R-Calif.). And an expanded version of that investigation is now probing related crimes on Capitol Hill and - probably more importantly - at the CIA, particularly Bush appointee Kyle "Dusty" Foggo, longtime pal of accused Cunningham briber Brent Wilkes.

Legal sources involved in the case believe that Lam's work on the expanded Cunningham case will be stymied by her departure. Dan Dzwilewski, head of the FBI office in San Diego, remarked to the Union-Tribune, "I can't speak for what's behind [her forced resignation], what's the driving force behind this or the rationale. I guarantee politics is involved."

The current work of the other fired USAs has less direct political implications. But several seem to have had ongoing investigations of allegedly corrupt Republicans.

And who are the folks getting the jobs? Well, the signs aren't good there either.

Consider the estimable J. Timothy Griffin, U.S. attorney for the Eastern District of Arkansas since Dec. 20 of last year.

If you hadn't heard about Griffin's appointment, don't feel bad; the guy he replaced hadn't either. Griffin's appointment was announced Dec. 15, before the then-U.S. attorney Bud Cummins had even been given a chance to resign. Cummins got the call on his cell phone telling him he was out the same day the announcement was made. He was out hiking with his son at the time.

Cummins, who subsequently said he got forced out for political reasons, resigned on Dec. 20, the same day Griffin was sworn in.

So who's Griffin and what experience does he bring to the job?

A quick perusal of Griffin's resume shows that his more-or-less exclusive vocation has been doing opposition research on Democrats on behalf of the Republican Party. Until recently, he was head of oppo research at the White House, working directly for Karl Rove. In 1999 and 2000, he was deputy research director for the Republican National Committee. In 2002 he returned as research director for the national GOP and stayed on for the next three years.

Before getting involved formally in oppo research he worked in what you might call de facto oppo research positions. In 1995 and 1996 he was associate independent counsel in the Henry Cisneros investigation. And after that he headed up to the Hill to work for Rep. Dan Burton (R-Ind.) investigating political contributions from Asian-Americans to Bill Clinton.

Oh, and I forgot to mention, according to Time, back in 2000, when he was in charge of digging up dirt on Al Gore, he apparently had a poster hanging on the wall behind his desk which read: "On my command - unleash hell on Al."

I don't think the readers of this paper are above having an admiration for a seasoned political operative, whichever party he or she may work for. But let's just stipulate that Griffin seems like a pretty political guy. And it's probably no mystery why the White House doesn't want to see Karl Rove's deputy through the Senate confirmation process before he takes over the reins in Arkansas.

I'm only getting started looking into the circumstances of these other firings and the records of the non-confirmed USAs who are to take their place. But I get the sense my suspicions will be amply rewarded.

Marshall is editor of talkingpointsmemo.com.
His column appears in The Hill each week.
E-mail:

Mickey Barnett

From: Mickey Barnett
Sent: 1/18/2007 9:17:05 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: U S Attorney

Scott

It is my understanding the interviews were held yesterday. When it is appropriate could you let me know how they went?

Mickey

Mickey D. Barnett

Barnett Law Firm, P.A.

1905 Wyoming NE

Albuquerque, NM 87112

505.275.3200

505.275.3837 fax

www.thebarnettlawfirm.com

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Karl Rove

From: Karl Rove
Sent: 1/21/2007 1:04:52 PM
To: Steve Bell
Cc:
Subject: Can we talk Monday about US Attorney?

Bell, Steve (Domenici)

From: Bell, Steve (Domenici)
Sent: 1/21/2007 1:28:28 PM
To: Karl Rove /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KR;
Cc:
Bcc:
Subject: RE: Can we talk Monday about US Attorney?

You bet. I assume the problem is that some folks "love" the idea of Jim Bibb, while others of us want a more experienced person in there.

But, I will call first thing, or you can call me ...

Bell

-----Original Message-----

From: Karl Rove [mailto:kr@georgewbush.com]
Sent: Sunday, January 21, 2007 1:05 PM
To: Bell, Steve (Domenici)
Subject: Can we talk Monday about US Attorney?

Karl Rove

From: Karl Rove
Sent: 1/21/2007 1:53:59 PM
To: Steve Bell
Cc:
Bcc:
Subject: Re: Can we talk Monday about US Attorney?

great

From: "Bell, Steve (Domenici)"
Date: Sun, 21 Jan 2007 13:28:28 -0500
To: Karl Rove <kr@georgewbush.com>
Conversation: Can we talk Monday about US Attorney?
Subject: RE: Can we talk Monday about US Attorney?

You bet. I assume the problem is that some folks "love" the idea of Jim Bibb, while others of us want a more experienced person in there.

But, I will call first thing, or you can call me ...

Bell

-----Original Message-----

From: Karl Rove [mailto:kr@georgewbush.com]
Sent: Sunday, January 21, 2007 1:05 PM
To: Bell, Steve (Domenici)
Subject: Can we talk Monday about US Attorney?

Karl Rove

From: Karl Rove
Sent: 1/21/2007 1:56:40 PM
To: Steve Bell
Cc:
Bcc:
Subject: Re: Can we talk Monday about US Attorney?

And the issue is bigger than love/experience

From: "Bell, Steve (Domenici)"
Date: Sun, 21 Jan 2007 13:28:28 -0500
To: Karl Rove <kr@georgewbush.com>
Conversation: Can we talk Monday about US Attorney?
Subject: RE: Can we talk Monday about US Attorney?

You bet. I assume the problem is that some folks "love" the idea of Jim Bibb, while others of us want a more experienced person in there.

But, I will call first thing, or you can call me ...

Bell

-----Original Message-----

From: Karl Rove [mailto:kr@georgewbush.com]
Sent: Sunday, January 21, 2007 1:05 PM
To: Bell, Steve (Domenici)
Subject: Can we talk Monday about US Attorney?

From: Leonard Leo
Sent: Monday, January 22, 2007 4:07 PM
To: Kyle Sampson; Kelley, William K.
Subject: Fw: New Mexico U.S. Attorney

Though I'd pass this along. Chuck Peifer gets good marks.

Sent via BlackBerry from T-Mobile.

-----Original Message-----

From: "Stratton, Jr., Harold"
Date: Sun, 21 Jan 2007 20:37:42
To: <lleo
Subject: New Mexico U.S. Attorney

Leonard:

My apologies once again for missing breakfast on Friday. As it turns out, the recovery from my trip is taking a bit more effort than I anticipated.

I am not sure whether you guys get involved in US Attorney matters. However, if you do, I understand that the job in NM is coming open. We have three candidates, all of whom are good folks, that have interviewed for the job with the administration. The candidate that stands out, however, is Chuck Peifer. Chuck was my chief assistant back when I was AG and has gone on since to a very successful and distinguished legal career. His law partner for the past fifteen years or so was Jim Browning who you know well, until Jim went on the federal bench a couple of years ago.

Chuck has my highest recommendation and would serve us well in that position throughout the remainder of the President's term. I understand he is also the choice of White House Political and Senator Domenici, so we all seem to be on the same page on this one. If you have a chance to weigh in on this one, your support would be appreciated.

I'll look forward to rescheduling breakfast. I'm planning at this time to be at lunch this Friday as well.

Hal

Hal Stratton
Dykema Gossett, PLLC
1300 I Street, N.W.
Suite 300 West
Washington, D.C. 20005
(202) 906- Direct
(202) 906-8600 Main
(202) 906-8669 Fax

www.dykema.com

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DYKEMA

From: "Karl Rove" <kr@georgewbush.com>
Date: Wednesday, January 24, 2007, 1:07:15 AM
To: "Tim Griffin" <griffinjag@comcast.net>
Subject: Re:

I'm doing fine and have no jeopardy. Thanks for thinking of me.

On 1/23/07 7:57 PM, "Tim Griffin" <griffinjag@comcast.net> wrote:

> Hang in there. You are in my thoughts and prayers. Peace, TG
>

From: Tim Griffin
Sent: Wednesday, January 24, 2007 7:45 PM
To: Oprison, Christopher G.
Subject: From Today's ADG

Attachments: Picture (Metafile); Picture (Metafile); Picture (Metafile)

More entertainment from Little Rock.

Griffin's authority for office disputed

How U.S. attorney got job challenged

BY LINDA SATTER ARKANSAS DEMOCRAT-GAZETTE

A Little Rock attorney appointed Friday to represent a man charged with capital murder and possibly facing the death penalty has filed a motion to declare Tim Griffin's appointment last month as U.S. attorney for the Eastern District of Arkansas unconstitutional.

John Wesley Hall Jr., who represents Antoine Demetrius Baker, said in a 16-page motion filed Tuesday that Griffin's appointment last month by U.S. Attorney General Alberto Gonzales violates Article II, Section 2, of the U.S. Constitution, which covers presidential appointments. He said it also violates a section of the U.S. Code altered last year during Congressional reauthorization of the USAPATRIOT Act.

The reworded section of the act omits a subsection that previously caused an attorney general's appointment of a U.S. attorney to expire within 120 days. The effect is that an appointee may now serve indefinitely without having to go through the standard procedure of being nominated by the president and then scrutinized by the Senate, which then votes to confirm or deny the appointment.

Little noticed at the time, the revision has stirred anger since the discovery that a handful of U.S. attorneys across the country were inexplicably forced to resign recently and then were replaced under the new provision by appointees who had not gone through the standard procedure — although the Justice Department says it is subjecting all of them to the process.

Among those ousted was Bud Cummins, U.S. attorney for the Eastern District of Arkansas, whose job as chief federal prosecutor has generated praise in the legal community. Cummins said he was asked to resign so that Griffin, who had worked in the White House as a Republican strategist, could have a chance to serve as U.S. attorney.

Cummins, also a Republican, began serving as U.S. attorney in 2001 after being nominated by President Bush and confirmed by the Senate.

Griffin declined to comment on Hall's challenge to the method in which Griffin secured the top legal position in the eastern part of the state. But the challenge was rebuffed Tuesday by the U.S. Department of Justice with more of the same language that the department has used over the past few weeks to defend its appointment of Griffin.

"Congress provided the Attorney General the authority in federal law (28 United States Code § 546) to appoint a United States Attorney because we must ensure that someone is able to carry out the important function of leading a U.S. Attorney's office in the event a vacancy arise," said Brian Roehrkas, deputy director of public affairs. "We have clearly stated our commitment to having a U.S. Attorney in every district who is confirmed by the Senate, and thus there is no merit to the assertion that we are using this authority in an attempt to circumvent the confirmation process."

Roehrkas continued, in an e-mail, "Furthermore, our record since this appointment authority was amended clearly demonstrates we are committed to working with the Senate to nominate candidates for U.S. Attorney positions. Every single time that a United States Attorney vacancy has arisen, the President either has made a nomination or the Administration is working, in consultation with home-state senators, to select candidates for nomination."

Michael Teague, spokesman for Sen. Mark Pryor, D-Ark., confirmed Tuesday that Griffin met a couple of weeks ago in Washington with Pryor, and apparently also met with the state's other Democratic senator, Blanche Lincoln.

Teague said that while Griffin's meeting with Pryor was cordial, "the senator still contends that the way the White House is handling this is a disservice to Bud Cummins and, in the long run, to Tim Griffin." Teague said Pryor still expects Griffin to go through the nomination process

although Griffin's name has not yet been submitted to begin that process

From: Ward, Stephen (Bingaman)
Sent: Friday, January 26, 2007 4:17 PM
To: Oprison, Christopher G.
Subject: RE: Bibb Resume

Thanks Chris. Will try to get back to you early next week. Stephen

From: Oprison, Christopher G. [mailto:Christopher_G._Oprison@who.eop.gov]
Sent: Friday, January 26, 2007 1:05 PM
To: Ward, Stephen (Bingaman)
Cc: Bell, Steve (Domenici)
Subject: Bibb Resume

Steve - per your request, attached please find Jim Bibb's resume. Happy to discuss further if you wish.

Best regards

Chris

Christopher G. Oprison
Associate Counsel to the President
phone: (202) 456-
fax: (202) 456-

JAMES (JIM) WILLIAM BIBB

Political Experience

Republican nominee for Attorney General of New Mexico 2006

Work Experience

Major, New Mexico Army National Guard 1989 - Present
Aviation Safety Officer for the NMARNG. Most recently commanded an air ambulance company comprised of 149 soldiers and 12 UH-60 Blackhawk Helicopters. Combat medevac helicopter pilot in Afghanistan during Operation Enduring Freedom IV. Awards include the Combat Action Badge, Bronze Star and Army Air Medal. Pilot in command of both the UH-1 and UH-60 helicopters.

Assistant United States Attorney, District of NM 2002 - 2005
Legal representative of the people of the United States of America charged with the prosecution of violations of federal law, including, but not limited to: supervising investigations, presenting matters to the grand jury, drafting pleadings, conducting jury trials, and arguing matters on appeal. Prosecutions have been primarily of violent and white collar crime.

Attorney, The Anaya Law Firm, P.A., Santa Fe, NM 2000-2002
Civil litigator with a primary concentration in the areas of child abuse and neglect and risk management. Conduct all phases of litigation, including, but not limited to: drafting pleadings, conducting investigations and depositions, conducting bench and jury trials, and arguing matters on appeal. Supervisor of legal and budgetary staff.

Special Agent, Federal Bureau of Investigation 1999-2000
Federal investigator charged with investigating violations of federal law. Duties included: Conducting investigations, drafting and executing arrest and search warrants, testifying in federal court, and otherwise assisting the United States Attorney's Office in the prosecution of cases.

Assistant District Attorney, 4th Judicial District of NM 1997-1999
Legal representative of the people of the State of New Mexico charged with the prosecution of felonies and DWI misdemeanors. Vice-chair of the San Miguel County DWI Planning Council.

Education

Juris Doctorate, University of New Mexico School of Law, 1996
Graduate Studies in Public Policy, Regent University, Virginia Beach, VA 1992-1993
Bachelor of General Studies, New Mexico Tech, 1992
Associate of Arts, New Mexico Military Institute, 1990

Personal

Married to the former Kristina Anaya for 16 years. Five children:

From: Tim Griffin
Sent: Sunday, January 28, 2007 9:19 PM
To: Oprison, Christopher G.
Subject: An Interesting Editorial from the LA Times.

EDITORIALS

The rumor bill

Sen. Dianne Feinstein's concerns about the departure of a high-profile U.S. attorney are premature.

January 26, 2007

IT'S NEVER A good idea to write legislation in response to a rumor, yet that's exactly what Sen. Dianne Feinstein appears to have done in the case of Carol Lam. Lam is the U.S. attorney in San Diego who oversaw the prosecution of former Rep. Randy "Duke" Cunningham, who pleaded guilty to receiving \$2.4 million in bribes from military contractors and evading more than \$1 million in taxes. Lam is one of half a dozen U.S. attorneys, including one in San Francisco, who are stepping down.

Feinstein at least acknowledges that she is responding to a rumor that Lam is being forced out not because of policy or personality differences with her superiors but because she is preparing other cases that might ruffle influential feathers. Lam's office has been investigating a politically-connected defense contractor who was described as an unindicted co-conspirator in the Cunningham case.

This conspiracy theory has another strand: a suddenly controversial provision in the Patriot Act that allows the attorney general to name an acting U.S. attorney who can serve until the Senate confirms a new nominee. Feinstein has proposed a bill that would restore the previous arrangement, in which local federal judges named U.S. attorneys on an interim basis.

The Justice Department persuasively argues that it hasn't abused its new authority to bypass the usual Senate confirmation process. Even after they are confirmed by the Senate, U.S. attorneys still serve at the president's pleasure, and they can be removed if they are underperforming or if their priorities conflict with the administration's.

A further problem with the conspiracy theory is that it is not easy, as even Watergate demonstrated, for an administration to stymie a criminal investigation. If the Bush administration has been scheming to prevent the prosecution of prominent Republicans, it has been remarkably unsuccessful: Just ask Cunningham, former Rep. Bob Ney or I. Lewis "Scooter" Libby.

Where politics undeniably plays a role — and not just in this administration — is in the selection of U.S. attorneys, who often are prominent members of the president's party. Yet precisely because these positions are political plums, professionals in the Justice Department and the FBI traditionally exert huge influence in prosecution decisions. Those same professionals are likely to blow the whistle on improper interference.

Feinstein and other senators certainly should keep their ears pricked for any such alarm. They also should press Atty. Gen. Alberto R. Gonzales to explain the personnel changes (in closed session if necessary) and to abide by his commitment to the Judiciary Committee that the names of new U.S. attorneys be submitted expeditiously to the Senate. But cries of a conspiracy are premature, and so is

Feinstein's legislation.

From: Morgenstern, David (Alexahder'
Sent: Monday, January 29, 2007 9:40 AM
To: Sampson, Kyle; Kelley, William K.
Subject: Thursday meeting

On Thursday, Attorney General Gonzales and Harriet Miers are scheduled to meet with Senators Alexander and Corker re: U.S. Attorneys. Sen. Alexander asked if I could get some more information about what Attorney General Gonzales and Ms. Miers want to discuss. (If you prefer to discuss over the phone instead of via email, please feel free to call my direct line at 224-) Thanks.

David Morgenstern
Legislative Director
Office of U.S. Senator Lamar Alexander
(202) 224-4944 .
(202) 224 direct

From: mickey
Sent: 1/31/2007 6:37:10 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: U S Attorney

Rumor is thst Chuck was nominated?

Mickey D. Barnett

Scott Jennings

From: Scott Jennings
Sent: 1/31/2007 6:51:00 PM
To: mickey; Scott Jennings;
Cc:
Bcc:
Subject: RE: U S Attorney

No decisions or nominations thus far.

—Original Message—

From: mickey
Sent: Wednesday, January 31, 2007 1:37 PM
To: Scott Jennings
Subject: U S Attorney

Rumor is that Chuck was nominated?

Mickey D. Barnett

Scott Jennings

From: Scott Jennings
Sent: 1/31/2007 1:51:34 PM
To: mickey ; Scott Jennings
Cc:
Bcc:
Subject: RE: U S Attorney

No decisions or nominations thus far.

-----Original Message-----

From: mickey
Sent: Wednesday, January 31, 2007 1:37 PM
To: Scott Jennings
Subject: U S Attorney

Rumor is thst Chuck was nominated?

Mickey D. Barnett

From: Bruce M. Ramer
Sent: Thursday, February 01, 2007 2:50 PM
To: Karl Rove
Subject: Personal

Dear Karl, I know these are busy times for you, but then again, they always are. But trust all is well.

I will be in DC for a day in March. Might we have breakfast or meet briefly on Wednesday morning, March 22? There is no specific agenda; it has just been a long time.

Also, just to check, did you receive my email regarding the US Attorney here in the Central District of California and Nathan Hochman, whom I vigorously support for the job?

Hoping to see you. Warmest personal regards. Bruce

From: Karl Rove
Sent: Thursday, February 01, 2007 4:14 PM
To: Bruce Ramer
Subject: Re: Personal

I got the email about Nathan Hochman — sorry, either I didn't reply or it didn't arrive. We look to our commission structure to make nominations and I will check and see where this is.

Let me get back to you about March 22. May be traveling that day.

On 2/1/07 2:49 PM, "Bruce M. Ramer" wrote:

Dear Karl, I know these are busy times for you, but then again, they always are. But trust all is well.

I will be in DC for a day in March. Might we have breakfast or meet briefly on Wednesday morning, March 22? There is no specific agenda; it has just been a long time.

Also, just to check, did you receive my email regarding the US Attorney here in the Central District of California and Nathan Hochman, whom I vigorously support for the job?

Hoping to see you. Warmest personal regards. Bruce

Scott Jennings

From: Scott Jennings
Sent: 2/1/2007 5:26:00 PM
To: Bell, Steve (Domenici);
Cc:
Bcc:
Subject: here's my daily

Check in on US Attorney...

From: Tim Griffin
Sent: Sunday, February 04, 2007 10:28 AM
To: Sara Taylor
Subject: RE:

precisely. i am finding all sorts of things in this office that should have been fixed years ago. there is a reason he doesnt have a job.

From: Sara Taylor [mailto:st@gwb43.com]
Sent: Sunday, February 04, 2007 9:24 AM
To: Tim Griffin
Subject: RE:

Nice of Bud to run his mouth.....i wish one of our folks would go out there and say they removed him because he was thought to be ineffective!

From: Tim Griffin
Sent: Sunday, February 04, 2007 10:20 AM
To: Sara Taylor
Subject: RE:

thank you. i am hanging.

From: Sara Taylor [mailto:st@gwb43.com]
Sent: Sunday, February 04, 2007 9:04 AM
To: griffinjag@comcast.net
Subject: FW:

I will call you today – hang in there.

From: Scott Jennings
Sent: Sunday, February 04, 2007 10:02 AM
To: Sara Taylor
Subject:

U.S. Attorney Firings Set Stage for Congressional Battle

By Dan Eggen
Washington Post Staff Writer
Sunday, February 4, 2007; A07

"Bud" Cummins III had served for five years as the U.S. attorney in Little Rock – a job he obtained in large part because of credentials as a longtime GOP lawyer and avid supporter of President Bush.

So Cummins, 47, was more than a little surprised when he got a call from the Justice Department last year asking him to resign. He was told there was nothing wrong with his performance, but that officials in Washington wanted to give the job to another GOP loyalist.

"Don't think many of us were aware that the administration might want to ask someone to step aside just to give someone else an opportunity," said Cummins, who left office in December and was replaced by J. Timothy Griffin, a former aide to presidential adviser Karl Rove. "The precedent was that once you were appointed, assuming you were successful in office, you were there until there was a change in the White House."

Cummins was the first in a wave of seven U.S. attorneys to be fired by the Justice Department, a move that has prompted sharp criticism from Democrats in Congress and has set the stage for a legislative battle over the attorney general's power to appoint federal prosecutors.

Six of the prosecutors received calls notifying them of their firings on a single day shortly before Christmas, officials said, including the U.S. attorney who oversaw a prominent public corruption probe in San Diego and a prosecutor in New Mexico whose life as a military lawyer was portrayed by Tom Cruise in the movie "A Few Good Men." Most have told colleagues that they have no idea why they were shoved out, according to aides.

A little-noticed provision passed last year allows Attorney General Alberto R. Gonzales to appoint interim U.S. attorneys indefinitely without seeking approval from the Senate. Fearing an attempted end run around congressional prerogatives, both House and Senate Democrats have introduced legislation to repeal the provision. The Senate Judiciary Committee is scheduled to hold a hearing on the issue Tuesday.

"The U.S. attorneys' job is too important for there to be unnecessary disruptions, or worse, any appearance of undue influence," Sen. Dianne Feinstein (D-Calif.) said in a floor speech last month.

Gonzales and his aides say that they intend to seek Senate approval for every new U.S. attorney and that the old system, which allowed federal judges to appoint replacements, has both practical and constitutional problems. Justice Department officials also defend Gonzales's right to fire U.S. attorneys at will and have suggested that each of the recently dismissed prosecutors had performance problems.

"Every U.S. attorney, like the attorney general of the United States, serves at the pleasure of the president," Gonzales said in a recent interview with The Washington Post. "We can be asked to leave at any time; we can be asked to leave for any reason."

He added later: "From time to time we make an evaluation as to whether we believe we can put in people who can produce better results, who can do a better job."

But there is also evidence that broader political forces are at work. One administration official, who spoke on the condition of anonymity in discussing personnel issues, said the spate of firings was the result of "pressure from people who make personnel decisions outside of Justice who wanted to make some things happen in these places."

Several of those fired have already left, and the rest will be gone by the end of the month.

The dismissals include the heads of two of the most important U.S. attorneys' offices in the country: Carol S. Lam in San Diego and Kevin Ryan in San Francisco. The others were John McKay in Seattle; David C. Iglesias in New Mexico; Daniel G. Bogden in Nevada; and Paul K. Charlton in Arizona. All declined to comment for this story.

Ryan's departure was perhaps the least surprising because his tenure had been marked by public complaints about plummeting morale and high staff turnover. But Lam's departure has been more controversial, prompting public complaints from the head of the local FBI field office and questions from Sen. Patrick J. Leahy (D-Vt.), Rep. John Conyers Jr. (D-Mich.) and others. Some Democrats speculated that the administration was attempting to undermine the ongoing corruption probe centered on former representative Randy "Duke" Cunningham (R-Calif.), which was overseen by Lam.

"We have people from the FBI indicating that Carol Lam has not only been a straight shooter but a very good prosecutor," Feinstein said. "Therefore, it is surprising to me to see that she would be, in effect, forced out, without cause. This would go for any other U.S. attorney among the seven who are on that list."

Justice Department officials — who discussed personnel issues on the condition of anonymity — said that Lam's record was far more mixed, noting that prosecutions of firearms offenses plunged during her tenure and that she personally oversaw a major health-care fraud case that ended in a mistrial.

Her surprise was the firing of McKay, whom Cummins described as "a rock-star U.S. attorney" and whose effort to build a law enforcement database is the template for a new nationwide program at Justice. McKay was also rebuffed for a federal judgeship

at the same time.

Like President Bill Clinton before him, Bush removed nearly all the U.S. attorneys when he came into office and replaced them with his own Senate-confirmed appointments. Under previous statutes, the attorney general had the power to appoint an interim prosecutor for 120 days in the case of a vacancy, but then it was up to the local district court to make an appointment until the Senate approved a final pick.

Gonzales and many legal experts say that arrangement was a troubling intrusion on the separation of powers between the independent branches of government.

A new provision, which was quietly tucked into USA Patriot Act reauthorization legislation last year, allows Gonzales to appoint interim prosecutors indefinitely. Not counting the recent dismissals, there have been 11 vacancies since the measure was enacted, and Justice Department officials said they will provide nominations to the Senate for each position.

Feinstein and other Democrats fear the provision would allow an attorney general to avoid Senate confirmation of U.S. attorneys altogether and are proposing a return to the previous system.

B. Mahlon Brown III, a former U.S. attorney for Nevada who now heads the National Association of Former United States Attorneys, said most members of the group are in "shock and awe" over the wave of firings. "It goes against all tradition, and it's very troubling to a lot of us," Brown said.

But Dennis W. Boyd, executive director of the National Association of Assistant U.S. Attorneys, which represents currently employed federal prosecutors, said many of the group's members "do not see it as particularly unusual." Seven firings among 93 U.S. attorneys offices are not that many, Boyd added.

Cummins said "the political aspect of it shouldn't really be a shock to anybody," noting his own status as an active Republican lawyer who served as one of Arkansas's electors committed to Bush in 2000.

"Every U.S. attorney knows they serve at the pleasure of the president," he said.

JANE CHERRY

From: Jane Cherry
Sent: 2/6/2007 9:54:17 PM
: 'mrd'
:
cc:
Subject: Re: Post's Unfair Hit on TG

Its crazy. They are all mad about the limitless interim appt.

-----Original Message-----

From: Mike Davis
To: Jane Cherry
Sent: Tue Feb 06 21:53:36 2007
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> *Subject:* Post's Unfair Hit on TG

> [image: washingtonpost.com] <<http://www.washingtonpost.com/?nav=pf>>

> *Justice Department Attorney Defends Firings*

HJC11183

- > By Dan Eggen
- > Washington Post Staff Writer
- > Tuesday, February 6, 2007, 4:06 PM

> The Justice Department removed a prosecutor in Arkansas without cause in order to make room for a former aide to presidential adviser Karl Rove aide, a senior Justice official conceded in testimony today.

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> McNulty also defended the recent firings of six other U.S. attorneys in the West and Southwest for unspecified "performance-related" problems, and said the Justice Department would strongly oppose Democratic legislation to limit the attorney general's power to name replacements.

> "The attorney general's appointment authority has not and will not be used to circumvent the confirmation process," McNulty said.

> The testimony comes amid an escalating confrontation between the Justice Department and Senate Democrats over a wave of firings of U.S. attorneys, including six who were notified by Justice officials in December that they would be asked to step aside. The seventh, former U.S. attorney Ed Cummins of Little Rock, has said that he was asked to leave last year in order to give the job to Griffin, who previously worked for Rove and for the Republican National Committee.

> Democratic lawmakers have questioned whether the administration was using the dismissals to reward political allies. Sen. Charles Schumer <<http://projects.washingtonpost.com/congress/members/s000148/>> (D-N.Y.) also warned McNulty today that the Senate Judiciary Committee might issue subpoenas for job evaluations of the fired prosecutors unless the Justice Department agrees to hand them over.

> Several lawmakers, including Sen. Dianne Feinstein <<http://projects.washingtonpost.com/congress/members/f000062/>> (D-Calif.), have been further angered by a little-noticed provision slipped

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> "I have observed, with increasing alarm, how politicized the Department of Justice has become," Schumer said at the start of today's hearing. "I have watched, with growing worry, as the department has increasingly based hiring on political affiliation."

> McNulty responded later: "When I hear you talk about the politicizing of the Department of Justice, it's like a knife in my heart . . . Your perspective is completely contrary to my experience."

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From: Mike Davis
Sent: 2/6/2007 10:02:12 PM
To: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY;
Cc:
Bcc:
Subject: Re: Post's Unfair Hit on TG

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> By Dan Eggen

> Washington Post Staff Writer

> Tuesday, February 6, 2007; 4:06 PM

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Mike Davis

From: Mike Davis
Sent: 2/7/2007 5:43:22 PM
To: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY;
Cc:
Bcc:
Subject: Re: Post's Unfair Hit on TG

hahaha! She's . . . well, precious.

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Sent: Tuesday, February 06, 2007 10:02 PM
To: Jane Cherry
Subject: Re: Post's Unfair Hit on TG

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Partoyan, Connie

From: Partoyan, Connie
Sent: 2/8/2007 1:52:04 PM
To: Mike Britt /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=MBRITT; Jon Seaton /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JSEATON;
Cc:
Bcc:
Subject: John McKay

Guys,

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Just wanted to give you guys a heads up on it....

Connie Partoyan

Chief of Staff

Congresswoman Gathy McMorris Rodgers

202/225-2006

www.mcmorrisrodgers.house.gov

Jon Seaton

From: Jon Seaton
Sent: 2/8/2007 2:13:21 PM
To: Partoyan, Connie
COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=Mbritt; Mike Britt /O=REPUBLICAN NATIONAL
Cc:
Bcc:
Subject: RE: John McKay

Hey Connie...thanks for the heads up, will discuss with you later this afternoon.

Mike and I will call you at around 3 if you will be around.

-Jon

From: Partoyan, Connie
Sent: Thursday, February 08, 2007 1:52 PM
To: Mike Britt; Jon Seaton
Subject: John McKay

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From: Partoyan, Connie
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To: Jon Seaton /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JSEATON; Mike Britt /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=MBRITT;
Cc:
Bcc:
Subject: RE: John McKay

Works for me...

Connie Partoyan
Chief of Staff
Congresswoman Cathy McMorris Rodgers
202/225-
www.mcmorrisrodgers.house.gov

From: Jon Seaton [mailto:jseaton@gwb43.com]
Sent: Thursday, February 08, 2007 2:13 PM
To: Partoyan, Connie; Mike Britt
Subject: RE: John McKay

Hey Connie...thanks for the heads up, will discuss with you later this afternoon.

Mike and I will call you at around 3 if you will be around.

Jon

From: Partoyan, Connie
Sent: Thursday, February 08, 2007 1:52 PM
To: Mike Britt; Jon Seaton
Subject: John McKay

Guys,

Cathy went to the WA Delegation breakfast (first of the year) this morning. Everyone was there. She said Patty Murray mentioned the concern over the departure of John McKay as WWA US Attorney - and is starting to look into whether he was asked to leave, and seems to think that John would be willing to come before the Senate and testify that he was asked to leave.

Just wanted to give you guys a heads up on it...

Connie Partoyan
Chief of Staff
Congresswoman Cathy McMorris Rodgers
202/225-
www.mcmorrisrodgers.house.gov

Scott Jennings

From: Scott Jennings
Sent: 2/9/2007 5:53:29 PM
To: Mickey Barnett
Cc:
Bcc:
Subject: RE: U S Attorney

The ball is in Domenici's court. He has to make up his mind if he wants to fight for Bibb, over Bingaman's potential objection.

From: Mickey Barnett
Sent: Thursday, January 18, 2007 4:17 PM
To: Scott Jennings
Subject: U S Attorney

Scott

It is my understanding the interviews were held yesterday. When it is appropriate could you let me know how they went?

Mickey

Mickey D. Barnett
Barnett Law Firm, P.A.
1905 Wyoming NE
Albuquerque, NM 87112
505.275.3200
505.275 fax

www.mcdmexlawfirm.com

CONFIDENTIALITY NOTICE The information contained in this email may be privileged and confidential. If the reader of this message is not the intended recipient, you are prohibited from copying or distributing this communication. To the extent this communication contains any statement regarding federal taxes, that statement was not written or intended to be used, and it cannot be used, by any person (i) as a basis for avoiding federal tax penalties that may be imposed on that person, or (ii) to promote, market or recommend to another party any transaction or matter addressed herein. Thank you.

Scott Jennings

From: Scott Jennings
Sent: 2/9/2007 10:53:00 PM
To: Mickey Barnett;
Cc:
Bcc:
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Albuquerque, NM 87112
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505 275 3217 fax

www.thebarnettlawfirm.com

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From: mickey
Sent: 2/9/2007 6:23:26 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: Re: U S Attorney

Interesting. I am surprised Bibb was the pick.
Mickey D. Barnett

-----Original Message-----
From: "Scott Jennings" <SJennings@gwb43.com>
Date: Fri, 9 Feb 2007 15:53:29
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HJC 11202

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Bcc:
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Jon Seaton

From: Jon Seaton
Sent: 2/9/2007 10:35:57 AM
To: Peter Schalestock
Cc:
Bcc:
Subject: RE: US Atty

Did see it. not good.

From: Peter Schalestock
Sent: Thursday, February 08, 2007 5:58 PM
To: Jon Seaton
Subject: US Atty

I assume you have seen this press coverage. Not good for anyone concerned.

http://seattlepi.nwsource.com/local/302863_mckay08.html

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From: Jon Seaton
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To: Peter Schalestock
Cc:
Bcc:
Subject: RE: US Atty

I don't know if we want to add to the story. Bottom line is they are going after as many US Attorney vacancies to try to create a story. Hoping lack of oxygen will make it go away.

By the way, this is my last day at the WH so for the time being, I can best be contacted using my personal e-mail.

-Jon

From: Peter Schalestock
Sent: Friday, February 09, 2007 1:59 PM
To: Jon Seaton
Subject: RE: US Atty

I do not always trust my instincts vis a vis the press so I don't know whether it is best to leave this story alone or try to mitigate it. If some action is called for, I could sit down with the two reporters from the Times and P-I and give them an off-the-record review of what has happened with the selection process here, including my involvement in it, to show them that everything took place after McKay's resignation was announced and there was no pre-selected candidate. That at least could head off future stories that build on anonymously sourced assumptions like the one yesterday.

Unfortunately, the P-I editorial board has turned those anonymously sourced assumptions into presumed fact, so it may be too late to do any good. http://seattlepi.nwsource.com/opinion/303000_mckayed.html As of now I am not going to do anything, but give me a call if you want to talk about possibilities.

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Sent: 2/11/2007 4:46:37 PM
To: Cuddy Johnson
Cc:
Bcc:
Subject: FW: fyi

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Sent: Sat 2/10/2007 5:49 PM
To: Scott Jennings
Subject: fyi

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By Steve Tetreault

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Bcc:
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From: Coddy Johnson
Sent: 2/11/2007 10:20:55 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: Re: fyi

It is crazy - "cronygate" - reid is a jackass

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

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To: Coddy Johnson
Sent: Sun Feb 11 16:46:38 2007
Subject: FW: fyi

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To: Scott Jennings
Subject: fyi

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Top of Form

Bottom of Form

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Cc:
Bcc:
Subject: RE: fyi

remarkable considering that USATTORNEYS, like all other political appointments in the federal govt, serve at the PLEASURE OF THE PRESIDENT.

It means you can be removed for any reason, at any time. The press has completely glossed over it.

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Subject: Re: fyi

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From: Coddy Johnson
Sent: 2/11/2007 5:24:11 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: Re: fyi

30% approval makes it a lot harder to push back, unfortunately.

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Subject: RE: fyi

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It means you can be removed for any reason, at any time. The press has completely glossed over it.

From: Coddy Johnson
Sent: Sun 2/11/2007 5:21 PM
To: Scott Jennings
Subject: Re: fyi

It is crazy - "cronygate" - reid is a jackass

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Scott Jennings <SJennings@gwb43.com>
To: Coddy Johnson
Sent: Sun Feb 11 16:46:36 2007
Subject: FW: fyi

Have you been following this? Unbelievable.

From: Tim Griffin
Sent: Sat 2/10/2007 5:49 PM
To: Scott Jennings
Subject: fyi

From the also not helpful department: Testifying Tuesday before the Senate Judiciary Committee, Deputy Attorney General Paul McNulty acknowledged Cummins was removed to make way for Griffin.

ie Morning News

Local News for Northwest Arkansas

Top of Form

Bottom of Form

U.S. attorney flap escalates

By Steve Tetreault

THE MORNING NEWS

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nominating process," she said. "I am pleased by the steps made today to rebuild the American people's trust in their public servants."

The Morning News' Aaron Sadler contributed to this report.

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Scott Jennings

From: Scott Jennings
Sent: 2/11/2007 5:30:00 PM
To: Cuddy Johnson
Cc:
Bcc:
Subject: RE: fyi

Man, I gotta figure out a way to exit gracefully.

From: Cuddy Johnson
Sent: Sun 2/11/2007 5:24 PM
To: Scott Jennings
Subject: Re: fyi

30% approval makes it a lot harder to push back, unfortunately.

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Scott Jennings <SJennings@gwb43.com>
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Sent: Sun Feb 11 17:21:13 2007
Subject: RE: fyi

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Top of Form

Bottom of Form

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Coddy Johnson

From: Coddy Johnson
Sent: 2/11/2007 5:35:25 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: Re: fyi

I think you should hold on and squeeze out the last dying drop...

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Scott Jennings <SJennings@gwb43.com>
To: Coddy Johnson
Sent: Sun Feb 11 17:29:59 2007
Subject: RE: fyi

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Ron Nehring

From: Ron Nehring
Sent: 2/13/2007 6:26:30 PM
To: Trey Best /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=TBEST;
Cc:
Bcc:
Subject: FW: Mary Walker Biography for U.S. Attorney
Attachments: Doc070210(006).PDF;

Trey:

FYI. The sender of the email below is reliable.

Ron

From: Charles S. Limandri
Sent: Tuesday, February 13, 2007 3:02 PM
To: Ron Nehring;
Cc: Tony P. Krvaric
Subject: FW: Mary Walker Biography for U.S. Attorney

Ron:

Congratulations on your recent appointment to head of the statewide Republican Party. It is good to see your talent and hard work being recognized in such an impressive manner. I am writing because a good friend, Mary Walker, has inquired about the U.S. Attorney position in San Diego which I understand has not yet been filled. Mary is currently the General Counsel for the U.S. Air Force at the Pentagon. I believe that she would make an excellent candidate for the position of U.S. Attorney and she is anxious to return to San Diego where she had been a partner with Luce, Forward. I understand that this is a Presidential appointment but that the initial request has to come from one of the U.S. Senators from California. In this case, that would probably mean Dianne Feinstein, even though it is expected that the candidate would be a Republican. I am not certain of the mechanics of the nomination and I wanted to seek your advice and assistance in the matter.

Mary is not only a great lawyer but a true conservative Republican who would reflect very well on our Party—even though as a young person in college she once worked for the campaign of Dianne Feinstein. (Truth be told, I confess that I was a Democrat in those days too, and I even ran the local student campaign for Joe Alioto's run for Governor in the 1970's). Mary will be in town from February 19-26 if you would like to meet her or if there is someone else that you might recommend that she could see about the position. In the meantime, I am enclosing a copy of her short resume which is posted by the U.S. Air Force. Thank you, Ron, for any help that you can give with this matter as well as all your support on the Mt. Soledad Cross case. Please let me know if you ever need me to give any updates on our latest victories on the case in the state and federal courts. In the meantime, we are all very proud of your accomplishments and look forward to your continued (and now expanded) great leadership.

Chuck



BIOGRAPHY

UNITED STATES AIR FORCE

MARY L. WALKER

Mary L. Walker is the General Counsel of the Air Force in Washington, D.C. As the chief legal officer and chief ethics official of the Department of the Air Force, Ms. Walker is responsible for provision and delivery of legal services for the Air Force and provides oversight, guidance and direction for the legal advice provided by nearly 2,000 military and civilian lawyers worldwide.

Prior to this appointment, Ms. Walker was a partner in private practice in California. She represented a diverse range of clients, including those in oil, shipbuilding, transportation, manufacturing, high technology, biotechnology, fisheries, food, land development and municipal government. She specialized in environmental and natural resource matters, including mergers and acquisitions, and litigation, but also handled business litigation, labor matters and contract disputes. She is licensed to practice law before the U.S. Supreme Court, the 9th Circuit Court of Appeals and the federal district courts in California.

Ms. Walker previously served as the Assistant Secretary for Environment, Safety & Health, U.S. Department of Energy, the Deputy Solicitor of the U.S. Department of Interior, the Principal Deputy Assistant Attorney General of the Environment & Resources Division of the U.S. Department of Justice, and a U.S. Commissioner of the Inter-American Tropical Tuna Commission. She has served on the boards of several nonprofit organizations, including Global Involvement Through Education, Floresta Inc., BIOCOM/San Diego, and the Endowment for Community Leadership. Ms. Walker has been an instructor of natural resources law for the University of California and a frequent author of opinion pieces on environmental regulation, energy policy and nuclear power.

EDUCATION

1970 Bachelor of Science degree in biological sciences and ecology, University of California, Berkeley
 1972 - 1973 Visiting 3rd year student, UCLA Law School
 1973 Juris Doctor degree, Boston University Law School

CAREER CHRONOLOGY

1. 1973 - 1976, attorney, Southern Pacific Transportation Company, San Francisco, Calif.
2. 1976 - 1977, associate, Richards, Watson & Gershon, Los Angeles, Calif.
3. 1978 - 1982, partner, Richards, Watson & Gershon, Los Angeles, Calif.
4. 1982 - 1984, Principal Deputy Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C.
5. 1984 - 1985, Deputy Solicitor, U.S. Department of Interior, Washington, D.C.
6. 1985 - 1988, Assistant Secretary for Environment, Safety and Health, Department of Energy, Washington, D.C.
7. 1988 - 1995, U.S. Commissioner, Inter-American Tropical Tuna Commission
8. 1988 - 1989, Vice President, West Coast and the Pacific, Law Environmental Inc., and Special Consultant to the Chairman of the Board, Law Engineering Inc.
9. 1989 - 1991, partner, Richards, Watson & Gershon, San Francisco, Calif.
10. 1991 - 1994, partner, Luce, Forward, Hamilton & Scripps, San Diego, Calif.
11. 1994 - 2001, partner, Brobeck, Phleger & Harrison LLP, San Diego, Calif.
12. 2001 - present, General Counsel of the Air Force, Department of the Air Force, Washington, D.C.

AWARDS AND HONORS

1984 Outstanding Young Women of America
 1987 Secretary's Gold Medal Award, Department of Energy
 1994 Women Who Mean Business Award, Inaugural Award for Law, San Diego

PROFESSIONAL MEMBERSHIPS AND ASSOCIATIONS

U.S. Supreme Court

U.S. District Court, Northern, Central, Eastern and Southern District of California

U.S. Circuit Court of Appeals, 9th Circuit

California State Bar

The Federalist Society

1987 - 2001 Board of Directors, Endowment for Community Leadership, Washington, D.C.

1991 - 2000 Board of Directors, BIOCUM/San Diego

1991 - 2001 Chair and Co-Chair, Environmental & Safety Committee, BIOCUM

1993 - 1994 Chair, Environmental Committee, San Diego Chamber of Commerce

1993 - 1999 Advisory Board for Environmental Management, University of California, San Diego

1994 President, BIOCUM/San Diego

2000 - 2001 Instructor, Natural Resources Law, UCSD Extension, San Diego

(Current as of October 2004)

Trey Best

From: Trey Best
Sent: 2/14/2007 9:49:06 AM
To: Ron Nehring
Cc:
Bcc:
Subject: RE: Mary Walker Biography for U.S. Attorney

Ron,

Unfortunately, there is actually very little we can do when it comes to US Attorneys in CA. There is a commission that recommends the names straight to the Council's office. I will certainly pass along the email and resume however, so that they know Ms. Walker is interested. Sorry I cannot be more helpful on this one. Please let me know if there is anything else I can do.

Thanks,
Trey

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Chuck

From: griffin
Sent: Wednesday, February 07, 2007 3:09 PM
To: Oprison, Christopher G.
Subject: Re: The latest front page installment, with picture

Thanks. Doing great. Thank you for asking. Been tough

-----Original Message-----

From: "Oprison, Christopher G." <Christopher_G._Oprison@who.eop.gov>
Date: Wed, 7 Feb 2007 14:12:16
To: "Tim Griffin"
Subject: RE: The latest front page installment, with picture

Great stuff

How you doing?

>
> **From:** Tim Griffin
> **Sent:** Wednesday, February 07, 2007 12:00 PM
> **To:** Oprison, Christopher G.
> **Subject:** The latest front page installment, with picture
>
>
>
> Some good news: A very positive article today. Front page of the
> Arkansas Democrat Gazette (our only statewide). With large file pic.
> (I didn't talk to the reporter.)
>
>
> Pals: U.S. attorney has right stuff
>
> Griffin, an Army Reserve major, has prosecuted military cases BY PAUL
> BARTON ARKANSAS DEMOCRAT-GAZETTE
>
>
> Ask friends of new U.S. Attorney Tim Griffin to describe the
> 38-year-old prosecutor, and they gush adjectives. They call him
> "driven," "conscientious," "highly intelligent" and fiercely loyal to
> his home state of Arkansas.
> Rep. John Boozman, the lone Republican in the Arkansas delegation, is
> typical: "He's a very smart guy and very hard worker. He's done great
> no matter where he has been."
> But outside the circle of Griffin's friends and many of the state's
> prominent conservatives, Griffin remains something of a mystery.
> "I don't know many people who know anything about him," veteran Little
> Rock attorney Scott Trotter said. When Griffin, a Magnolia native, was
> appointed U.S. attorney for the Eastern District of Arkansas in
> December, "we just sort of scratched our heads."
> Said Arkansas' senior senator, Democrat Blanche Lincoln, "I really
> didn't know much about him, aside from what I read about him in the
> newspaper and what I found on Google."
> Griffin's political resume - key player in both of President Bush's
> campaigns, deputy to White House political guru Karl Rove - is better
> known than his legal resume. Many saw his appointment as forcing out
> the popular Bud Cummins in order to reward a campaign operative.
> Cummins was not among them.
> He, too, was a loyal Republican and Bush backer when he was appointed
> in 2001. To replace him with Griffin, Cummins has said, was "entirely
> within the prerogative of the White House."
> Deputy U.S. Attorney General Paul McNulty voiced similar sentiment

> during testimony before the Senate Judiciary Committee on Tuesday.
> "A lot of U.S. attorneys bring political experience to the job," he
> said.
> McNulty acknowledged that Griffin's file as a prosecutor was "not the
> thickest" but argued that Griffin has more experience in that role
> than Cummins had in 2001.
> According to Griffin's Justice Department biography, most of his
> prosecutorial experience is in military courts. Griffin has served 10
> years in the Judge Advocate General's (JAG) Corps of the U.S. Army
> Reserve. A graduate of Hendrix College and Tulane Law School, he holds
> the rank of major.
> Called to active duty in September 2005, he served as an Army
> prosecutor at Fort Campbell, Ky., home of the 101st Airborne Division.
> His Justice Department biography says he prosecuted 40 cases and cites
> one, U.S. v. Mikel.
> On his 21st birthday, Pvt. Nicholas Mikel opened fire on his fellow
> soldiers during morning exercises. He later admitted that he was
> trying to kill his platoon sergeant and was sentenced to 25 years in
> prison in a plea bargain.
> In May 2006, Griffin was assigned to the 101st Airborne Division and
> sent to Iraq. He spent four months as judge advocate general in Mosul.

>
>
> EARNED CUMMINS' PRAISE

>
> Griffin has a long history as a political operative.
> In 1997, he went to work for Indiana's Republican Rep. Dan Burton's
> Government Reform Committee, which spent the better part of three
> years investigating foreign contributions to the 1996 Clinton-Gore
> campaign.
> Griffin moved to the Republican National Committee for the 2000
> presidential campaign, serving as deputy research director, then as
> legal advisor to the Bush-Cheney recount team in Florida.
> He was rewarded with an appointment as special assistant to Michael
> Chertoff, then the assistant attorney general. In the summer of 2001,
> Chertoff sent him to Little Rock, where Griffin served a year as a
> special assistant to the U.S. attorney.
> Half that time was under Cummins, who offered high praise in a
> send-off letter. "You performed at the highest level of excellence
> during your time here," Cummins wrote.
> In Little Rock, Griffin prosecuted firearms and drug cases and
> organized the Eastern District's Project Safe Neighborhoods, the Bush
> administration's attempt to reduce firearms-related violence.
> "Overall, you served the office extremely well," Cummins wrote.
> "I believe you indicted more people during your time here than any
> other [assistant U.S. attorney]. You were a real workhorse, and the
> quality of your work was excellent."

>
> ASSISTANT TO ROVE

>
> As research director for the Republican National Committee in the 2004
> presidential campaign, Griffin's job was to dig up things to use
> against Democratic candidate John Kerry.
> Three months after Bush began his second term, Griffin was named
> special assistant to the president and deputy director of political
> affairs - No. 3 to Rove.
> Jim Dyke, a Charleston, S.C., communications consultant, worked with
> Griffin at the White House.
> He said last week that Griffin's general abilities and intelligence
> were unmistakable, and that Griffin has a real concern about crime and
> the other publicpolicy challenges that confront Arkansas.
> "He has a real passion for the law," Dyke said.
> Arkansas' Republican Sen. Tim Hutchinson felt much the same about
> Cummins when he recommended Cummins to be U.S. attorney in 2001. "Bud
> is a talented, aggressive attorney with a diverse professional backg
> round," Hutchinson said when Bush endorsed his choice.
> Cummins, 41, was then in private practice with a focus on business

> litigation, and was the state director of the National Federation of
> Independent Business, working as a lobbyist for the small-business
> group.
> He had previously been a law clerk for U.S. District Judge Stephen
> Reasoner, now deceased, and for U.S. Magistrate Judge John Forster Jr.
>
> From 1997-98, Cummins was chief legal counsel to Gov. Mike Huckabee.
> Huckabee also had appointed Cummins to serve as a special associate
> justice of the Arkansas Supreme Court on five occasions.
> Less than two months before Hutchinson offered his name, on Dec. 18,
> 2000, Cummins cast one of Arkansas' six Electoral College votes for
> George W. Bush.
> In an interview last week with The Washington Post, Cummins reiterated
> that "the political aspect of it shouldn't really be a shock to
> anybody."
> He added: "Every U.S. attorney knows they serve at the pleasure of the
> president."
> Information for this article was contributed by Linda Satter and Alex
> Daniels of the Arkansas Democrat-Gazette.
> << OLE Object: Picture (Metafile) >> Arkansas Democrat-Gazette/
> BENJAMIN KRAIN Tim Griffin was appointed U.S. attorney for the Eastern
> District of Arkansas in December.

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> (Metafile) >> << OLE Object: Picture (Metafile) >>
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From: Partoyan, Connie
Sent: Thursday, February 08, 2007 1:52 PM
To: Mike Britt; Jon Seaton
Subject: John McKay

Guys,

Cathy went to the WA Delegation breakfast (first of the year) this morning. Everyone was there. She said Patty Murray mentioned the concern over the departure of John McKay as WWA US Attorney - and is starting to look into whether he was asked to leave, and seems to think that John would be willing to come before the Senate and testify that he was asked to leave.

Just wanted to give you guys a heads up on it....

Connie Partoyan

Chief of Staff

Congresswoman Cathy McMorris Rodgers

202/225-2008

www.mcmorrisrodgers.house.gov

From: Oprison, Christopher G.
Sent: Friday, February 09, 2007 12:02 PM
To: Tim Griffin
Subject: you see these articles?

<http://www.thehill.com/thehill/export/TheHill/News/Frontpage/020907/attorneys.html>

Senate Democrats condemn policy of placing unconfirmed U.S. attorneys
By Elana Schor

Senate Democrats plan to bring legislation to the floor next week that would rein in the Bush administration's power to appoint U.S. attorneys without Senate confirmation, an increasingly bipartisan concern as the number of abruptly dismissed prosecutors grew to eight.

Senate leaders announced their plans hours after the Judiciary Committee approved a bill reversing a little-noticed provision of last year's Patriot Act reauthorization that allows the Justice Department to sidestep Senate approval in naming interim U.S. attorneys. Three Judiciary Republicans backed the bill, signaling heightened concerns on both sides of the aisle at the pattern of attorney axe-ings.

"We have a new topic: It's called 'crony-gate,'" Senate Majority Leader Harry Reid (D-Nev.) told reporters yesterday, vowing to "do everything I can to get this to the floor."

Nevada's U.S. attorney, Daniel Bogden, a Bush appointee whose actions have been questioned in a civil suit against a key supporter of Gov.-elect Jim Gibbons (R-Nev.), was asked to step down just before Christmas. The home-state U.S. attorney of Sen. Patty Murray (Wash.), Democratic Caucus secretary, late Wednesday revealed that the Justice Department also had asked for his resignation.

"This has come home for me in a very personal way," Murray said, adding that her state's departed attorney is also a Republican.

Justice has strongly defended the dismissals, with Deputy Attorney General Paul McNulty telling Judiciary this week that the administration will seek formal Senate confirmation for each of the new prosecutors. But two removals in particular, those of San Diego-based U.S. Attorney Carol Lam and Arkansas U.S. Attorney Bud Cummins, have sparked Democrats' ire.

Senate Majority Whip Dick Durbin (D-Ill.) noted colleague Mark Pryor's (D-Ark.) uncharacteristic alarm at the naming of Timothy Griffin, a former staffer in White House adviser Karl Rove's office and onetime national GOP opposition research director, to replace Cummins.

"Mark Pryor is a mild-mannered, soft-spoken senator, unlike some of us, but he's righteously upset," Durbin said.

The revision in the Patriot Act rewrite was intended for use in national-security emergencies, when U.S. attorneys might need quick appointment to pursue terrorism suspects. Yet GOP lawmakers have backed administration suggestions that Lam was removed amid complaints about her record of prosecuting immigration-related cases.

An October 2005 letter to Attorney General Alberto Gonzales from 19 California House Republicans blasted Lam's office for a "lax prosecutorial standard" in only prosecuting apprehended illegal immigrants who have two felony convictions on their records. Rep. Darrell Issa (R-Calif.), a signatory of that letter, earlier chastised Lam for amassing "an appalling record of refusal to prosecute even the worst criminal alien offenders."

Sen. Dianne Feinstein (D-Calif.), who first raised concerns that Lam will leave her post next week unable to complete her corruption probe of imprisoned former Rep. Randy "Duke" Cunningham (R-Calif.), inquired in June about the low number of immigration prosecutions in Lam's district.

One House GOP aide contended that the bipartisan concern over Lam clouds Democratic attempts to link her dismissal to the Cunningham probe.

"Democrats don't want to talk about the fact that they actually had substantive concerns with this particular U.S. attorney," the aide said.

House Democrats aim to move the Senate's bill quickly through the process, holding a hearing in the Judiciary panel's subcommittee of jurisdiction during the first week of March and a markup soon after, Rep. Howard Berman (D-Calif.) said in a statement yesterday.

Meanwhile, Sen. John Ensign (R-Nev.) has been asked to recommend candidates to fill the open Nevada attorney's post, but Reid said he had no knowledge of talks on Bogden's replacement.

"Maybe it's somebody from Scooter Libby's office," he quipped.

Susan Crabtree contributed to this report.

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http://www.washingtonpost.com/wp-dyn/content/article/2007/02/08/AR2007020801867_pf.html

Fired Prosecutor Disputes Justice Dept. Allegation

He Calls Testimony 'Unfair'; Meanwhile, Senate Panel Votes to Limit Attorney General's Power

By Dan Eggen
Washington Post Staff Writer
Friday, February 9, 2007; A06

A recently fired U.S. attorney based in Seattle said yesterday that he was told of no performance problems when he was asked to resign, and he called critical remarks by a top Justice Department official "unfair" and inaccurate.

The comments by former U.S. attorney John McKay add to a growing tide of criticism of the Justice Department's decision to fire seven top prosecutors without explanation, and came on the same day the Senate Judiciary Committee voted 13 to 6 to limit the attorney general's power to appoint replacements.

McKay said in an interview that his Seattle office received glowing reviews as recently as last fall, when an intensive Justice Department audit heaped praise on McKay and his staff.

McKay challenged testimony this week by Deputy Attorney General Paul J. McNulty, who told the Senate panel that McKay and five other Republican-appointed U.S. attorneys were forced to resign for "performance-related" reasons.

"That is unfair," McKay said. "That reflects on my former colleagues in the office and the good work that we did, and I know that's not true."

McKay is the third U.S. attorney to speak publicly about his dismissal. Daniel G. Bogden of Nevada told the Las Vegas Review-Journal that he was given no explanation for being forced out and that he had not been told of any problems with his performance.

McNulty's testimony Tuesday also included an admission that the chief prosecutor in Little Rock, Ark., was fired to make way for GOP stalwart J. Timothy Griffin, a protege of presidential adviser Karl Rove and former researcher for the Republican National Committee.

The firings have angered lawmakers in both parties and have rapidly evolved into a serious political problem for the Justice Department. Yesterday's vote by the Judiciary Committee included approval from three Republicans: Sens. Arlen Specter (Pa.), Charles E. Grassley (Iowa) and Orrin G. Hatch (Utah).

The measure would repeal a provision in last year's USA Patriot Act reauthorization law that gave Attorney Gen. Alberto R. Gonzales the authority to appoint interim prosecutors for indefinite terms. The new legislation would return to the previous system, under which the attorney general appoints a replacement for 120 days and district courts appoint an interim U.S. attorney if a permanent one is not named in that time.

Chairman Patrick J. Leahy (D-Vt.) said the legislation is necessary to ensure Senate oversight and limit the "politicization of U.S. attorneys offices."

Justice Department spokeswoman Tasia Scolinos said that allowing Gonzales to appoint interim prosecutors is "good government and constitutionally sound."

"We are disappointed by congressional efforts to restrict our ability to appoint our own employees for temporary periods of time while a permanent nominee is selected," Scolinos said.

The House Judiciary Committee plans to hold hearings on similar legislation next month. They may include testimony from some of the fired prosecutors.

The leader of the House Democratic caucus, Rep. Rahm Emanuel (Ill.), has called on Gonzales to appoint one of the fired prosecutors, Carol S. Lam of San Diego, as an outside counsel to continue the corruption investigation related to former representative Randy "Duke" Cunningham (R-Calif.), who pleaded guilty to accepting \$2.4 million in bribes in 2005 and is serving a sentence of as much as eight years. Scolinos said career prosecutors will be able to continue handling the case while a replacement is chosen.

In addition to Lam, McKay and Bogden, three other U.S. attorneys were told on Dec. 7 to resign: Paul K. Charlton in Arizona; David C. Iglesias in New Mexico; and Kevin Ryan in San Francisco. A seventh U.S. attorney, Bud Cummins in Little Rock, was notified he was being removed last summer.

McKay said he was called Dec. 7 by Michael A. Battle, head of the Executive Office of U.S. Attorneys, who only months before had sent him a congratulatory letter for the laudatory report issued by the Justice Department audit team. He said Battle told him to resign by the end of January.

"When I was composed enough to ask him why, he told me he couldn't answer any of my questions," said McKay, who has accepted a teaching position at Seattle University Law School. "I was immediately so surprised. He said nothing about performance issues or management or anything else."

McKay said that four days after Battle's call, the White House counsel's office also informed him that he was not among a group of three finalists for a federal judgeship in Washington state. He declined to say whether he believed political considerations went into his dismissal.

McKay angered other Republicans when he declined to intervene in a ballot dispute in the 2004 Washington governor's race. His brother, Mike McKay, served as U.S. attorney in Seattle under President George H.W. Bush.

In a highly unusual move, the chief judge of the federal court in Seattle publicly came to John McKay's defense.

"We were dismayed to see that the Justice Department was suggesting there was something wrong with his performance as a United States attorney," said Judge Robert Lasnik, a Clinton-era appointee who said he was speaking for all the judges on the Seattle court. "We unanimously agreed that he was absolutely superb."

Scolinos declined to comment on McKay's remarks.

Christopher G. Oprison
Associate Counsel to the President
phone: (202) 456-
fax: (202) 456-

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From: mickey
Sent: 2/16/2007 3:01:46 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: U S Attorney

Scott

Rumor around the U S Attorney's office is that Gomez will be made acting USA at the end of the month. I am informed that he is much more culpable than Iglesias on the failures of the office the past few years.

For my two cents it would be far better to bring in someone from outside than allow Gomez to even continue in his present position.

Mickey

Mickey D. Barnett

Darren White

From: Darren White
Sent: 2/17/2007 3:58:17 PM
To: mickey; Scott Jennings;
Cc:
Bcc:
Subject: Re: U S Attorney

Scott- I agree with Mick on outside help. From what I have heard from inside the USA's office, Gomez was David's downfall. One very respected AUSA told me it was no secret that Gomez ran the shop. DW

----- Original message -----

From: mickey

> Scott

>

> Rumor around the U S Attorney's office is that Gomez will be made acting USA at

> the end of the month. I am informed that he is much more culpable than Iglesias

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> For my two cents it would be far better to bring in someone from outside than

> allow Gomez to even continue in his present position.

> Mickey

> Mickey D. Barnett

>

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Sara Taylor

From: Sara Taylor
Sent: 2/16/2007 6:34:09 PM
To: 'Jim Rutenberg'
Cc:
Bcc:
Subject:

Can u tell me if a colleague of yours, David Johnson (I believe), is working on a story about US attorneys and my former deputy, Tim Griffin?

Can you hook me up with him?