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U. S. Department of Justice

United States Attorney
Middle District of Alabama

Memorandum

Subject	Date
Emergency Increase for Public Corruption/Criminal Fraud/ Money Laundering Litigation	March 9, 2002

To

Steve Parent
Deputy Director
Resource Management and Planning Staff
600 E. Street NW, Room 8000
Washington, DC 20530
(202) 616-6886
Fax (202) 616-6649

From *Leura G. Canary*
Leura Garrett Canary
United States Attorney
Middle District of Alabama
Montgomery, Alabama 36104

Request for an Emergency Increase for the Direct Money Budget

We respectfully request an emergency increase of \$295,000 (Two hundred ninety-five thousand dollars) for the Direct Money Budget for litigation, travel, equipment, and other resources in a special offsite facility recently created for a large public corruption case handled by this office.

The Litigation Generally

Within the last year, this office has pursued a number of joint federal public corruption prosecutions with the State of Alabama Attorney General's Office. The investigation giving rise to this litigation began in 2001 when a Mobile Register reporter discovered and reported that a series of false invoices had been submitted and paid during the course of a state project to build two warehouses. (Articles attached). The warehouses were to be financed through the Alabama Department of Economic and Community Affairs (ADECA). ADECA is a legislatively created agency to primarily handle the receipt and distribution of millions of dollars of federal funds. The warehouse project was to total approximately \$16 million dollars. Following the newspaper report of false invoices, a state investigation began and a number of financial records were either subpoenaed or disclosed.

The Internal Revenue Service also began participating in the investigation. Because

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ADECA involves the handling of such a large amount of federal money, the United States Attorney's Office also became involved later in 2001. It was decided that the investigation should be handled jointly by both federal and state prosecutors.

When the investigators traced the payments made pursuant to the false invoices on the warehouse project, some payments were found to be going directly into the bank accounts of high ranking government officials who in turn wrote checks which were deposited into other bank accounts of high ranking government officials. Further evidence suggests that high ranking state government officials have received money and property in exchange for favored treatment, lucrative government contracts or special positions in numerous instances. Press reports reflect numerous instances of no bid contracts where millions of dollars appear to have been overpaid to persons close to the administration. (For copies of some of these articles see the special features section of the Mobile Register at www.al.com, "Finding the Fat in State Contracts". Other articles involving the current administration are often reported in the Birmingham News.) In another related public corruption action recently prosecuted by this office (*United States v. Bobo*), the United States convicted a Tuscaloosa doctor who allegedly was working with inside information from the governor's administration to obtain medicare contracts which would have cost the government in excess of an additional \$10,000,000 (ten million dollars). At trial, the testimony revealed someone named "Nick" in the Governor's office was providing confidential, non-public bid information regarding these medicaid contracts to the doctor who was bidding on the contracts. Investigators believe that the "Nick" named in that case refers to the former head of ADECA and former member of the Governor's staff.

Since the inception of the warehouse investigation, two individuals have plead guilty, another has been convicted, two are in the process of offering proffers, and a number of individuals are cooperating in what has rapidly developed into a massive public corruption investigation. More than eighty related interviews have been conducted to date. Several additional indictments or plea agreements are expected in coming months. The IRS has recently opened official grand jury investigations on at least two individuals and the IRS is evaluating or awaiting approval on more than ten others. The investigation team on these cases includes seven FBI agents, three IRS agents, three state investigators, three state prosecutors and four federal prosecutors. It is anticipated that the investigation team will grow if the evidence continues to support the items being proffered by potential defendants. It is also believed this investigation and any prosecutions arising from it will extend, at minimum, over the next 24 months.

In tracing the aspects of this litigation, thousands of documents have been collected with more arriving daily. It is anticipated documentary material is either rapidly approaching or has already exceeded well over a million pages.

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Because of the voluminous material, its sensitive nature, witnesses, and security concerns, the FBI has seen fit to establish an 4,000 square foot off-site facility especially for the joint investigation team at no cost to this office. The office is a large space for working, filing, litigation preparation and a special witness interview room where individuals can be interviewed in a more intimate setting with only a few investigators while other team members can observe through a glass mirror. (Some witnesses have been intimidated by the large number of investigators involved and efforts are being made to make cooperating individuals more comfortable so that the maximum amount of information may be gathered.) We need some form of communication between the two rooms, such as through networked laptop computers, so other members of the team can ask questions, or produce to the interviewer certain evidence, without interrupting the flow of the interviews. The FBI is able to provide security, one copier and a few furniture items, but not enough to support the entire team.

Witnesses, documents and potential defendants are not only within the state of Alabama but are scattered across a number of states and potentially outside the United States. Thus, travel expense is also a concern.

The Specific Request for Additional Funding

In order to effectively coordinate this litigation, prosecutors must begin scanning, copying and digitizing the large volume of material immediately at the offsite where it can also be available simultaneously to both investigators and prosecutors. Prosecutors need access to the large volume of material for pending and anticipated cases. The federal court in the Middle District has an extremely broad standing discovery order, which requires each Assistant United States Attorney to provide copies of all items intended for use at trial and other information which might relate to various defenses raised by opposing counsel. Based upon the large number of documents, the number of potential defendants, and the high profile nature of the case, it will be necessary to obtain the necessary equipment at the off site location to copy and reproduce the information in a digital format is critical for the exchange of mandated discovery information, litigation preparation and trial presentation.

Because of the large volume of material, staffing assistance is absolutely necessary. The Middle District is already understaffed and unable to handle this type full-time project. This case will require the services of at least two to three full-time support personnel.

In addition to the two lap top computers necessary to network the witness and observation rooms, additional portable lap top computers for witness interviews, proffers, trial and investigation, desktop computers equipped with CD burners (or some comparable means to store a large quantity of information and images) and litigation support software are a necessity at the offsite location. At least two laser jet printers will also be necessary. The computers must be networked and internet and Westlaw access will be critical, as these items

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have already proven a necessity at this early stage of the case. A large part of the computer software can be obtained from already established DOJ licenses, however, it is necessary for all involved to be equipped with *Summation*, an organizational software for large document cases which communicates and is compatible with the software used by this U.S. Attorney's Office (such as *Wordperfect*, *Microsoft Excel*, *Sanctions II* and *Powerpoint*) as well as the software used by the Alabama Attorney General's office which has already digitized and input a large amount of data in their computer systems. *Summation* is approximately \$2900 per licensed user. Naturally, we will attempt to minimize the number of licensed users but we believe at least 10 node system which can be internally networked at the off-site would accommodate this goal. Also, a small digital projector would greatly assist when referring witnesses to the large number of documentary evidence at the offsite, rather than searching through millions of pages in the small witness room. Such a small projector, that could hook up to a lap top computer in the off-site witness room is \$6,500 and could also be used at trial and will adapt to the Sony Video Presentation Equipment already available.

A facsimile machine will also be required.

Although the largest portions of this case are still in the process of developing, it is easily anticipated that the complicated money laundering, tax and securities issues will require experts in these three fields. Further, it has been discovered that computer information is being deleted from the some state systems files. It may be necessary to have expert computer technical assistance in restoring certain files from certain servers or computers. Litigation expenses for experts (which may be used in multiple related cases) will require this office to provide transportation, lodging and expert witness fees.

It is also anticipated there will be a greater expense associated with general trial preparation such as exhibits and jury notebooks because of the complexity and overwhelming volume of documentary evidence. Additional expense may also be associated with security concerns. Although the FBI is taking a large part of the burden in securing the off-site facility, the high profile nature of this litigation has already placed the staff, in addition to some witnesses, on high alert. In the aforementioned prosecution of the Tuscaloosa physician, prosecutors were threatened with reprisal. Witnesses and one prosecutor have experienced incidents which have caused them to have security concerns about this case. Thus, ensuring secure communications among members of the investigation team and ensuring the security of key witnesses is a necessary priority. The computer systems requested above will require secure software.

Finally, the money laundering, tax and securities issues also involve witnesses and information which extend outside the State of Alabama, and it is anticipated additional money will be necessary for travel expenses.

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In view of the substantial expenses for this set of public corruption litigation, this office will far exceed the allotted budget expenses for litigation and case preparation. For these reasons, this office requests an increase of \$295,000 (Two hundred ninety-five thousand dollars) to meet the needs of this unusually large investigation and resulting prosecutions.

Thank you in advance for considering this urgent request.

Enclosures.

N:\Canary\letterstomafn\request.wpd

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U.S. Department of Justice

United States Attorney
Middle District of Alabama

One Court Square, Suite 201
Post Office Box 197
Montgomery, Alabama 36101-0197

334/223-7280
Civil Fax: 334/223-7560
Fin Lit Fax: 334/223-7418
Criminal Fax: 334/223-7135

May 20, 2002

Via Facsimile
202 / 616-6679
Mr. Mark Fleshman
Assistant Director, Office Automation
Department of Justice
Executive Office of United States Attorneys
Washington, D.C.

Re: Large Public Integrity Investigation in the Middle District of Alabama

Dear Mr. Fleshman:

You requested further detail and planning regarding the large public integrity investigation and our need for computer equipment at the off site facility. I apologize for the delay in getting back to you, but we were out of the office in a management conference in South Carolina and a number of other emergency issues needed to be addressed. For your convenience, I have attached our original request letter.

Although this action is investigating the highest levels of state government, it is anticipated, because of the overlapping nature of the issues that all defendants will not be indicted and tried at one time. (There may be ten to twenty defendants in the total litigation). This is an action which is intended to progress in stages with each of the 18 team members needing much of the same information at the same time.

Because of the intense scrutiny and high profile nature of these investigations, the Federal Bureau of Investigation decided to move the headquarters of the investigation to a 4000 square foot off site facility located at one of our military bases in the area. We already have more than 50 bankers boxes worth of material and anticipate the document pages to be substantially in excess of 1,000,000 (one million). In order to accommodate this large amount of material the investigation and prosecutorial team has formed the following technology plan.

At least two legal assistants will be responsible for scanning and organizing the material into *Summation*, a legal software program for document intensive cases. This program was used by the Department during the Microsoft litigation and is capable of linking documents to issues and witnesses. Further, this information can be converted to the trial preparation software

authorized by the Department, *Sanctions II* and *Powerpoint*. Simply importing this information will require at least two of the desktop units requested along with the scanner and scanning software requested. We have already selected a *Cannon* scanner approved by the Department along with *Law* scanning software which has also received Department approval. The scanner has the ability to scan 96 pages per minute. Our office has already purchased and conducted training on *Summation* so that team members are comfortable using it.

There are currently at least 18 other members of the litigation team, however it is anticipated not everyone will be on the computers at the same time. Thus, in addition to the two desktops used by the legal assistants, we have requested a minimum of eight other units at the off-site (3 desktops and 5 laptops). The laptops will be available for use in the field as well as to have them networked in a specially designed witness room. Because of the large number of members on the team, the off-site is designing a witness room with a standard two way mirror whereby a small number of interviewers may interview the witness while others may observe or communicate questions through a networked system using the laptop computers. Because of the large number of documents, the interviewer may ask questions and refer to documents with the interviewee by using a small digital projector. This way documents are easily accessible, without the necessity of fumbling through 50+ banker's boxes of information. The lawyers and investigators can communicate questions and additional exhibits without disturbing the line of questioning of the interviewer. This same equipment will also be available for use in the courtroom as well.

The legal assistants will also be responsible for assisting members of the team for trial. It is anticipated that some members of the team will be indicting and litigating certain defendants at different stages. This set of actions will not necessarily be tried all at once, but rather in phases. The described set up, will give access to all team members, no matter what the stage of the litigation of their particular defendant. Since half of the computers and the digital projector are portable, these items are necessary for litigation purposes as well.

The other three desktops are necessary for the 18 lawyers and investigators to access outside the witness room. They too will be able to input, link and study information. The information may be reorganized through *Summation* depending upon which defendant may be at issue. Already, one investigator is using the information and inputting accounts into spreadsheet format for analysis.

The total of ten computers will be networked so that all 10 could be on at the same time. Each computer will need access to the *Summation* program as well as *Westlaw* and Internet access. The computers will obviously have to have a server with adequate memory to accommodate the anticipated levels of information. The system will need to be set up and maintained by a computer specialist approved by the department. The specialist will be working with the FBI to ensure the system is secure. FBI has placed the phone lines in the facility for security reasons. It is my understanding they would also need to be involved if cable wiring is used for *Westlaw* and Internet access as well. We intend to work with the FBI and DOJ to ensure the system is compliant with all security measures. It will not however be networked to the system in the Middle District of Alabama office.

Obviously, we would also need a copier and a fax machine.

I hope this information adequately addresses your concerns and should you have any additional comments or questions, please do not hesitate to contact me.

With warmest regards,



Julia Jordan Weller
Executive Assistant United States Attorney

cc: Mr. Charles Niven, First Assistant United States Attorney
Ms. Linda Langford, Administrative Officer



U.S. Department of Justice

United States Attorney
Middle District of Alabama

One Court Square, Suite 201
Post Office Box 197
Montgomery, Alabama 36101-0197

334/223-7280
Civil Fax: 334/223-7560
Fin Lit Fax: 334/223-7418
Criminal Fax: 334/223-7135

FAX

Telephone: 202/616-6649

FACSIMILE TRANSMISSION COVER PAGE

TO: John Thompson
EOUSA RMP

FROM: SHERRI HAMILTON

ORGANIZATION: United States Attorney, Middle District of Alabama
One Court Square, Suite 201, Montgomery, AL 36104
Telephone: 334/223-7280 FAX: 334/223-7560

NO. OF PAGES: 11 (EXCLUDING THIS COVER SHEET)

CONTENTS: 2002 REQUEST CONTRACT SUPPORT

NOTE: If you do not receive the total number of pages indicated, please call the sending individual listed above.

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U.S. Department of Justice

Litigation Support Request Form

Executive Office for United States Attorneys
Office Automation Staff

Office Automation Staff
600 E Street, NW
Room 9100
Washington, D.C. 20530

DATE: 6/11/02

Telephone: (202) 616-6969

FAX: (202) 616-6679

1. Lead Trial Attorney: John Scott, Public Integrity Section, DOJ
Phone Number: (Montgomery - 334/223-7280)(DOJ-202/514-0885)
FAX Number: Montgomery - 334/223-7617

2. Other Point(s) of Contact: Julia Jordan Weller, Exec. Asst. U. S. Attorney
Phone Number(s): 334/223-7280
FAX Number(s): 334/223-7617

3. Case Name: U.S. v. Lanny Young; U.S. v. David Green; U.S. v. Kurtis/ Kirsh. . .
Case Number: USAO 2001R00166

Case Type (check one):

CIVIL	<input type="checkbox"/>	CRIMINAL	<input checked="" type="checkbox"/>	SPECIAL	<input type="checkbox"/>
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4. Client Agencies: Joint State/Federal Investigation
Federal Bureau of Investigation, Internal Revenue Service; Alabama
Attorney General's Office.

5. Case Schedule (Include discovery deadlines, trial date and any other pertinent dates. Indicate if the dates provided are known or estimated.):

This is a series of actions relating to a large on-going public corruption investigation and may have between 10 and 20 defendants. There are two pleas, two more anticipated in the near future, three others are making proffers and there has been one state trial, resulting in a conviction. The investigation has lead to high levels of state government. Other than pending grand jury subpoenas, no scheduling orders have yet been entered, but the case has developed into more than 50 boxes of material and evidence which is being currently evaluated and analyzed by the litigation team. Support is necessary for this purpose.

6. Case Description (Provide a general factual background. Include number of defendants/parties and dollar amount at stake as applicable.):

See attached confidential material.

7. Current Case Status:

See attached. Numerous subpoenas have been sent and continue to go out. Over 90 interviews have been conducted to date.

8. Security Issues (Describe any unique personnel or physical security requirements.):

The Federal Bureau of Investigation has secured a 4,000 sq. ft. offsite at a local military base. They have seen to it that the area meets stringent security requirements including alarms, security system and the like.

9. Please indicate which of the following litigation support services are requested. Number the requested services in the order of importance (1 being the most important):

2	Document database(s) (indexes)
1	Document scanning/optical character recognition
4	Document imaging
3	Other database(s) (quantitative, statistical analysis)
6	On-site trial support
5	Hardware/Software
7	Personnel-Include length of time needed and any special requirements
Please estimate the number of requested personnel by category: Paralegal <u>xx</u> Programmer <u> </u> Word Processor <u> </u> Other: <u> </u> <u>2</u>	

NOTE: ALL OF THESE ARE OF CRITICAL IMPORTANCE...

10. Anticipated Adversary and Government Document Production (List producing parties and locations. Indicate, as a number pages, if known, or as a number of documents, standard filing cabinets or boxes, the anticipated document production for each location. Please note if any of the documents are available in electronic format.):

Party	Location(s)	Number of Documents	Document type(s) e.g., financial, memoranda
	OVER 50 BANKERS BOXES OF FINANCIAL INFORMATION, STATE DOCUMENTS, INVOICES ARE HOUSED IN AN OFFSITE LOCATION. PRODUCTION WILL VARY WITH EACH DEFENDANT.		

11. What are the anticipated benefits of providing litigation support for this case?:
 The United States Attorney's Office for the Middle District is already substantially understaffed and does not have the resources to handle litigation of this magnitude. Fulltime support is absolutely critical to scan, organize and input the well over 1,000,000++ pages of material so that it is accessible.

12. What consequences can be anticipated if support is not provided?:
 The likelihood that this office can adequately handle this litigation is substantially reduced. I personally tried to handle much of this for several months while putting in over 100 hours of overtime a month. We have tried to combine resources from FBI, IRS and the State Attorney*

BUDGET NOTE: Please bear in mind that as a general rule, the U.S. Attorneys' Offices pay for litigation support work done post-indictment. Prior to indictment, the investigatory agencies should be asked to pay.

Administrative Officer's Signature: Linda Longford
 Date: 6/11/02

Please direct any questions to the EOUSA Litigation Support Unit on (202) 616-6969.

*General's Office but still desperately need assistance. This request has already received initial approval and the Department's Public Integrity is also participating. Substantial funds have already been invested in setting up a manner in which to handle this litigation. (See letters attached). To disallow such a critical element would also result in a waste of government resources already committed to this project.

LITIGATION ADVICE OF OBLIGATION/CODE SHEET
FISCAL YEAR 2002

PLEASE COMPLETE ALL INFORMATION REQUESTED BEFORE SUBMISSION*

YREGDOC: 2 02 DCN 210139

*DOC DATE	7/31/02
ITEM	
ROOM	MONTGOMERY AL
*SECTION AC:	Direct/LECC (2E4002) OR DTF 2E40070602 AF 2E400502 OR HCF 2D50032 OR ACE 2E409610 OR OVC 2E8002
REQUESTORS NAME	
*COMPANY (VENDOR)	Contract Support
*PROJECT	(CASE NO. THIS FIELD MUST BE COMPLETED)
*FILLER 2 (CASE NAME)	
*INDEX 2 (DIVISION)	
GOVERNMENT FUNDS AVAILABLE	
MONTH	02/08
SOC	2529
*AMT	\$ 99,990 ⁰⁰

[Handwritten signature]
8-1-02

When filling out this form, please use a typewriter.

U.S. Department of Justice Requisition for Equipment, Supplies or Services (See Instructions on Reverse)		1. Requisition Number	2. Document Control No. DCN 210139
		3. Page No. 1 of 1 Pages	4. Date prepared 07-31-2002
		5. For information call (Name, telephone code, and extension) Linda Langford, AO - (334)223-7280	
6. To: Procurement Services Staff Thru: Property Management Facilities & Administrative Services Staff Gov Funds Available		7. From (Requisitioning point—Name and location) U. S. Attorney's Office, MDAL One Court Square, Suite 201 Montgomery, AL 36104	
8. Recommended Source(s):		9. Required delivery date 08-12-2002	
11. Appropriation/Cost Center/Object Class Code 2E4002, SOC: 2529, DCN: <u>210139</u>		10. Federal supply contract No. (If known)	
		12. Signature of approving officer <i>Linda Langford</i>	
		13. Title of approving officer Linda L. Langford, Administrative Officer, MDAL	

Stock No. (14)	Description of Articles or Services (15)	Quantity (16)	Unit of Issue (17)	Estimated Unit Price (18)	Amount (19)	Prop Code (20)
	Two contract employees, _____ for approximately 40/hrs/wk each for 11 months	11	mo	9,090.00	99,990.00	

1190

21. Deliver to (Give complete shipping address, including ZIP code) U. S. Attorney's Office, MDAL One Court Square, Suite 201 Montgomery, AL 36104				TOTAL ↓		99,990.00
22. Remarks						

STATEMENT OF WORK

Prepared by: U. S. Attorney's Office, MDAL

Date: August 1, 2002

Case: U.S. v. Lanny Young, et al.

LIONS Number: 2001R01166

Background of Case: Large on-going public corruption investigation with anticipated 20 defendants. Hundreds of boxes of materials and evidence anticipated, more than 75 boxes are waiting. A number of grand jury subpoenas have been issued.

Legal Issues: Embezzlement; money laundering; theft of state and federal funds; conspiracy; insider trading; securities fraud.

Contract Dates: 8/12/02 through July 12, 2003 (11 months)

Work Schedule: Monday - Friday
40 hours weekly

Security Requirements: Standard requirements for viewing grand jury documents.

Scope of Work: Scanning documents w/OCR into Summation and Sanctions II; entering data into various computer programs including Microsoft Access and Excel (spreadsheets) and Quicken or Quickbooks; and indexing documents and examining them for legal issues. On-site trial preparation support to include but not limited to typing; analysis of documents for evidence relating to factual and legal issues; meeting and coordinating evidence with federal agents; utilizing programs such as Powerpoint to design and present evidence and other exhibits; and other general administrative type services.

Travel and Rental Car: None requested in light of obtaining a local contractor.



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LF
JW

ORIG. ADMIN.

FACSIMILE COVER SHEET

Date: Sept. 23, 2002

To: Linda Langford

Company: USAO - MDAL

Fax No.: 334-223-7560

Phone No.: 334-223-7280

From: Hal Macomber

Fax No.: (202) 659-9847

Phone No.: (301) 519-6737

Number of Pages (including cover sheet): 5

Message: Resumes for Vallie Byrdsong and Amber Wetzel for project as discussed
Thanks, Hal

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Vallie Darrick Byrdsong

3

Education:

University of Maryland, College Park, Maryland
Double Degree, May 2001: Bachelor of Arts in Economics
Bachelor of Arts in Government and Politics
GPA overall: 3.4; GPA in Economics: 3.8; GPA in Government: 3.9
Semester hours in computer science and math courses: 34
Semester hours in accounting, business, and law courses: 33

Brown University, Providence, Rhode Island, 1996 - 1997
Completed 24 semester hours. GPA: 3.5

Eleanor Roosevelt High School, Greenbelt, Maryland
Graduated: June 1996 with Science and Technology Honors Program
Certificate. GPA: 3.7, Rank: top 10%

COMPUTER SKILLS:

12 years experience using computers. Experience with online research.

Languages: C/C++, Visual Basic.

Software: Word, WordPerfect, Excel, Lotus 123, Quattro Pro, various utilities.

Netscape Navigator, Internet Explorer, internet-related applications.

Some knowledge of MS Access, MS Visual C++, SAS, MS Visual Basic.

Working knowledge of Sanction II, a document management and display tool.

Systems: Windows, Unix, MS-DOS.

Work Experience:

Aspen Systems Corporation
Gaithersburg, Maryland

Document Scanning/Processing
October 2001 - Current

Responsibilities include processing documents for imaging, performing document scanning, assisting in the training of new employees, providing technical support and other IT services, processing data and images according to client specifications, as well as producing digital media for delivery to clients. Involved in many stages of production at our facility. Work is done in a production environment stressing speed and accuracy. Requires careful attention to detail, and the ability to meet production deadlines while still maintaining quality. Also requires a background check and civilian security clearance.

Work occasionally involves traveling to client work sites to perform imaging and data management services. Completed work on three cases for the U.S. Attorney's Office in Providence, R.I. Worked directly with attorneys, senior paralegals, and federal agents in organizing and creating digital versions of evidence. Responsibilities included: scanning evidence and digitizing audio and video recordings, processing digital media to create excerpts and synch video and audio with text transcripts, using Sanction II to organize case, managing the case media database, performing

technical support on case-related information systems, and responding to client requests as trials commenced and requirements changed.

Cambridge Scientific Abstracts
Bethesda, Maryland

Internship - Editorial Assistant
May 1999 - October 1999

Worked on the Web Resources Database, which involved selecting and recording reputable sources of computer science research and information on the internet. Required a grasp of current research in computer science, the ability to work independently without close supervision, and effective online research skills.

U.S. Department of Defense
Ft. Meade, Maryland

Internship - Analytical Aide
1996-1997

Participated in the Undergraduate Training Program during the summer of 1996 and while studying computer science at Brown University. Received a conditional security clearance.

U.S. Department of Agriculture
Beltsville, Maryland

Internship - Biological Aide
Summers 1994, 1995, & 1996

Worked full-time each summer as Research Apprentice at the Beltsville Agricultural Research Center in the Insect Chemical Ecology Laboratory. In 1995 and 1996, assisted with research involving synthetic chemistry. Learned how to use several different types of chemical analysis equipment as well as lab procedures for preparing and purifying chemicals. Became proficient in the use of a gas chromatograph, mass spectrometer, distillation and reflux procedures, and research procedures used by experimental scientists. Used complex analysis equipment as well as computer graphing programs to organize the results.

HONORS/AWARDS:

Named to the Dean's List in the College of Behavioral and Social Sciences at the University of Maryland, College Park (UMCP) for the Fall 2000 and Spring 2001 semesters.

Selected to participate in the Undergraduate Training Program with the U.S. Department of Defense.

Earned rank of Eagle Scout in 1995.

COMMUNITY/VOLUNTEER ACTIVITIES:

Adult Leader/Eagle Scout, Boy Scouts of America, Troop 9, Oaklands Presbyterian Church, Laurel, MD. Have worked as an adult leader at the Boy Scout Camp Lenhok'sin Trail supervising the scouts in their activities of hiking, backpacking, caving, rock climbing, and other physical challenges. Have completed many hours of community service. My Eagle service project, sponsored by the MNCPPC and the Audubon Society, consisted of planning and organizing the building of 25 nesting boxes for American Kestrels.

U. S. DEPARTMENT OF JUSTICE REQUISITION/ORDER FOR SUPPLIES OR SERVICES	1. Y REG DOC 2 X 72708 02	2. Delivery/Purchase Order No. 02-C-0436TD92
	3. Date Approved by COTR 09/03/02	4. Delivery/Purchase Order Date 9-9-02

NOTE: THIS ORDER RELATES TO THE INSTRUCTIONS ON THIS FORM ONLY AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT REFERENCED IN BLOCK # 12.

BUSINESS CLASS: Small Other than Small Disadvantaged Other Owned

6. To: JMD Procurement Services Staff 1331 Pennsylvania Avenue, NW Suite 1000 Washington, D.C. 20530 ATTN: Pamela F. Pilz	7. From: (Name, Location) United States Attorney's Office Middle District of Alabama One Court Square, Suite 201 Montgomery, AL 36104 ATTN: Linda Langford
---	---

8. Source: Aspen Systems Corporation 2277 Research Boulevard Rockville, MD 20850 ATTN: Joyce Lambert	9. For Ordering Information Call: (Name, Telephone) Harry E. Tice 202-616-6605
	10. Required Deliver Dates: 09/15/02 - 03/15/03
	11. Place of Inspection and Acceptance: 11a. POB Point: Montgomery, AL

12. Contract No. 02-C-0436	13. Signature of Approving Officer: see attached SF-186	Date:
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14. Cost Center Code 2E4002 72708 OBJ 2529	15. Title of Approving Officer Administrative Officer
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CLIN No. (16)	Description of Supplies or Services (17)	Lesses in FY (18)	Quantity (19)	Unit of Issue (20)	Unit Price (21)	Amount (22)	SOC Code 23
	Litigation Support to assist the Middle District of Alabama in an investigation and upcoming trial of US vs. Lanny Young, et al in Montgomery, AL (see attached proposal)						
	All contractors have security clearance in place.						
04-1305	Scanner Operator - GFE		960	hour	20.81	\$19,977.60	
04-1210	Paralegal		960	hour	29.92	\$28,723.32	
04-1110	Travel		cost +			\$51,289.08	
	Period of performance is not expected to exceed March 15, 2003.						

24. Deliver to: (Complete shipping address, including zip code) United States Attorney's Office, Middle District of Alabama, One Court Square, Suite 201, Montgomery, AL ATTN: Linda Langford	25. Total: \$99,990
---	---------------------

26. Mail Invoice To: Harry E. Tice, 600 E. St. NW, Room 2400, Washington, DC 20530	27. Discreet Parties	28. Invoice No.
---	----------------------	-----------------

29. The above items are hereby ordered: UNITED STATES OF AMERICA By (signature) <i>Pamela F. Pilz</i>	Name: Pamela F. Pilz Title: Contracting/Ordering Officer
---	---

FORM - DOD-551 10/84

U. S. Department of Justice

United States Attorney
Middle District of Alabama



Memorandum

Subject	Date
One-Time Funding for Fiscal Year 2003 Request For Additional Funding \$75,000.00 Aspen Systems Contract Support Expenses <u>US v. LANNY YOUNG et.al.</u>	February 25, 2003

To
Lydia Ransome
Resource Management & Planning
DOJ, EOUSA, BICN Bldg.
600 E. Street, NW
Washington, DC 20530

From
Leura G. Canary *LGC*
United States Attorney
Middle District of Alabama
One Court Square, Suite 201
Montgomery, AL 36104

Subject case closure was expected by the end of FY-02. However, this requirement has carried over into FY-03, with no close-out expected before FY-03 ends. Thus, we are only halfway through the litigation guided by DOJ Public Integrity Section. To-date, the allocated funding for Aspen System Contract Support is more than 75% expended, leaving only a \$30,000.00 remaining budget. Aspen is searching locally for contract support, which will take approximately 2 months to complete. With over a million pages of documents in this complex litigation, the current support has written and developed specialized and sophisticated Access, Excel and Summation tables as well as a series of filing and cataloging protocols for evidentiary, discovery materials and receipt of subpoenaed materials. We would need a 1 month overlap for training the local contractors. Therefore, to sustain these resources for the remainder of the FY-03, is an estimated \$75,000.00.

We have looked internally at current and anticipated requirements for the FY versus available budget but, concluded there are no additional dollars available to source the One-Time request without jeopardizing other FY03 critical needs. Fiscal Year 2001, we utilized 94% of our budget. Last year our office expended 100% of our budget with fewer Attorney's. We currently are experiencing, as much as a 300% increase in our Criminal case load and a significant increase in Civil litigation. We do not project a payroll surplus with all vacancies being filled. We have attached a detailed breakdown of Aspen Contract Support Expenses and Grand Jury Indictment Chart.

Your consideration of our request is appreciated.

Atchs.

OFFICIAL USE ONLY

U. S. Department of Justice

United States Attorney
Middle District of Alabama



Memorandum

Subject	Date
Emergency Need for Additional One-Time Funding for FY 2003	July 28, 2003
Aspen Systems Contract Support Expenses in <u>U.S. v. Lanny Young, et. al.</u>	
To	From
Lydia Ransome Resource Management & Planning DOJ, EOUSA, BICN Bldg. 600 E. Street, NW Washington, DC 20530	 Louis V. Franklin, Sr. United States Attorney (Case Specific) Middle District of Alabama One Court Square, Suite 201 Montgomery, AL 36104

In February of this year we requested and were granted additional funding in the amount of \$75,000 to cover contract support funding in this case. Our calculations reflected that said funds would carry us through the end of the fiscal year. We were advised on July 22, 2003, by Harry E. Tice, Facilities Management and Support Services, EOUSA, that our funding will only carry us through the first week of September, 2003. See, Atch. 1. We do not receive bills for certification in a timely manner and therefor had no idea that funding would be short until we received Mr. Tice's Email.

This case is being jointly handled by this office and the DOJ Public Integrity Section. It was anticipated early this year that the case would be closed by the end of the fiscal year; however the investigation continues to lead to other players. We have received 3 guilty pleas thus far and each plea leads to higher level players. In fact, we have opened three new matters last week: one public corruption matter involving high levels of state government and two corporate fraud matters.

As you are only too aware, we have no available funding in our district budget. I was advised by my Administrative Officer Friday that costs for June 2003 are \$17,070.32 (she received via telephone call to Harry Tice - we have not received an invoice). We respectfully request additional funding in the amount of \$20,750.00 for contract support salary through the end of the fiscal year. Computations of needed funding are attached. See Atch. 2.

Atchs.

OFFICIAL USE ONLY

**Request for Additional Funding Thru End of Fiscal Year 04
Aspen Contract Support Expenses**

Original Funding for Task 92 - - - - - \$99,990.00

FY 03 Funds Expended:

October (9/29/02 - 10/26/02)	\$18,038.85
November (10/27/02 - 11/30/02)	\$13,863.31
December (12/1/02 - 12/28/02)	\$11,583.60
January (12/29/02 - 1/25/03)	\$16,922.95
February (1/26/03 - 2/22/03)	\$14,439.07
March (2/23/03 - 3/29/03)	\$16,390.78

Mod to Task Order 92 - - - - - \$75,000.00

April (3/30/03 - 4/26/03)	\$16,607.77
May (4/27/03 - 5/31/03)	\$18,324.82
June (6/1/03 - 6/28/03)	\$17,070.32
July (6/29/03 - 7/26/03)	\$12,347.63

Mod to Task Order 92 - - - - - \$20,750.00

August- (7/27/03 - 8/30/03)	\$14,186.00
September - no invoice todate (estimate)	\$13,500.00

Projected Funds at end of September carried into next Fiscal Year - \$12,464.24*

FY 04 - October 2003 - September 2004

FY 04 Funds Required:

12 months at approximately \$13,500.00 = \$162,000.00
\$162,000.00 less \$12,464.24*=\$149,535.76

Funding for Contract Support Required for FY 04-----\$149,500.00

ATTACHMENT I

**Request for Additional Funding Thru End of Fiscal Year 04
Aspen Contract Support Expenses**

Original Funding for Task 92 - - - - - \$99,990.00

FY 03 Funds Expended:

October (9/29/02 - 10/26/02)	\$18,038.85
November (10/27/02 - 11/30/02)	\$13,863.31
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July (6/29/03 - 7/26/03)	\$12,347.63

Mod to Task Order 92 - - - - - \$20,750.00

August- no invoice todate (estimate)	\$13,000.00
September - no invoice todate (estimate)	\$13,000.00

Projected Funds at end of September carried into next Fiscal Year - \$14,150.00

FY 04 - October 2003 - September 2004

FY 04 Funds Required:

12 months at approximately \$13,000.00 = \$156,000.00
 \$156,000.00 less \$14,150.00 (estimated balance from FY 03)=\$141,849.10

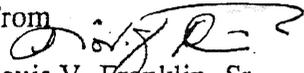
Funding for Contract Support Required for FY 04-----\$141,850.00

U. S. Department of Justice

United States Attorney
Middle District of Alabama



Memorandum

<p>Subject</p> <p>One Time Funding Request for Fiscal Year - 2004</p> <p>Aspen Systems Contract Support Expenses in U. S. v. Lanny Young, et al.</p>	<p>Date</p> <p>October 23, 2003</p>
<p>To</p> <p>Lydia Ransome Resource Management & Planning DOJ, EOUSA, BICN Bldg. 600 E. Street, NW Washington, DC 20530</p>	<p>From</p> <p> Louis V. Franklin, Sr. United States Attorney (Case Specific) Middle District of Alabama One Court Square, Suite 201 Montgomery, AL 36104</p>

One Time Funding Request for Fiscal Year 2004 is requested in the above case at this time. This is a continuing case which is being jointly handled by this office and the DOJ Public Integrity Section. The ongoing investigation is anticipated to take the full year (2004). We have received five guilty pleas thus far and we are in the process of traveling to New York, Texas, and Minnesota, and have uncovered some significant overlaps with the Health South Investigation. We have found that there has been Health South political funds exchanged for political favors. We are uncovering sophisticated money laundering, corporate fraud, and public corruption in our investigations.

To date, the investigation involves approximately 60 Bankers' Boxes of information and more than 200 302's and interviews. The case involves the joint efforts of the State of Alabama, the Department of Justice (Public Integrity Section), the Federal Bureau of Investigation and the Internal Revenue Service. This action involves the highest levels of public corruption in state government.

The continued services of the two Aspen support staff, Vallie Birdsong and Lisa Copeland are indispensable, as they have written programs and organized and devised sophisticated management skills that are necessary to proceed with the investigation in this case. The investigation would be impossible without these valued individuals.

OFFICIAL USE ONLY

Lydia Ransome
October 23, 2003
Page 2.

Also, we have been utilizing Summation software programs that require updating. Costs to add this software to existing laptop systems is also included. Two additional software programs are required, but will be submitted at a later date. We are investigating the least expensive prices and the most efficient use of potential resources. An updated report will be provided when these facts are finalized.

Because of the nature of the sophisticated money laundering and numerous out-of-state witnesses, expenses for additional travel and the need for expert consultants is expected and estimated costs are included.

Additionally, the copier we have been using is not dependable and keeps breaking with no assurances that it will be repaired or replaced. Therefore, copier expenses are anticipated as well. We have included the cost of a TV/VCR/DVD unit. Some of the parties involved in this matter have made and are making public statements which are broadcast by the local and national media. We need to be able to record these statements via the VCR. These statements may be needed for investigation, discovery and trial. The system will also provide us the capability of viewing evidence on DVD.

A summary of the needed funding is attached. Your consideration of this request is appreciated.

Atchs.

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SUMMARY OF REQUESTS FOR ADDITIONAL FUNDING

CONTRACT SUPPORT (Attachment 1)	\$149,500.00
SOFTWARE UPDATES, NEW SOFTWARE, (Attachment 2)	\$11,134.00
TRAVEL	\$15,000.00
LITIGATION	\$20,000.00
CONSULTING EXPERTS	\$30,000.00
EQUIPMENT	
COPIER (Attachment 3)	\$5,629.00
TV/VCR/DVD COMBINATION (Attachment 4)	\$357.14
MISCELLANEOUS OFFICE SUPPLIES	\$3,000.00
<hr/>	
TOTAL REQUESTED FUNDING:	\$234,260.14

OFFICIAL USE ONLY

**Request for Additional Funding Thru End of Fiscal Year 04
Aspen Contract Support Expenses**

Original Funding for Task 92 - - - - - \$99,990.00

FY 03 Funds Expended:

October (9/29/02 - 10/26/02)	\$18,038.85
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FY 04 - October 2003 - September 2004

FY 04 Funds Required:

12 months at approximately \$13,500.00 = \$162,000.00
\$162,000.00 less \$12,464.24* = \$149,535.76

Funding for Contract Support Required for FY 04 - - - - - \$149,500.00

Software Updates

Attachment 2 - SUMMATION SOFTWARE UPDATE AND PURCHASE

SUMMATION LEGAL TECHNOLOGIES, INC.

3n Network iBlaze Maintenance Renewal	\$1,034.00	
Single User iBlaze Maintenance Renewal	<u>\$640.00</u>	\$1,674.00
4 Single User iBlaze license	\$8,000.00	
4 One year Maintenance Agreements	<u>\$1,460.00</u>	\$9,460.00
	<u>TOTAL</u>	<u>\$11,134.00</u>

ATTACHMENT 2



Proposal

Date Issued: 16 October 2003
 Expiration Date: 31 October 2003

Nicole Swank
 Territory Manager
 Summation Legal Technologies, Inc.
 550 California Street, 8th Fl. Sac. Twr.
 San Francisco, CA 94104
 US & Canada: 800 735 7866 Ext. 110
 International: 001 415 442 0404 Ext. 110
 Fax: 415 343 9163 or 415 442 0403

To: Retta Goss U.S. Attorney's office - AL 1 Court Square Suite 201 Montgomery, AL 36104	Ship To (if different):
---	-------------------------

Phone: (334)223-7280

Email: retta.goss@usdoj.gov

QTY.	Option 1	UNIT PRICE	TOTAL
4	iBlaze single-user license (Reg. \$2,495)	2,000.00	8,000.00
4	One Year Maintenance Agreement (Reg. \$429)	365.00	1,460.00
SUBTOTAL (US\$)			9,460.00

QTY.	Option 2	UNIT PRICE	TOTAL
1	Trade Up 3 node iBlaze to 4 node iBlaze network	1,130.00	1,130.00
1	One Year Maintenance Agreement	1,020.00	1,020.00
SUBTOTAL (US\$)			2,150.00

QTY.	Option 3	UNIT PRICE	TOTAL
1	Trade Up 3 node iBlaze to 5 node iBlaze network	2,300.00	2,300.00
1	One Year Maintenance Agreement	1,146.00	1,146.00
SUBTOTAL (US\$)			3,446.00

Summation Legal Technologies, Inc. offers a 30-day money-back guarantee and 30 days of technical support with purchase of software.

Optional Annual Maintenance contracts provide a full year of technical support, in addition to version updates sent automatically upon release.

Request for Copier for Off-Site Public Corruption Case

Attachment 3a - COPIER PURCHASE:

BOWING OFFICE SYSTEMS, INC.
CANNON, IMAGERUNNER 2800G DIGITAL COPIER, CONTRACT GS-25F-0023M

Purchase Price \$8,448.00, Installation \$150.00

Attachment 3b - COPIER RENTAL:

BOWING OFFICE SYSTEMS, INC.
SHARP AR-275 DIGITAL IMAGER,

Rental Price \$299.00 month (1,500 copies per month and excess copies at .0155 each), No installation charges.

-Annual cost:	\$3,588.00
-Estimated 2,500 excess copies monthly at \$38.75 mo.= \$465.00 yr.	+ \$465.00
Annual rental cost estimate:	\$4,053.00

Attachment 3c - COPIER RENTAL and LEASE TO OWN:

ROYAL OFFICE EQUIPMENT
KONICA MODEL 7022

Rental Price \$325.00 month (5,000 copies per month and excess copies at .014 each),
No installation charges.

Annual rental cost estimate:	\$3,900.00*
*includes labor, parts, drums, Toner and developer	

Purchase Plan- Lease to Own : \$506.73 month	
Annual lease to own cost:	\$5,629.00

✓ Note: Purchase Plan- Lease to Own is desired option. The annual rental cost vs. lease to own is only \$1,729 less. This amount will be met with only 5 ½ months of rental payments.

ATTACHMENT 3

BOWING OFFICE SYSTEMS, INC.

P.O. Box 211025 • 892 Plantation Way • Montgomery, Alabama 36117
Telephone 334/396-1911 • Fax 334/396-1916

October 14, 2003

U.S. ATTORNEY
One Court Square
Suite 201
Montgomery, AL 36104
Attn: Retta Goss

PURCHASE - GS-25F-0023M

\$8,448.00

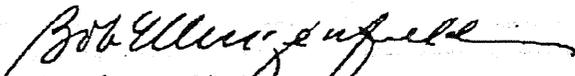
CANON ImagerUNNER 2800G Digital Copier

- * Automatic Document Feeder
- * Automatic Duplexing (Trayless)
- * Finisher (Stapler)
- * Cabinet

TONER: \$44.50 Yield: 15,000 copies @ 6%

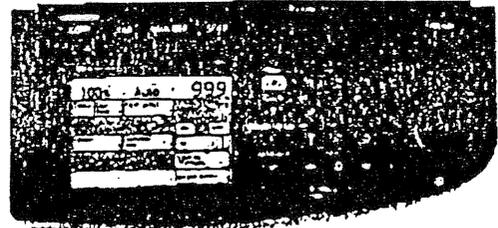
INSTALLATION: \$150.00

Thanks, Retta. Please call me at 396-1911 if you have any questions.


 Bob Wingfield
 BOWING OFFICE SYSTEMS, INC.

ATTACHMENT 3A

The imageRUNNER 2200/2800/3300 provide all the necessary tools for quick and intuitive operation of all device functions—saving you valuable time to do other tasks.



A Truly Modular System

The imageRUNNER 2200/2800/3300 deliver new-generation, digital-multifunction capabilities designed to meet every application need and budget of small- to medium-sized enterprises. Each model offers advanced digital copying features as standard, including the scanning of hard-copy originals into an internal Mail Box system. As a truly modular system, each imageRUNNER 2200/2800/3300 can be configured to address the Network Printing, Super G3 Faxing, and Network Scanning requirements of workgroups as needed.

Increased Productivity Without Compromises

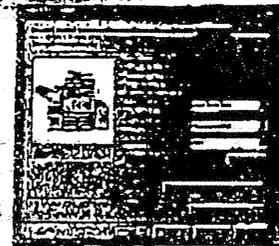
When short deadlines need to be met, the imageRUNNER 2200/2800/3300 are up to the task. With Scan-Once-Print-Many technology and enhanced multifunction capabilities, the imageRUNNER 2200/2800/3300 accelerate copy, print, fax, or scan job completion, while driving significant document-throughput capabilities.

Each imageRUNNER 2200/2800/3300 delivers many of the advanced features typically associated with high-volume, high-priced systems, such as Copy Reservation, Job Build, Booklet Printing, and more. Easy-to-use device drivers and utilities provide users and administrators with unmatched levels of device status and job-management capabilities in the industry.

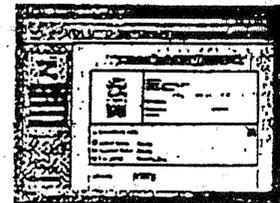
With Canon's proprietary RAPID Fusing System™, the imageRUNNER 2200/2800/3300 provide quick, on-demand operation that virtually eliminates the long warm-up periods typically associated with conventional devices, and help reduce energy consumption costs. A compact, "wingless" design brings powerful features to your workgroup, without compromising office space.

Superior Image Quality Is Always Standard

No matter which product configuration you choose, Canon's world-class leadership in image quality—capturing the highest levels of detail in every document—is standard on every imageRUNNER 2200/2800/3300. Delivering copy output at 1200 x 600 dpi resolution, and print output at an astounding 2400 x 600 dpi resolution, you'll find yourself asking, "Is this a copy of the original?"



Print Driver Device Configuration Tab



Remote UI™

Raise Your Productivity To New Standards

Set New Expectations For Office Productivity

At their core, the imageRUNNER 2200/2800/3300 provide unique functionality and information-management via an Internal 5.1GB Image Server and 128MB of RAM. Examples of these features include the following:

Scan-Once-Print-Many - Fully leverages the inherent digital features of the device, and reduces scanner wear by making copies from images stored in memory.

Concurrency - Elevates overall multitasking capabilities by synchronizing scanner, image processor, and engine operation. As an example, users can store up to five copy jobs in memory while current copy or print jobs are being processed.

Confidential Mail Boxes - Up to 100 mail boxes can accept scanned and printed data, permitting users to easily combine paper- and electronic-based information.

Advanced Input, Throughput, And Output Features

While most multifunction devices are content just to deliver the basics, the imageRUNNER 2200/2800/3300 offer the most extensive levels of input, throughput, and output capabilities in their class.

For maximum input productivity, an optional 50-sheet capacity Duplexing Automatic Document Feeder (DADF) makes quick work of handling multipage and different-size

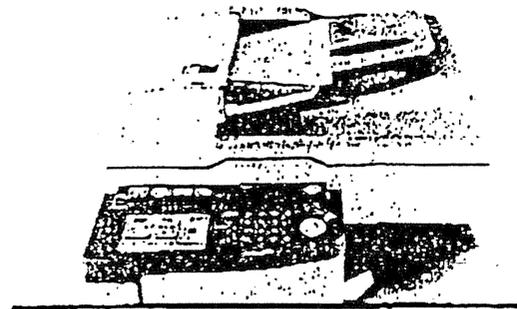
originals. The DADF leverages Trayless Duplexing of the device, and works with a newly designed scanning unit for fast first-copy output times.

The imageRUNNER 2200/2800/3300 ship with a standard paper capacity of 1,050 sheets, and offer the flexibility to support up to 4,550 sheets. With support for feeding non-standard paper sizes and weights, transparencies, and envelopes, the imageRUNNER 2200/2800/3300 can address the volume requirements of virtually any size workgroup.

The imageRUNNER 2200/2800/3300 offer the most advanced finishing features of any product in their class.

An optional internally mounted finishing unit makes the imageRUNNER 2200/2800/3300 ideally suited for environments with limited space, and for small office environments that require professional-looking, finished documents.

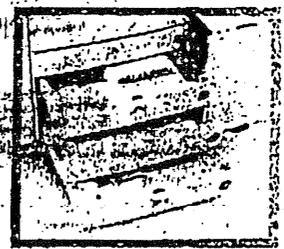
For more advanced document-finishing needs, choose the optional Saddle Finisher, which offers stapled output, including multi-position stapling, folded saddle-bound booklets, and support for two- or three-hole-punched output. An inner tray system works with the Saddle Finisher to neatly separate copy, print, and fax output for fast distribution.



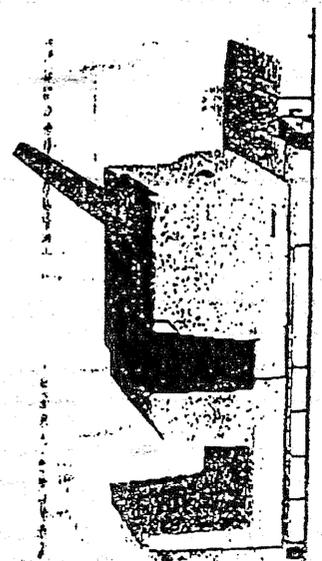
Duplexing Automatic Document Feeder



Internal Finisher



Paper Cassettes



Saddle Finisher



BOWING OFFICE SYSTEMS, INC.

P.O. Box 211025 • 892 Plantation Way • Montgomery, Alabama 36117
Telephone 334/396-1911 • Fax 334/396-1916

October 15, 2003

U.S. ATTORNEY
One Court Square
Suite 201
Montgomery, AL 36104
Attn: Retta Goss

RENTAL

\$299.00 per month

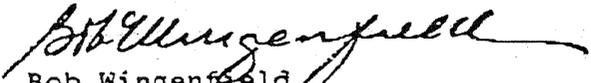
SHARP AR-275 Digital Imager

- * 27 CPM
- * Reversing Automatic Document Feeder
- * Automatic Duplexing (Trayless)
- * Finisher (Stapler)
- * Two 500 Sheet Paper Drawers
- * 100 Sheet Bypass
- * Zoom Reduction & Enlargement
- * Deluxe Cabinet

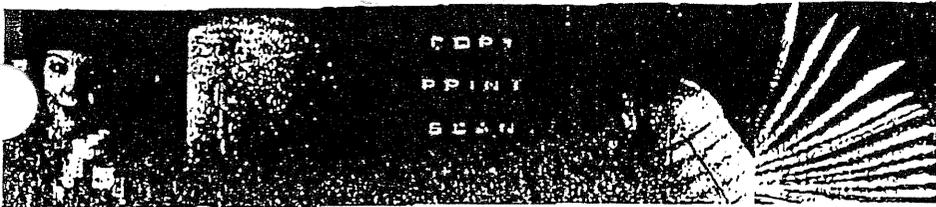
Covers full service to include all labor, parts, travel and all consumable supplies except paper and staples. It covers 1,500 copies per month; all excess copies cost \$0.0155 each.

INSTALLATION: NO CHARGE

Thank you for considering BOWING OFFICE SYSTEMS, INC. If you have any questions or concerns, please call me at 396-1911.


Bob Wingenfield
BOWING OFFICE SYSTEMS, INC.

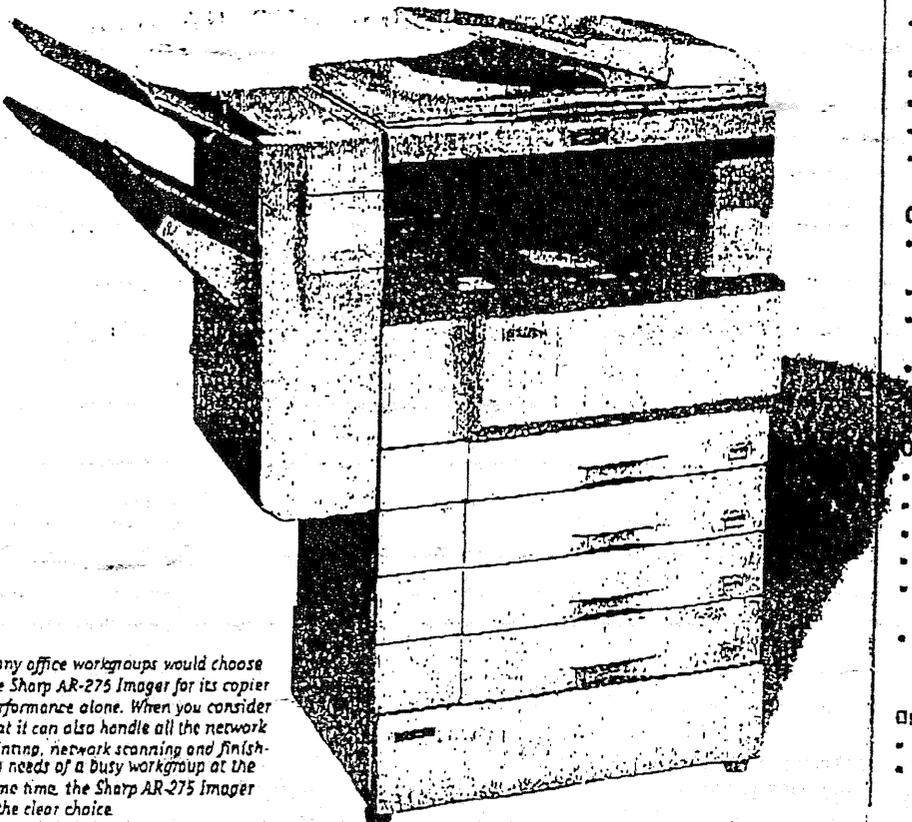
ATTACHMENT 3B



SHARP.

THE SHARP AR-275 IMAGER™ DELIVERS ADVANCED FEATURES FOR INCREASED PRODUCTIVITY

Designed for busy workgroups and office enterprises, the AR-275 Imager offers the advanced digital technology needed to meet the challenges of today's demanding business environment. This multi-faceted performer delivers an impressive array of standard features with the ability to add multifunctional capabilities as your business grows. With innovative modular options, you can transform the AR-275 Imager into a networkable document management system with network printing, scanning, scan to e-mail, fax, and finishing capabilities. With all these versatile features, proven performance, and Sharp's award-winning reliability, the AR-275 Imager delivers the functionality your business needs today—with the flexibility you'll need tomorrow.



Many office workgroups would choose the Sharp AR-275 Imager for its copier performance alone. When you consider that it can also handle all the network printing, network scanning and finishing needs of a busy workgroup at the same time, the Sharp AR-275 Imager is the clear choice.

HIGHLIGHTS:

- 27 ppm Copy/Print Speed
- 2,100 Sheets Total Online Paper Capacity
- Standard Duplexing
- True 1200 dpi Resolution
- Standard 16 MB Copier Memory (Expandable to 272 MB)
- Optional Scanning, Faxing and Network Printing
- Optional Finisher/Sorter with Offset Stacking and Stapler
- Optional Job Separator Tray
- Optional Bar Code Font Kit
- Scan Once, Print Many Technology

FEATURES:

- Two Standard 500-Sheet Paper Cassettes
- 100-Sheet Bypass Tray
- 30-Sheet Optional RSPF (or SPF)
- 25-400% Zoom Range (1% increments)
- Maximum Monthly Volume: 50,000 copies/prints
- Continuous Copy: 999 Maximum
- 20 Account Numbers
- Easy-to-Use LCD Control Panel
- 256 Level Grayscale

OPTIONAL CONTROLLER FEATURES:

- 32 MB Printer Memory, Expandable to 288 MB
- PCL5e/PCL6 PDL Support (Standard)
- PostScript Level 3 Emulation (Optional) Supports Macintosh® 8.51 or later
- Standard Windows® 95/98/ME, Windows® 2000, Windows® NT, Unix® Client Support

OPTIONAL FAX FEATURES:

- Less than 3 second Transmission Time*
- 33.6 Modem Speed
- JBIG Compression
- 50 Rapid and 300 Speed Dial Keys
- Duplex Scanning for Easy Faxing of Two-Sided Documents (R-SPF Required)
- 2 MB Fax Memory Standard (Upgradable to 10 MB with Options)

OPTIONAL SCAN FEATURES:

- 600 dpi Network Scanning
- Scan to E-mail Technology (Via Sharpdesk™ Utility)

AR-275 IMAGER SCANNING OVERVIEW



Scan to Desktop PC

Send a file directly to your desktop PC (TIFF/PDF)

- OCR
- Launch application
- Save in specified directory



Scan to E-mail

Send scanned images directly to any e-mail address

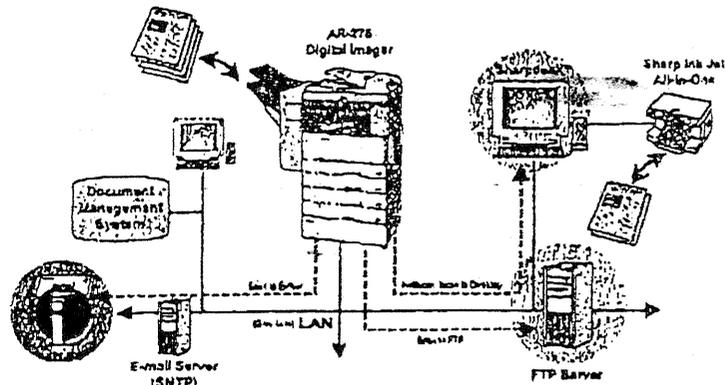
- TIFF or PDF
- Easy to use
- Cost effective vs. overnight mail



Scan to FTP File Server

For specialized applications

- Simply enter IP address of the FTP site, i.e. passing files to a EDMS located directly on a server



Simply connect the Sharp AR-275 Imager to your LAN and let Sharpprint, the revolutionary desktop document management software, handle everything according to desktop PC, email, or an FTP server.

AR-275 IMAGER SPECIFICATIONS

GENERAL SPECIFICATIONS

Type:	Console
Copy System:	4-Beam Laser Electronic
Originals:	Sheets, Bound Document, Photographs
Original Size:	Max. 11" x 17"
Copy Size:	Max. 11" x 17"; Min. 5.5" x 8.5"
Copying Speed:	27 ppm (8.5" x 11" at 100% ratio at 600 x 1200 dpi) 13.5 ppm (8.5" x 11" at 100% ratio at 1200 x 1200 dpi)
Continuous Copy:	Max. 999
Copy Ratio:	25%-400% in 1% Increments Fixed Presets: 25%, 50%, 64%, 77%, 95%, 100%, 121%, 129%, 141%, 200%, 400%, 800%
Printing Resolution:	1200 x 1200 dpi (Super Photo Mode)
Gradation:	256 levels
Duplexing:	Standard (Trayless)
First Copy Time:	Approx. 4.8 Seconds
Warm-Up Time:	Approx. 40 Seconds
Memory Size:	32 MB Expandable to 288 MB
Original Feed System:	Optional 30-sheet Reversing Single Pass Feeder (R-SPF) Optional Single Pass Feeder (SP4)
Memory Capacity:	3530 Letter-size Pages (maximum)
Compression Method:	JBIG
Copy Paper Feed:	Two 500-sheet Adjustable Paper Cassettes (Standard) 100-sheet Bypass Tray (Standard) Optional 30-sheet RSPF (or SPF) Two 500-sheet Paper Cassettes (Optional)

Optional Output:	Finisher/Sorter (AR-FNS)
Fusing System:	Heat Rollers
Developer System:	Magnetic Brush Development
Exposure System:	Moving Optical Source, Silt Exposure (Stationary Platen) with Automatic Exposure function
Light Source:	Xenon Lamp
Required Power Supply:	120 Volts, 60Hz
Power Consumption:	Maximum 1.5 kw
Dimensions:	24.5" x 23" x 25.5" (w x d x h)
Weight:	Approx. 92.2 lbs.

OPTIONAL EMBEDDED CONTROLLER SPECIFICATIONS

PDL Support:	PCL5e/PCL6 (Standard) Emulated PostScript 3 (Optional)
Memory:	32 MB Standard; 288 MB Max.
CPU:	200 MHz
Client Operating System Support:	Windows® 95/98/2000/ME, Windows® NT 4.0, Netware®, Macintosh® OS 8.51 or Later (with Optional PS3 Kit)
Protocol Support:	TCP/IP, IPX/SPX, EtherTalk, NetBEUI, Peer-to-Peer
I/O Interface:	Parallel, 10/100 BaseTX

Design and specifications are subject to change without notice. Sharp is a registered trademark of Sharp Corporation. All trademarks and registered trademarks are of their respective holders.

*with ITU-T No.1 chart standard resolution, SUPER G3 mode.
33,600 bps, JBIG compression

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DP-3401

Royal Office Equipment

Office Automation Specialists Since 1971

October 15, 2003

US Attorneys
Attn: Rhetta
Fax Number: 223-7560

Dear Rhetta:

Per your request, listed below is rental, purchase and sale pricing for the Konica Model 7022 Digital Copier:

Konica Model 7022/RADII/Base/2 Paper Trays Digital Copier
W/Automatic Duplex Unit/Multi-Sheet By Pass/Stapling Finisher

Yearly Rental Plan: \$ 325.00 Per Month - Includes 5,000 copies per month
- Excess copy charge \$0.014 each
- Includes labor, parts, drums, toner & developer
- Billed monthly

Purchase Plan: \$ 5,629.00*

12 Month Lease-To-Own Plan: \$ 506.73 Per Month*

*90 Day Sales Warranty

SUPPLIES: Toner: \$ 66.08 Each Yields 30,000 copies
Developer: \$ 134.32 Each Yields 200,000 copies

A brochure will be faxed for your convenience. If you have any questions, please contact me. We would appreciate the opportunity to place the Konica Model 7022 Digital Copier in your offices.

Sincerely,



Debbie Bush

/db

ATTACHMENT 3C

1555 Lake Street • Montgomery, Alabama 36106 • Phone: (334) 264-34
www.royalofficeequipment.com

Workgroup Document System

Setting a New Standard

Introducing the 7022 Workgroup Document System, the latest in a series built for the smaller office with bigger print ideas. This affordable, 22 page-per-minute digital MFP is setting a new standard in 4-in-1 multi-functional product technology designed for workgroup environments. Fully networkable, the 7022 prints at 600 x 600 dpi with "Scan-Once, Print Many" technology. Its intuitive, user-friendly and interactive touch screen provides easy access to all advanced features including scan-to-email, scan-to-hard drive and scan-to-FTP functionality. Its strength is its versatility. The 7022's optional IP-422 print controller with standard network interface card, all new optional PostScript®3 kit and enhanced FK-102 Super G3 Fax Kit with standard JBIG compression allows users to configure the multifunctional capabilities to meet their needs. The Konica 7022, sets a new standard for Workgroup Document Systems.



7022 Highlights

- ▶ 22 ppm Printing / Copying
- ▶ 600 x 600 dpi Resolution
- ▶ Standard 32 MB Copier Memory
- ▶ Standard 64 MB Print Controller Memory
- ▶ Optional 2 GB Hard Drive (Required for Scanning)
- ▶ Optional IP-422 Print Controller with Standard Network Interface Card
- ▶ Optional Dual Fax Line*
- ▶ Up to 2,500-Sheet Paper Capacity
- ▶ Stamp, Watermark, Reserve Copy Job and 5 Copy Job Memory



7022

Workgroup Document System

Features

► Integrated Printing, Copying, Faxing

Scanning

The Konica 7022 digital engine is setting the standard for Konica Workgroup Document Systems. This truly workable A3/MFP delivers the high performance ideal for low to mid-volume workgroups.

► Touch Screen Controls

Truly user-friendly, the intuitive and interactive touch screen provides easy access to all enhanced features that the 7022 has to offer, also providing multiple print driver applications such as Stamp and Watermark options.

► Modular Design

This truly multifunctional system is designed to grow as your print needs grow. Optional expanded memory, large capacity drawer bases, document feeder, print controllers and fax kit allow for easy customization to meet current and future needs.

► Enhanced Functionality

The Konica 7022 has the capability of both scan-to-email, scan-to-hard drive and scan-to-FTP as standard equipment with the IP-422 print controller. The new FK-102 Fax Kit delivers more with an added benefit of a total of 40 one-touch keys, standard JBIG compression for added speed and a dual line option*.

► New PostScript³ Printing

There is the option to add a PS-343, PostScript³ print kit to the Konica 7022. Unlike the previous generation 7020-7030 series, this all new PostScript kit does not require the addition of the optional print controller hard drive or the optional print controller memory upgrade.

► IP-422 Print Controller

The optional IP-422 print controller is a 133 MHz PCL5e / PCL6 print controller that includes a network interface card as standard equipment, standard 64 MB of memory with an additional 64 MB (MU-411) available.

KONICA 7022 SPECIFICATIONS

Configuration	Console
Speed	22 cpm (8.5" x 11" / 14 cpm (11" x 17"))
Warm Up Time / First Copy Out Time	30 Seconds or Less / 4.8 Seconds
Resolution	600 x 600 dpi
Standard Memory / Maximum Memory	32 MB / 288 MB
Reduction / Enlargement	25% - 400%
Continuous Copying	1-999
Original Paper Size - Minimum / Maximum	5.5" x 8.5" / 11" x 17"
Average Monthly Duty Cycle / Maximum	4,000 - 10,000 Pages / 100,000 Pages
PM Cycle	100,000 Pages
Paper Handling	
Standard Input Capacity	2 x 500 Sheets (Universal) / Main Bypass: 50 Sheets
Paper Size - Minimum / Maximum	5.5" x 8.5" / 11" x 17"
Paper Weights - Minimum / Maximum	16-32 lbs.
Drawer-Base Options	
DB-210	2 x 500 Sheets (Universal)
DB-410	1 x 1500 Sheets (8.5" x 11")
Paper Capacity - Maximum	2,550 Sheets
Automatic Duplex	Standard / Stackless
Finisher Options	
Total Finisher Capacity	1,100 Sheets
Standard 2 Tray (FS-107)	100 + 1,000 = 1,100 Sheets
3 Tray Option (FT-107)	100 + 100 + 600 = 800 Sheets
4 Tray Option (FT-107)	100 x 4 = 400 Sheets

FEATURES

Job Memory, DHP Interleave, Image Shift, Frame/Fold Erasure, ECM, APS, AMS, ATS, Book Copy, Stamp/Watermark

PRINTING SPECIFICATIONS

Type	Optional IP-422 PCL Print Controller w/ standard Network Card, Scan-to-email, Scan-to-FTP, Scan-to-Hard Drive
Speed	22 pages-per-minute
Resolution	600 x 600 dpi
Memory	64 MB / 128 MB DIMM
Network Card	10/100 BaseT
Print Drivers	Windows 95, 98, ME, NT 4.0, 2000, XP
Options	2.0 GB HDD (HD-107), Adobe PS 3 Kit (PS-343)

FILE SPECIFICATIONS

Type	33.6 kbps Super G3
Compatibility	ITU Group 3 with ECM
Compression	MH, MR, MMR, JBIG
Memory - Standard	2 MB / 16 MB
One-Touch / Group / Total Keys	40 / 40 / 200
Options	Internet Fax (IF-102)*, Dual Line (FL-102)*

WEIGHT, VOLUMES, CAPACITY, DIMENSIONS

Machine Weight	161 lbs.
Drum / Developer Yields	200,000 / 200,000 Impressions
Toner Yield	30,000 Impressions
Electrical Requirements	120V, 60Hz
Dimensions	23.3" W x 23.43" D x 28.74" H

* All specifications are approximate and are subject to change. All names of trademarks or registered trademarks of their respective companies.



KONICA BUSINESS TECHNOLOGIES, INC.

www.konicebt.com

**Request for TV/VCR/DVD for Off-Site
Public Corruption Case**

Attachment 4 - TV/VCR/DVD PURCHASE:

**BOISE OFFICE SOLUTIONS
PANASONIC 20" TELEVISION, DVD/VCR**

Purchase Price \$357.14

ATTACHMENT 4

AUDIO-VISUAL

Televisions and Mini Systems

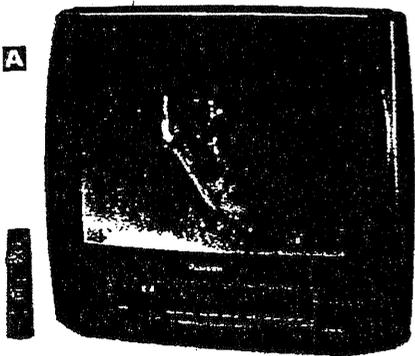
A

A, B, and C below feature a 1 YEAR WARRANTY PARTS (2 years for parts on picture tube).

asonic

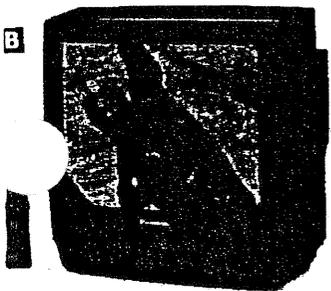
TRIPLE PLAY™ TV/DVD/VCR COMBOS

3-in DVD/Video CD/CD player and 4-head Hi-Fi VCR
 PlasmaBlack™ picture tube and 2-line digital comb filter
 optical outputs for dts* and Dolby Digital* Decoders
 TS Broadcast stereo/SAP reception; simulated
 Surround Sound. FM radio with auto-scan
 MP3/CD/CD-R/CD-RW/DVD-R playback
 Multiple DVD viewing options
 Illuminated universal remote



NEW

Order No.	Description	List Price
PV-DM2792	27" TV/DVD/VCR.....	\$829.95 EA
PV-DM2092	20" TV/DVD/VCR.....	499.95 EA



NEW

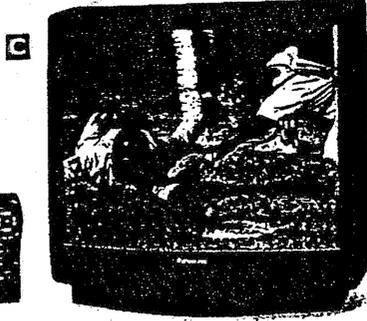
Panasonic

B TV/4-HEAD VCR COMBOS

Includes FM radio with Auto-Scan

- TV: front A/V and earphone jacks, all channel auto set, commercial skip, index search
- Alarm clock: TV/Video/FM on timer, sleep timer, alarm
- Auto clock set with 24-hour backup
- M7PV-C2062 has 20" stereo TV, mono VCR, and Universal Light Tower® illuminated remote.

Order No.	Description	List Price
M7PV-C2062	20" Stereo TV/Mono VCR..	\$349.95 EA
M7PV-C1342	13" Mono TV/VCR.....	329.95 EA



NEW

C STEREO TV-RECEIVERS

Features advanced picture tube with digital comb filter and high-quality stereo for outstanding sound and picture

- 27" TV has Surround Sound (5 watts/channel), color temperature control, horizontal edge correction.
- 20" TV has FM radio with 9 presets, MTS stereo.
- Variable and fixed audio output, S-Video input

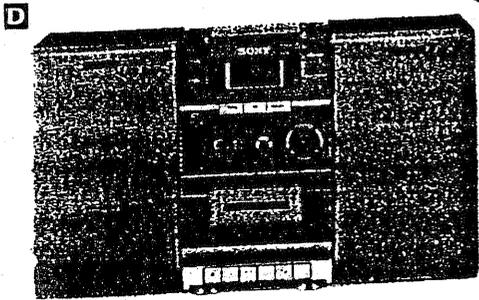
Order No.	Description	List Price
M7CT-27D12D	27" Stereo TV	\$429.95 EA
M7CT-20D12D	20" Stereo TV w/FM Radio ..	279.95 EA

CD/CASSETTE/AM-FM RADIO MINI SYSTEM

Full 12 watts of total system power (6 watts x 2) with powerful Bass Reflex speaker system

- CD-R playback and top-loading CD player with shuffle/program/repeat
- Cassette deck with CD Syncro recording
- 7-band equalizer sound modes
- 12 AM/FM station presets. Daily/sleep timer
- Commander® remote control and headphone jack

Order No.	Description	List Price
CMTEP303	Mini System.....	\$199.95 EA



NEW

Looking for office products that are ergonomically correct? Call BOISE®

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U.S. Department of Justice

United States Attorney
Middle District of Alabama

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Montgomery, Alabama 36101-0197

334/223-7280
Civil Fax: 334/223-7560
Fin Lit Fax: 334/223-7418
Criminal Fax: 334/223-7135

FAX

Telephone: 91202616-6649

FACSIMILE TRANSMISSION COVER PAGE

TO: Lydia J. Ransome
EOUSA

FROM: SHERRI C. HAMILTON

ORGANIZATION: United States Attorney, Middle District of Alabama
One Court Square, Suite 201, Montgomery, AL 36104
Telephone: 334/223-7280 FAX: 334/223-7560

NO. OF PAGES: 19 (EXCLUDING THIS COVER SHEET)

CONTENTS: 1X FUNDING REQUEST FOR FY-04 ASPEN SYSTEM CONTRACT
SUPPORT EXPENSES U.S. V. LANNY YOUNG ET. AL.

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P.1

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Fax: 3342237560

US ATTORNEY

N-45



U.S. Department of Justice

United States Attorney
Middle District of Alabama

One Court Square, Suite 201
Post Office Box 197
Montgomery, Alabama 36101-0197

334/223-7280
Civil Fax: 334/223-7560
Fin Lit Fax: 334/223-7418
Criminal Fax: 334/223-7135

FAX Telephone: 202/616-6649

FACSIMILE TRANSMISSION COVER PAGE

TO: John Thompson
EOUSA RMP

FROM: SHERRI HAMILTON

ORGANIZATION: United States Attorney, Middle District of Alabama
One Court Square, Suite 201, Montgomery, AL 36104
Telephone: 334/223-7280 FAX: 334/223-7560

NO. OF PAGES: 4 (EXCLUDING THIS COVER SHEET)

CONTENTS: 2004 REQUEST 1x FUNDING

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Telephone: 202/616-0649

FACSIMILE TRANSMISSION COVER PAGE

TO: John Thompson
EOUSA RMP

FROM: SHERRI HAMILTON

ORGANIZATION: United States Attorney, Middle District of Alabama
One Court Square, Suite 201, Montgomery, AL 36104
Telephone: 334/223-7280 FAX: 334/223-7560

NO. OF PAGES: 4 (EXCLUDING THIS COVER SHEET)

CONTENTS: 2004 REQUEST 1x FUNDING

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US ATTORNEY

47-N

U. S. Department of Justice

United States Attorney
Middle District of Alabama



Memorandum

Subject	Date
Emergency One Time Funding Request Aspen Systems Contract Support Expenses in U.S. v. Young, et al	September 28, 2004
To	From
Mary Ellen Wagner Resource Management & Planning DOJ, EOUSA, BICN Building 600 E. Street, NW Washington, DC 20530	Louis V. Franklin, <i>SK</i> Acting United States Attorney (case specific) Middle District of Alabama One Court Square, Suite 201 Montgomery, AL 36104

The Middle District of Alabama (MDAL), by way of this memorandum, is requesting a One Time Emergency Funding Request for Fiscal Year 2005 for the above-referenced case. In 2001, MDAL initiated an investigation into public corruption at the highest level of state government. Thereafter, MDAL combined resources with the Public Integrity Section of the DOJ, the Alabama Attorney General's Office, the Federal Bureau of Investigation, and the Internal Revenue Service. To date, the investigation has resulted in the guilty plea (pursuant to a cooperation agreement) of a confidential assistant to a former governor of the State of Alabama, a prominent unregistered lobbyist, and a private contractor. The sentencing hearings for these individuals are pending as they continue to cooperate with the ongoing investigation. We anticipate that the investigation and prosecution will take another fiscal year, 2005.

As recently as August 2004, the lead AUSAs responsible for prosecuting this case went to Washington, DC, and met with Noel Hillman, Chief of the Public Integrity Section, and other senior attorneys in his office. The purpose of the meeting was to discuss the status of the investigation, the previously submitted proposed indictment and prosecutive memorandum of the former governor of Alabama and former CEO of Health South Corporation, a multi-million dollar corporation; as well as whether the investigation should be declared completed and not worthy of presentment to a grand jury. The Public Integrity Section does not want to close the investigation because they believe the evidence gathered thus far, while worthy of prosecution, is incomplete. They opined that the investigation should focus on pursuing a RICO/conspiracy charge against the former governor and others, rather than substantive charges of Hobbs Act, bribery, extortion and money laundering. Obviously, this approach cures any potential statute of limitations concerns that were present under the approach which focused on the substantive (non-RICO) approach. This different approach has caused MDAL to adjust its focus. In order to re-vamp the case to comply with the opinion of the Public Integrity Section, additional time and resources are needed. It is important to note that the original lead AUSA resigned in late April 2004 and the trial attorney for Public Integrity also

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stopped working on the case in May 2004. Two AUSAs from this office have been assigned to work on this case on a full time basis. At this point MDAL believes it will be January 05 before we can present a proposed indictment to Public Integrity for approval. Further complicating and delaying the investigation and potential prosecutions in this district are the tangential ties between an ongoing prosecution of the herein named targets in the Northern District of Alabama. Specifically, the former governor and former CEO of Health South have been indicted in the Northern District of Alabama in separate indictments and are scheduled to go to trial in October 2004 and January 2005. While not directly related, cooperating defendants in MDAL's case are expected to testify in the pending trials in the Northern District of Alabama. Their testimony in Northern District of Alabama will impact MDAL's case.

In May 2004, MDAL sought and obtained permission from Bruce G. Ohr, Chief of the Organized Crime and Racketeering Section, to request that a special grand jury be convened to investigate the aforementioned public corruption case. The special grand jury convened in June and has heard the testimony of approximately 70 witnesses and reviewed numerous subpoenaed documents. Public Integrity has requested that in re-vamping our prosecutive memorandum MDAL should summarize the testimony of each witness who appeared before the special grand jury.

To date, MDAL, with the assistance of the other named agencies and Aspen's contract support staff, has amassed an enormous amount of evidence. Although the attorneys handling this investigation and prosecution have changed, the Aspen contract support staff has remained the same. Therefore, the Aspen support staff, namely Vallie Birdsong, is crucial to the investigative/prosecution team because of his knowledge of the case from the beginning until the present time. Additionally, Mr. Birdsong was and continues to be responsible for creating and organizing the investigative data into computer files. To date, Mr. Birdsong has created over 80,000 computer files and he is the only member of the investigative/prosecution team who knows the location and contents of these files. It would not be prudent to try and replace Mr. Birdsong with someone who would have to spend an unthinkable amount of time becoming acquainted with the existing computer files and the programs created by Mr. Birdsong to access them. In light of Mr. Birdsong's experience with and knowledge of the instant case, MDAL believes it cannot go forward without the assistance of Mr. Birdsong.

MDAL is a small office. The criminal division has eleven AUSAs, a division chief, four support staff (legal assistants and/or paralegal assistant) and one paralegal specialist. Each support staff is responsible for three AUSAs and other collateral duties associated with the day-to-day operations of the office. Although we have assigned one support staff person to work on the investigation part-time, we do not have the resources to devote a support person to work on this case full time, i.e., learn the contents of the computer files and how to access the same.

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INITIAL REQUEST OF MONIES RECEIVED BY ALS:

FY 2002

Travel	\$8,000
Litigation	\$50,000
Supplies	\$10,000
Furniture/Equipment	\$88,400
ASPEN Contract (ALS)	\$99,990

End of fiscal year 2002 we returned \$45,000.

FY 2003

ASPEN Contract (ALS)	\$53,160.00
Modification 2	\$75,000.00
Modification 3	\$20,768.00

FY 2004

ASPEN Contract (ALS)	\$149,499
----------------------	-----------

Funding Provided by RMP

FY 2005

ASPEN Contract (ALS)	\$91,000
----------------------	----------

FY 2006

ASPEN Contract (Received 2 month payroll)	\$30,000
--	----------

Litigation Request (Received for a large discovery request)	\$30,000
--	----------

TOTAL	\$660,817.00
--------------	---------------------

**REQUEST FOR MODIFICATION OF EXISTING AUTOMATED LITIGATION TASK
ORDER FOR U. S. V. YOUNG, MIDDLE DISTRICT OF ALABAMA:**

**THE ATTACHED MEMO OUTLINES THE JUSTIFICATION FOR THE REQUEST
FOR ADDITIONAL FUNDING THRU END OF FISCAL YEAR 2006:**

FUNDS REQUESTED:

CONTRACT PERSONNEL
12 MONTHS AT \$14,000.00 PER MONTH 30,000
\$168,000.00
138,000.00

TRAVEL FUNDS TO INTERVIEW
WITNESS \$ 10,000.00

LITIGATION EXPENSES \$ 10,000.00
(THIS CASE WILL HAVE VERY LARGE
COPYING JOBS FOR DISCOVERY, OVER
155,000 DOCUMENTS INVOLVED)

MISC. SUPPLIES (TONERS, PAPER, FOLDERS
CDs, TAPES, ETC.) \$ 5,000.00

UPDATE FOR SOFTWARE DISCUSSED IN MEMO
HAS NOT BEEN UPDATED, SINCE 2002,
\$1,400.00 X 3 YEARS TO BRING CURRENT \$ 4,200.00

TOTAL REQUEST FOR FY 2006: \$197,200.00

FY 05 BALANCE AS OF JANUARY, 2005 \$ 26,000.00
FY 05 ONE TIME MONIES GRANTED: \$ 91,000.00

FY 05 FUNDS EXPENDED:

October, 2004	\$25,252.62
November, 2004	11,392.73
December, 2004	13,002.49
January, 2005	11,229.47
February, 2005	9,573.21
March, 2005	12,805.96
April, 2005	14,179.81
May, 2005	11,083.21
June, 2005	11,584.93
July, 2005	13,615.66
August, 2005	No invoice to date
September, 2005	No invoice to date

\$133,720.00

FY 2006 REQUEST CONT:

FY 05 FUNDS EXPENDED FROM OUR DISTRICT'S FUND, TRAVEL, LITIGATION:
AND PAYROLL:

Case related travel to Washington, DC, meetings with DOJ Public Integrity Section	\$6,514.00
Litigation Expenses for this case:	\$3,609.00
TOTAL MONIES EXPENDED THRU AUGUST, 2005	\$143,843.00
	(-\$26,843.00)
FY 05 EXPENSES OUTSTANDING:	

Contract expenses:	
August, 2005 (approx. \$13,000.00)	\$13,000.00
September, 2005 (approx. \$13,000.00)	\$13,000.00
Litigation Expenses:	
August grand jury (approx. \$6,000.00)	\$ 6,000.00
September grand jury (approx. \$2,000)	\$ 2,000.00
Travel Expenses:	
Case related trip to Washington, DC (Acting U. S. Attorney and AUSA)	\$ 2,000.00
Total monies outstanding:	(\$36,000.00)

District funds used in FY 2005 over and above the original one time increase:

\$62,843.00

**REQUEST FOR MODIFICATION OF EXISTING AUTOMATED LITIGATION TASK
ORDER FOR U. S. V. YOUNG, MIDDLE DISTRICT OF ALABAMA:**

**THE ATTACHED MEMO OUTLINES THE JUSTIFICATION FOR THE REQUEST
FOR ADDITIONAL FUNDING THRU END OF FISCAL YEAR 2006:**

FUNDS REQUESTED:

CONTRACT PERSONNEL 12 MONTHS AT \$14,000.00 PER MONTH	\$138,000.00
TRAVEL FUNDS TO INTERVIEW WITNESS	\$ 10,000.00
LITIGATION EXPENSES (THIS CASE WILL HAVE VERY LARGE COPYING JOBS FOR DISCOVERY, OVER 155,000 DOCUMENTS INVOLVED)	\$ 20,000.00
MISC. SUPPLIES (TONERS, PAPER, FOLDERS CDs, TAPES, ETC.)	\$ 10,000.00
UPDATE FOR SOFTWARE DISCUSSED IN MEMO HAS NOT BEEN UPDATED, SINCE 2002, \$1,400.00 X 3 YEARS TO BRING CURRENT	\$ 4,200.00
LITIGATIVE CONSULTANTS	\$ 20,000.00
GRAPHICS (NEEDED FOR TRIAL)	\$50,000.00
OVER-TIME MONIES	\$ 5,000.00
DAILY TRANSCRIPTS	\$150,000.00

Goss, Retta

From: Canary, Leura
Sent: Tuesday, January 25, 2005 4:05 PM
To: Bevels, Lisa
Cc: Goss, Retta; Franklin, Louis
Subject: One time litigation funding request

Lisa, Pursuant to our conversation earlier today, I have attached a memorandum to you from Louis Franklin, Criminal Chief for the MDAL and acting U.S. Attorney in the public corruption case for which we require special funding. It explains our request for \$91,000 (\$13,000 X seven months) to fund the most important investigation pending in this office. We are very mindful of the critical financial situation of EOUSA and would not request this money unless it was absolutely necessary. Thank you for your prompt attention to this matter. Thank you for your hard work on our behalf, especially under the current budget difficulties. If I may ever be of assistance to you, please call me. Leura Canary USA MDAL



additionfunds05.wp
d

U. S. Department of Justice

United States Attorney
Middle District of Alabama

Memorandum

Subject	Date
Emergency One Time Funding Request Aspen Systems Contract Support Expenses in U. S. v. Young, et al	January 25, 2005
To	From
Lisa Bevels Chief Financial Officer Resource Management & Planning DOJ, EOUSA, BICN Building 600 E. Street, NW Washington, DC 20530	Louis V. Franklin, Sr. Acting United States Attorney (case specific) Middle District of Alabama One Court Square, Suite 201 Montgomery, AL 36104

The Middle District of Alabama by way of this memorandum is requesting a one-time emergency funding for the above-styled case and ongoing investigation, which has reached a critical stage. As you may remember, a request for \$256,000 was submitted in October 2004 to fund this investigation through the end of fiscal year 2005. Your office gave us funding on October 21, 2004 in the amount of \$53,200, with instructions to renew our request at a later date. The amount requested now, \$91,000, is the minimum amount required to fund this investigation for the remaining seven months of fiscal year 2005. Our district is unable to fund this amount because the entire district litigation budget for FY 2005 is \$80,000.

This money is critical to the success of this very important public corruption investigation in that it is necessary to fund the payroll and travel expenses for Vallie Birdsong, a subcontractor with Aspen Support personnel. EOUSA/Facilities Management manages the Aspen Support personnel contract. They estimate that we will run out of monies in late February, 2005. In order to fund Mr. Birdsong's payroll and travel expenses through the end of this fiscal year, we are requesting \$91,000. Mr. Birdsong's payroll and expenses average around \$13,000 per month.

Mr. Birdsong is a very skilled professional whose services are greatly in demand. We have been told by EOUSA/Facilities Management and Aspen that if we lose funding for Mr. Birdsong at any time, he will be immediately placed on another project for Aspen. Mr. Birdsong's expertise in support of this case is critical to the continued investigation and potential indictment, trial preparation and trial of this case. The case involves alleged public corruption of the former highest officials in Alabama and has already resulted in the guilty pleas of a former confidential assistant to the governor and others. The AUSAs who are working this case have expressed grave concern about their ability to adequately prepare

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without having Mr. Birdsong available to manage and retrieve information from the extensive database of files and documents that he has created. He is the only member of the investigative and prosecution team who has been involved since the beginning of this case. He alone possesses the knowledge of the information gathered from the inception of the investigation to the current time. He has created and maintained a very large and complex database which has over 80,000 computer files and is the only member of the team who knows the location and content of the files.

If the additional funds requested are not approved, this very high-profile Public Corruption/RICO case will not be able to be brought to a successful completion. This is a critically important case to the people in this district and state. It's failure will send the message that those in high office in the state of Alabama will not be held accountable or prosecuted for their crimes against the public.

OFFICIAL USE ONLY

Goss, Retta C. (USAALM)

From: Hamilton, Sherri C. (USAALM)
Sent: Thursday, September 15, 2005 8:28 AM
To: Goss, Retta C. (USAALM)
Subject: FW: ALS Project Lanny Young

We need to get the figures on what Vallie will cost to fund from our district.

From: Thompson, John (USAEO)
Sent: Wednesday, September 14, 2005 10:20 PM
To: Hamilton, Sherri C. (USAALM)
Cc: Goss, Retta C. (USAALM); Russell, Teresa (USAEO)
Subject: RE: ALS Project Lanny Young

Sherri,

I've reviewed your district's FY 2006 one-time increase request for a funding enhancement for litigation expenses related to the U.S. v. Lanny Young case. I've discussed your request with Lisa Bevels, but unfortunately at this time we can not approve any requests for FY 2006 funding prior to receiving our appropriation. However, Lisa has asked that I hold your request for consideration when we receive our FY 2006 funding. Also, as we discussed previously, the ALS pot of money has been exhausted in FY 2005 and it is unlikely that it will be replenished in FY 2006. As with the \$91K provided for this FY for the Lanny Young case, if your one-time increase request is approved, it will be provided via DIRECT LIT funds.

I want to assure you that Lisa is very aware of your district's request and your district's contribution to EOUSA. As soon as funding is available, your district's request will be revisited immediately. Please give me a call if you have any additional questions and/or concerns. Thanks, John

From: Hamilton, Sherri C. (USAALM)
Sent: Tuesday, September 06, 2005 5:35 PM
To: Thompson, John (USAEO)
Cc: Goss, Retta C. (USAALM)
Subject: ALS Project Lanny Young

John,

On August 25, 2005, I FedEx you our One Time Funding Request for Aspen Systems Contract Support Expenses in U.S. v. Young, et al., for fiscal year 2006. Can you give me a date on when we can expect notification of approval? Tawana Fobbs, has requested an OBD-186 to continue this project. Please contact me or Retta Goss with your concerns.

Thank You.

Goss, Retta C. (USAALM)

From: Canary, Leura G. (USAALM)
Sent: Thursday, September 15, 2005 10:04 AM
To: Hamilton, Sherri C. (USAALM)
Cc: Goss, Retta C. (USAALM)
Subject: RE: ALS Project Lanny Young

Sherri, We have to keep paying Valli, so we may want to let them know that it is critical to the success of this project to keep this contract employee on board. If we let him go, even for a short period, the contractor has let us know that he will be immediately assigned elsewhere and we won't be able to get him back on the project. In the meanwhile, we won't fill the GS 12 open slot so that we will have some excess payroll money to help fund this. Thank, Leura

From: Hamilton, Sherri C. (USAALM)
Sent: Thursday, September 15, 2005 8:27 AM
To: Canary, Leura G. (USAALM); Franklin, Louis V. (USAALM)
Cc: Goss, Retta C. (USAALM)
Subject: FW: ALS Project Lanny Young

FYI

Reference the e-mail notification below, we will not get funding at this time. Our request will be revisited as soon as funding is available.

From: Thompson, John (USAEO)
Sent: Wednesday, September 14, 2005 10:20 PM
To: Hamilton, Sherri C. (USAALM)
Cc: Goss, Retta C. (USAALM); Russell, Teresa (USAEO)
Subject: RE: ALS Project Lanny Young

Sherri,
I've reviewed your district's FY 2006 one-time increase request for a funding enhancement for litigation expenses related to the U.S. v. Lanny Young case. I've discussed your request with Lisa Bevels, but unfortunately at this time we can not approve any requests for FY 2006 funding prior to receiving our appropriation. However, Lisa has asked that I hold your request for consideration when we receive our FY 2006 funding. Also, as we discussed previously, the ALS pot of money has been exhausted in FY 2005 and it is unlikely that it will be replenished in FY 2006. As with the \$91K provided for this FY for the Lanny Young case, if your one-time increase request is approved, it will be provided via DIRECT LIT funds.

I want to assure you that Lisa is very aware of your district's request and your district's contribution to EOUSA. As soon as funding is available, your district's request will be revisited immediately. Please give me a call if you have any additional questions and/or concerns. Thanks, John

From: Hamilton, Sherri C. (USAALM)
Sent: Tuesday, September 06, 2005 5:35 PM
To: Thompson, John (USAEO)
Cc: Goss, Retta C. (USAALM)
Subject: ALS Project Lanny Young

John,
On August 25, 2005, I FedEx you our One Time Funding Request for Aspen Systems Contract Support Expenses in U.S. v. Young, et al., for fiscal year 2006. Can you give me a date on when we can expect notification of approval? Tawana Fobbs, has requested an OBD-186 to continue this project. Please contact me or Retta Goss with your concerns.

Thank You.

Goss, Retta C. (USAALM)

From: Fobbs, Tawana (USAEO)
Sent: Wednesday, October 26, 2005 11:37 AM
To: Goss, Retta C. (USAALM)
Subject: FW: ALS Account

*Tawana Fobbs
COTR, Automated Litigation Support
FASS/EOUSA
202-307-1448 (Voice)
202-616-6651 (Fax)*

From: Delgado, Rachel (USAEO)
Sent: Wednesday, October 26, 2005 8:12 AM
To: Fobbs, Tawana (USAEO)
Cc: Martin, Debbie (USAEO)
Subject: RE: ALS Account

Tawana - There is no funding remaining in the ALS account 0E6404. As for one-times being approved, I am not sure if we will be able to approve any one-times at this point since we are still under a CR and do not have our appropriation yet.

Thanks,
Rachel

From: Fobbs, Tawana (USAEO)
Sent: Tuesday, October 25, 2005 5:11 PM
To: Delgado, Rachel (USAEO)
Subject: ALS Account

Rachel,

Will funds be available in the ALS account after November 18, 2005? Also, is RMP approving any one-times for large high profile cases? Retta Goss has recently put in a one-time for the Lanny Young project in Middle Alabama. Do you think this will be approved? Presently, we are working on a month-to-month basis. The contractor in place has been there for years, so he is the most knowledgeable regarding this project?

Thank you for your attention to this matter.

*Tawana Fobbs
COTR, Automated Litigation Support
FASS/EOUSA
202-307-1448 (Voice)
202-616-6651 (Fax)*

Goss, Retta C. (USAALM)

From: Canary, Leura G. (USAALM)
Sent: Wednesday, October 26, 2005 12:54 PM
To: Bevels, Lisa (USAEO)
Cc: Goss, Retta C. (USAALM); Hamilton, Sherri C. (USAALM)
Subject: Supplemental Allocation

Lisa, This is to confirm that you are making an allocation to the MDAL of \$30,000 to cover the salary and expenses of the contract employee who is critical to the prosecution of United States vs. Lanny Young, et al. As we discussed, there is no other funding available and we expect his salary and expenses to cost \$13,000 to \$15,000 per month. As we also discussed, this allocation will pay his costs for November and December, 2005. This case is a very important and high-profile public corruption case. We expect these costs to continue through the entire 2006 fiscal year and perhaps beyond.

Thank you again for your assistance. I truly appreciate your hard work and dedication to U.S. Attorney's Offices during this very difficult budget time.

Leura Canary
MDAL

Goss, Retta C. (USAALM)

From: Bevels, Lisa (USAEO)
Sent: Wednesday, October 26, 2005 1:11 PM
To: Canary, Leura G. (USAALM)
Cc: Russell, Teresa (USAEO); Goss, Retta C. (USAALM)
Subject: RE: Supplemental Allocation

Teresa Russell of my staff is contacting Retta and will move this into your DBM as a one time for litigation. Please have Retta call me back when the money runs out.

From: Canary, Leura G. (USAALM)
Sent: Wednesday, October 26, 2005 1:54 PM
To: Bevels, Lisa (USAEO)
Cc: Goss, Retta C. (USAALM); Hamilton, Sherri C. (USAALM)
Subject: Supplemental Allocation

Lisa, This is to confirm that you are making an allocation to the MDAL of \$30,000 to cover the salary and expenses of the contract employee who is critical to the prosecution of United States vs. Lanny Young, et al. As we discussed, there is no other funding available and we expect his salary and expenses to cost \$13,000 to \$15,000 per month. As we also discussed, this allocation will pay his costs for November and December, 2005. This case is a very important and high-profile public corruption case. We expect these costs to continue through the entire 2006 fiscal year and perhaps beyond.

Thank you again for your assistance. I truly appreciate your hard work and dedication to U.S. Attorney's Offices during this very difficult budget time.

Leura Canary
MDAL

Goss, Retta C. (USAALM)

From: Goss, Retta C. (USAALM)
Sent: Tuesday, November 01, 2005 1:32 PM
To: Fobbs, Tawana (USAEO)
Cc: Hamilton, Sherri C. (USAALM)
Subject: Task Order 92 change

Tawana,

Acting U. S. Attorney Louis Franklin in charge of this case has requested that I change the Task Order #92 name from U. S. v. Lanny Young to U. S. v. Siegleman et. al.

If there is a problem doing this, please let me know. From this date forward on correspondence, OBD-186 etc. I will be using the U. S. v. Siegleman et. al.

Thanks and hope you are having a good week. Retta

Retta Goss
~~Administrative Officer~~ Press Officer
Middle District of Alabama
334-223-7280
334-223-7560 FAX

Goss, Retta C. (USAALM)

From: Hamilton, Sherri C. (USAALM)
Sent: Tuesday, November 01, 2005 4:39 PM
To: Franklin, Louis V. (USAALM); Canary, Leura G. (USAALM); Goss, Retta C. (USAALM)
Subject: Additional Funds Approved in U.S. v. Siegleman (Discovery Request) 30K

FYI,

I just received a telephone call from John Thompson, EOUSA informing us that our request for a One-Time was approved in the above reference case. EOUSA would like us to re-submit our original request ASAP.

Hamilton, Sherri C. (USAALM)

To: Russell, Teresa (USAEO)
Subject: HEALTHSOUTH Case MDAL (U.S. V. Siegleman et. al.)

Teresa,

Acting U.S. Attorney Franklin forwarded a copy of the e-mail you sent him regarding the approval of \$30K. He briefed us Monday on his conversation with Debbie Martin. He obtained approval for \$30K to cover the discovery request and was told that it would not come out of our district litigation funds. Obviously from reading your email, it appears that you are advancing \$30K from our direct allocation.

We will be briefing U. S. Attorney Leura Canary on this matter this afternoon. We would like to discuss this with you as soon as possible.

Sherri C. Hamilton, Budget Officer
U.S. Attorney's Office
Middle District of Alabama
Telephone: 334/223-7280
Fax: 334/223-7560

U. S. Department of Justice

United States Attorney
Middle District of Alabama



Memorandum

Subject	Date
Emergency One Time Funding Request Aspen Systems Contract Support Expenses in U.S. v. Don Siegelman, et al	November 7, 2005
To	From
Lisa Bevels Resource Management & Planning DOJ, EOUSA, BICN Building 600 E. Street, NW Washington, DC 20530	Louis V. Franklin, Sr.  Acting United States Attorney (case specific) Middle District of Alabama One Court Square, Suite 201 Montgomery, AL 36104

On August 25, 2005, I sent an "Emergency One Time Funding Request. . ." for the above-referenced case. It is my understanding that due to the Continuing Resolution, no decision has been made on this request. Notwithstanding the Continuing Resolution, the status of the case has changed and I am in desperate need of immediate funding. Specifically, on October 26, 2005, the special grand jury in this district returned a thirty-count superseding indictment against Don Siegelman, Former Governor State of Alabama; Paul Hamrick, Former Chief of Staff and Gary Roberts, Former Director of the Department of Transportation during the Siegelman Administration. Also charged in the indictment is Richard Scrushy, Former CEO of HealthSouth Corporation. The superseding indictment charges RICO, RICO conspiracy, honest services mail and wire fraud, bribery and obstruction of justice. Defendant Siegelman is a candidate for governor; therefore, it is anticipated that he will request an early trial date, despite the voluminous document intense nature of the evidence in this case. Therefore, time is of the essence.

The defendants appeared for their initial appearance and arraignment on October 27 and 28, 2005, during which the Court entered an Order requiring the United States to provide discovery to the defendants on or before November 10, 2005. There are approximately 250,000 documents that must be scanned and copied in order to comply with the Court's Order. On October 28, 2005, your office approved \$30,000 to complete this discovery request. Additionally, Leura Canary, U. S. Attorney for this district, requested and received funding to extend the employment for two months for Vallie Birdsong, contract employee with Aspen.

Attachment 1 is a line item detail of initial funding requirements that are imperative to successfully prosecute this high-profile case.

We respectfully request your prompt response to this request.

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ATTACHMENT 1:

**MODIFICATION OF EXISTING AUTOMATED LITIGATION TASK ORDER #92 AND
BUDGET REQUIREMENTS FOR U. S. V. SIEGLEMAN, MIDDLE DISTRICT OF
ALABAMA:**

DETAIL LINE ITEMS FOR BUDGET APPROVAL:

FUNDS REQUESTED:

ASPEN CONTRACT PERSONNEL 10 MONTHS AT \$14,000.00 PER MONTH	\$ 140,000.00
TRAVEL FUNDS TO INTERVIEW WITNESS	\$ 10,000.00
LITIGATION EXPENSES	\$ 30,000.00
MISC. SUPPLIES (TONERS, PAPER, FOLDERS CDs, TAPES, ETC. Removable hard drives for scanning purposes)	\$ 15,000.00
UPDATE FOR SOFTWARE DISCUSSED IN MEMO HAS NOT BEEN UPDATED, SINCE 2002, \$1,500.00 X 3 YEARS TO BRING CURRENT ***CRITICAL NEED***	\$ 4,500.00
LITIGATIVE CONSULTANTS	\$ 40,000.00
GRAPHICS (NEEDED FOR TRIAL)	\$ 50,000.00
OVER-TIME MONIES	\$ 8,000.00
DAILY TRANSCRIPTS	\$ 150,000.00
EQUIPMENT (2 high-speed scanners approx. \$9,000.00) Most documents are being required to be scanned in order to provide CDs for defense attorneys and our AUSAs for preparation for trial.	\$ 18,000.00
TOTAL INITIAL REQUEST:	\$ 465,500.00

Goss, Retta C. (USAALM)

From: Franklin, Louis V. (USAALM)
Sent: Tuesday, November 29, 2005 4:56 PM
To: Bevels, Lisa (USAEO)
Cc: Goss, Retta C. (USAALM); Hamilton, Sherril C. (USAALM)
Subject: U.S. v. Don Siegelman, et al

On October 26, 2005 a special grand jury sitting for the Middle District of Alabama (Montgomery) returned a thirty-count superseding indictment against Don Siegelman, Former Governor for the State of Alabama; Paul Hamrick, Former Chief of Staff and Gary Roberts, Former Director of the Department of Transportation during the Siegelman administration. Also charged in the superseding indictment is Richard M. Scrusby, Former CEO of HealthSouth Corporation, who was acquitted of a massive corporate fraud scheme in the Northern District of Alabama (Birmingham) earlier this year.

The superseding indictment charges RICO, RICO conspiracy, honest services mail and wire fraud, bribery and obstruction of justice. These charges arise out of the conversion of the highest levels of state government into a corrupt enterprise which its members (Governor, Chief of Staff, Director of Transportation, and others) and associates (Scrusby and others) used to engage in the aforementioned pattern of criminal conduct. Scrusby and Siegelman are charged with two counts of bribery involving \$500,000 in campaign contributions made by Scrusby to Siegelman in exchange for Siegelman's appointment of Scrusby to the Certificate of Need Review Board. Siegelman is also charged along with Hamrick in the RICO, RICO conspiracy and seven counts of honest services wire and mail fraud, involving official action taken with the following state agencies; the Department of Revenue and the Department of Economic and Community Affairs. Siegelman and Roberts are charged with 16 counts of wire and mail fraud in connection with official actions taken with respect to the Alabama Department of Transportation. Siegelman and Hamrick are charged with one count each of obstruction of justice relating to their attempts to cover-up their illegal conduct. Finally, Siegelman is also charged with extortion in connection with his demand for a \$250,00 campaign contribution from a local businessman who was doing work for the state.

Discovery has been a massive undertaking, involving more than 1 million documents. To date, we have spent in excess of \$30,000 and anticipate spending more. Although no trial date has been set, the judge has Ordered all counsel of record to file notices of conflict for February, March, April and May of 2006. Siegelman is an active candidate for governor; therefore, we anticipate a request for an early trial date.

Goss, Retta C. (USAALM)

From: Kline, Mary Ellen (USAEO)
Sent: Monday, January 30, 2006 3:39 PM
To: Goss, Retta C. (USAALM); Hamilton, Sherri C. (USAALM)
Cc: Bevels, Lisa (USAEO); Thompson, John (USAEO); Russell, Teresa (USAEO)
Subject: RE: Just received a call from Louis Franklin

Retta and Sherri,
Per our call, you are authorized a one-time of \$175K. This is for your Aspen contractor (\$104) and for graphics and other litigation expenses (\$71). As you need additional monies, please advise and we will work with you. Thanks! ME

Goss, Retta C. (USAALM)

From: Fobbs, Tawana (USAEO)
Sent: Friday, July 28, 2006 8:39 AM
To: Goss, Retta C. (USAALM)
Subject: RE: US v Siegelman Task Order 242

Good Morning Retta,

That's no problem. I will forward your e-mail to Aspen to make sure they are aware of the situation.

Thank You

Tawana Fobbs
Support Services Specialist
FASS/EOUSA
202-307-1448 (Voice)
202-616-6651 (Fax)

From: Goss, Retta C. (USAALM)
Sent: Thursday, July 27, 2006 6:41 PM
To: Fobbs, Tawana (USAEO)
Subject: RE: US v Siegelman Task Order 242

Good afternoon and Good Tomorrow Morning,

I know you are going to want to strangle me. I was just called by the Acting U.S. Attorney on the case below and they have requested to keep Mr. Byrdsong approximately three more weeks per his request. He is in the process of organizing and ensuring that all the necessary information and documentation is in the computer database and files are in order for the sentencing and appeal process.

I know per our last email and the Modification No. 4 that you faxed me shows the Period of Performance is good till 9/30/2006 and you stated in the email that we still have funds.

Since I have not sent the confirming email that all services have been rendered, because as of this last phone call, all services have not been rendered, we are requesting that Mr. Byrdsong continue to work under this Task Order until August 18th, 2006.

Again, I am sorry for the trouble and we do appreciate all of your assistance with this.

Retta Goss
Administrative Officer/Press Officer
Middle District of Alabama
334-223-7280
334-223-7560 FAX

From: Fobbs, Tawana (USAEO)
Sent: Tuesday, July 25, 2006 1:52 PM
To: Goss, Retta C. (USAALM)
Subject: RE: US v Siegelman

Yes, I will need an e-mail from you confirming all services have been rendered. The vendor will also send an e-mail confirming all services have been rendered and all invoices have been received.

Thanks

Tawana Fobbs
Support Services Specialist
FASS/EOUSA
202-307-1448 (Voice)
202-616-6651 (Fax)

From: Goss, Retta C. (USAALM)
Sent: Tuesday, July 25, 2006 2:27 PM
To: Fobbs, Tawana (USAEO)
Subject: RE: US v Siegelman

Good morning Tawana,

Sorry, I was at home working and should have waited till I got back to office. It was in my in box.

I have met with the Acting U. S. Attorney on this case and he tells me that they will no longer require the services on this contract for Vallie Byrdsong as of July 31, 2006.

I have only received invoices up to May 2006. I show a balance as of then of \$35,488.36. We still need to pay June and July invoices.

Do I need to prepare something to send in order to close this contract once the July payment has been processed?

Let me know, thanks again for all your help. It is a pleasure working with you.

Retta Goss
Administrative Officer/Press Officer
Middle District of Alabama
334-223-7280
334-223-7560 FAX

From: Fobbs, Tawana (USAEO)
Sent: Tuesday, July 25, 2006 8:44 AM
To: Goss, Retta C. (USAALM)
Subject: RE: US v Siegelman

Good Morning Retta,

I already faxed a copy of modification #4. Did you receive it?

Thanks

Tawana Fobbs
Support Services Specialist
FASS/EOUSA
202-307-1448 (Voice)
202-616-6651 (Fax)

From: Goss, Retta C. (USAALM)
Sent: Sunday, July 23, 2006 6:45 PM
To: Fobbs, Tawana (USAEO)
Subject: RE: US v Siegelman

Tawana,

I was on vacation last week when I got this. I tried to reply on Blackberry but not sure if it went through. I will double check my file on Monday, but can you go ahead and fax me a copy of the Modification #4.

Thanks again for your help.

Retta Goss
Administrative Officer/CO
USAO MD AL
(334) 223-7280
334-223-7560 FAX

From: Fobbs, Tawana (USAEO)
Sent: Wednesday, July 19, 2006 8:11 AM
To: Goss, Retta C. (USAALM)
Subject: US v Siegelman

Hello Retta,

After reviewing the file for US v Siegelman, Modification #4 extended the period of performance to 9/30/06 and you still have funding. Therefore, we do not need to prepare a modification to extend the period of performance. I can fax you a copy of the modification if you do not have one.

Thank You

Tawana Fobbs
Support Services Specialist
FASS/EOUSA
202-307-1448 (Voice)
202-616-6651 (Fax)



U.S. Department of Justice

Executive Office for United States Attorneys

Facilities and Support Services Staff

Suite 2400, Bicentennial Building
600 E Street, N.W.
Washington, DC 20530

(202) 616-6425
FAX (202) 616-6651

facsimile
TRANSMITTAL

TRANSMITTED TO: Pedra Goss DATE: 1/24/07

DISTRICT/ORGANIZATION: USAO MDAL

FAX: 334-203-7560

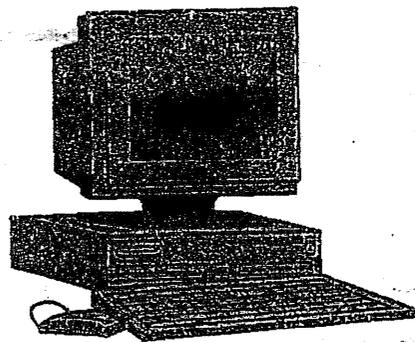
TRANSMITTED FROM: Tawana Febbs
EOUSA/Facilities and
Support Services Staff

PHONE NUMBER: (202) 616-6425/FAX (202) 616-6651

NUMBER OF PAGES (excluding cover sheet): 2

COMMENTS:

for your files



NOTE: IF YOU DO NOT RECEIVE THE SPECIFIED NUMBER OF PAGES, PLEASE CALL THE TRANSMITTER AT THE NUMBER LISTED ABOVE.

MODIFICATION SHEET
US v SIEGELMAN
TO 242 - MD ALABAMA

MOD. #	AMOUNT	TOTAL
	\$53,160.00	
01	91,000.00	144,160.00
02	0.00	144,160.00
03	3,000.00	147,160.00
04	30,000.00	177,160.00
05	3,700.00	180,860.00
06	84,000.00	264,860.00
07 - Disbursements	264,860.00	0.00
TOTAL		\$0.00

RECEIVED
JAN 24 2007
FBI - MEMPHIS

INITIAL REQUEST OF MONIES RECEIVED BY ALS:

FY 2002

Travel	\$8,000
Litigation	\$50,000
Supplies	\$10,000
Furniture/Equipment	\$88,400
ASPEN Contract (ALS)	\$99,990

End of fiscal year 2002 we returned \$45,000.

FY 2003

ASPEN Contract (ALS)	\$53,160.00
Modification 2	\$75,000.00
Modification 3	\$20,768.00

FY 2004

ASPEN Contract (ALS)	\$149,499
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Funding Provided by RMP

FY 2005

ASPEN Contract (ALS)	\$91,000
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FY 2006

ASPEN Contract (Received 2 month payroll)	\$30,000
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Litigation Request (Received for a large discovery request)	\$30,000
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TOTAL	\$660,817.00
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U. S. Department of Justice

United States Attorney
Middle District of Alabama



Memorandum

Subject	Date
Meeting on May 24, 2004	June 14, 2004
To	From
R. Randolph Neeley Assistant United States Attorney Civil Division MDAL	Patricia A. Snyder Civil Chief MDAL

I am writing to confirm the discussions which took place at our meeting on Monday, May 24, 2004, at 4:00 p.m. Present at the meeting were you, me and Louis V. Franklin. The purpose of the meeting was to notify you that management is concerned about recent acts and omissions with respect to your work, which are outlined in greater detail below. You were advised that management is considering disciplinary action, which may be effected within the next two to three weeks. As noted during the meeting, we are considering whether a discipline is necessary because these acts and omissions occurred in the wake of a verbal reprimand in February 2004 for agreeing to pay an expert witness retained by the plaintiff in a high-dollar FTCA case (*Metivier, et al. v. United States*) without proper authorization and in violation of DOJ expert retention policies and procedures.

The incident that has brought the situation to a head and precipitated consideration of disciplinary action is the April 30, 2004, dismissal of the case of *United States v. Darryl Crenshaw, et al.*, Civil Action No. 03-B-1062-N, and your failure to report this dismissal to your supervisor. This case was filed by you on behalf of the United States to recover approximately \$45,000.00 incurred by the United States for medical treatment rendered due to a third party's negligence. Despite two show cause orders and a phone call from the Court, no response to a motion to dismiss was filed on behalf of the United States. Accordingly, on April 30, 2004, more than four months after the first show cause order was entered, the Court entered an Order and Final Judgment dismissing the case for want of prosecution. You have filed a motion to alter or amend the judgment, which remains pending.

We recognize that the Civil Division has been short-handed for several months and that you have been busy. We also recognize that mistakes can happen. In this case, however, the mistake was compounded by your failure to report the matter to your supervisor. Instead of learning of the dismissal *from you* when you learned of it, or soon thereafter, the dismissal came to management's attention several weeks later through discussions with the judiciary. As I attempted to make clear at the May 24 meeting, disciplinary action is being considered primarily for your failure to report the adverse action in your case to your supervisor. Action may also be appropriate because the oversight falls on the heels of several incidents suggesting that you may not be

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devoting adequate attention to your cases and/or showing due regard for the Court's deadlines. We touched on these during the May 24 meeting:

1. On about March 25, 2004, in *William T. Collum v. Anthony J. Principi*, you left for a vacation at the beach leaving an incomplete summary judgment motion and memorandum brief on the desk of the ACE paralegal with a written note instructing her to research certain issues and add cases and arguments based upon her research. The brief was due prior to your return and, consequently, you left instructions to file it in your absence. You did not discuss this with the paralegal or me prior to leaving for your vacation, but instead simply deposited the unfinished brief and the note on the paralegal's desk to be discovered the next day, the day before your dispositive motion was due. Upon review, the work product contained numerous typographical and grammatical errors, suggesting that the product was both unfinished and unreviewed. The paralegal had insufficient knowledge of the underlying facts of the case to complete the research or the legal arguments. She and I could only proof the brief, correct the obvious errors and file it in its unfinished state. I was hopeful that the matter could be cleaned up through a strong reply brief, but as you know, you were unable to complete the reply brief by its due date. You filed a last minute motion for extension shortly before 5:00 on the due date of the brief. Judge Fuller denied the extension, precluding the filing of a reply.
2. On about April 9, 2004, in the case of *Michael Youngblood v. John E. Potter*, you missed the deadline for filing a pre-trial brief and your last minute motion for extension, filed at approximately 11:00 p.m., was denied. When this issue was brought to my attention, I advised you to file a motion for reconsideration and attach the pre-trial brief you had prepared. Several days later, you still had not done so despite my instructions. When queried, you indicated that you and counsel for the postal service had decided it was not necessary. Upon further urging by me, you ultimately filed the motion for reconsideration with the attached pre-trial brief. Fortunately, the motion was denied as moot because you obtained a defendant's verdict in the case.
3. In the case of *Annis B. Hinton v. United States*, which is a case assigned to me, you settled the cost portion of the case without my prior approval, either as counsel on the case or as your Civil Chief. In our May 24 meeting, you stated that we had discussed settling this aspect of the case and that I had authorized you to do so. Although I recall a general discussion with you about a policy under my predecessor to settle cost bills upon a waiver of the right of appeal, I do not recall authorizing you to take such action in *Hinton* and certainly did not receive or approve a settlement memorandum to that effect. In any case, the first notice to me that you had settled that aspect of the case came several months later when I received a copy of a motion to withdraw the cost bill which you filed while I was out of the office on May 20, 2004. You e-filed the motion under my name without

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first discussing the pleading with me or obtaining my approval and authorization to file a motion on my behalf. I learned of the motion after-the-fact when the legal assistant placed a copy with my mail on Monday, May 24. I am extremely concerned about any pleading being filed under my name without my prior knowledge, authorization and approval.

4. There have been numerous instances where you have failed to notify me in advance concerning your intention to take annual leave. On several occasions, you have called the legal assistants and advised that you will be in "around 10 or 11." On some of those occasions, you have not appeared all day or have appeared late in the afternoon. The leave is taken without advance approval, without coordination with the division, and without having completed tasks we have discussed which are necessary for the upcoming evaluation. As you know, I have been out of the office a fair amount the last few weeks as a result of a hectic deposition schedule in *Metivier*. Since we are the only two lawyers in the division, it is essential that we coordinate our absences and try not to leave the division unmanned.¹ On Friday, May 21, 2004, you advised me that you were intending to take leave during the week of May 24, 2004, in order to paint your house. I advised you that no voluntary leave was being approved until tasks necessary for the June 7 evaluation have been completed. We have been regularly discussing (and I have emailed you concerning) your need to complete settlement memos in several cases. Indeed, we have discussed a deadline of Tuesday, May 25, for completion of this task, and as of May 24, I had not received the first settlement memo. On Monday, May 24, you called and advised one of the legal assistants that you were taking care of some things around your house and that you would be in later in the afternoon. On that particular day, you had a Rule 26(f) report due in one case and jury instructions and voir dire due in a case scheduled to go to trial in two weeks. When you learned of the May 24 deadlines, you did come to the office, though at first you were dressed in shorts and a T-shirt. At that time, we discussed our conversation of May 21 concerning voluntary leave, and you indicated that you had misunderstood. You have been at work regularly since that time.

The foregoing summarizes the matters discussed on May 24. Should your recollection of our discussions differ from the matters set forth herein, please advise me in writing within three (3) business days from the date of this memorandum. We are continuing our investigation of the matters outlined above so that we may determine what action, if any, should be taken.

¹ This was not discussed in the meeting on May 24, but in order to confirm that my criticisms regarding your recent leave taking methods were fair, I reviewed your leave records after the meeting. I learned that you have taken 56 hours of annual leave between May 2 and May 29 in the haphazard method outlined above (i.e., calling in the day of the anticipated leave, not accurately estimating your arrival time, possibly showing up, possibly not, etc.).

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Unfortunately, we are also involved in preparing for the upcoming evaluation and completing the performance report which is due before then. As a result, the conclusion of this matter may be delayed for two to three weeks. We apologize for the delay and will attempt to conclude this matter as quickly as possible. You will be kept abreast of any developments as they occur.

cc: Leura J. Canary
United States Attorney

Louis V. Franklin, Sr.
Criminal Chief

Stephen M. Doyle
Chief, Civil Division

Retta Goss
Acting Administrative Officer

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U.S. Department of Justice

United States Attorney
Middle District of Alabama

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August 19, 2004

H. Marshall Jarrett, Counsel
Office of Professional Responsibility
United States Department of Justice
20 Massachusetts Avenue, Room 5100
Washington, DC 20530

RE: Assistant United States Attorney R. Randolph Neeley
Middle District of Alabama

Dear Mr. Jarrett:

Section 1-4.100(A) of the United States Attorneys' Manual provides that "[e]vidence and non-frivolous allegations of serious misconduct by Department attorneys that relate to the exercise of their authority to investigate, litigate, or provide legal advice shall be reported to OPR". Upon EOUSA's recommendation, I am writing to provide information regarding Assistant United States Attorney (AUSA) R. Randolph Neeley of the United States Attorney's Office, Middle District of Alabama (USAO/MDAL), that may rise to the level of evidence or non-frivolous allegations of serious misconduct.

A. On April 20, 2004, in the case of *United States v. Darryl Crenshaw, et al.*, Case No. 03-CV-1062-F, the Court entered an Order dismissing the case for want of prosecution. This case involved a claim by the United States to recover approximately \$45,000.00 incurred by the United States for medical treatment rendered as a consequence of a third party's negligence. Mr. Neeley filed the case on behalf of the United States in October 2003. One of the defendants filed a motion to dismiss. Despite two show cause orders, one in December 2003 and one in April 2004, no response to the motion to dismiss was filed on behalf of the United States and, consequently, the case was dismissed for lack of prosecution. Mr. Neeley did not report the dismissal to the civil chief.

My investigation discloses that the first show cause order was properly calendared and simply overlooked by Mr. Neeley. As to the second show cause order, my investigation indicates that both the legal assistant, Ms. Glenna Ryals, and Mr. Neeley received notice of the show cause order by e-filing. Under the procedures then in place in the Civil Division, Ms. Ryals was required to calendar the response deadline, but failed to

H. Marshall Jarrett, Counsel

August 19, 2004

Page 2

do so, causing the deadline not to appear on the Civil Division calendar. As a result, no response to the show cause order was filed by Mr. Neeley on behalf of the government and, on April 30, 2004, the Court dismissed for want of prosecution. Mr. Neeley learned of the dismissal and thereafter filed a motion for relief from the judgment, which was subsequently denied. In its order denying the motion for relief, the Court stated, "[w]hile the reasons urged by the plaintiff for its failure to comply with the Court's Orders are regretful, this Court finds that they exceed the realm of excusable neglect and inadvertence." Mr. Neeley did not inform the civil chief of the dismissal. Instead of learning of the dismissal from Mr. Neeley, our office learned of it several weeks later through discussions with the judiciary. Copies of the Court's Orders in this matter are attached.

B. On about April 9, 2004, in the case of *Michael Youngblood v. John E. Potter*, Case No. 2:02-CV-01298-WHA-SRW, Mr. Neeley missed the deadline for filing a pre-trial brief and instead filed a last minute motion for extension at approximately 11:00 p.m. The motion was denied.

C. In the case of *Annis B. Hinton v. United States*, Case No. 02-W-1132-S, a civil case assigned to me, Mr. Neeley settled the cost portion of the case without my prior approval, either as counsel on the case or as civil chief. The first notice to me that he had settled that aspect of the case came several months later when I received a copy of a motion to withdraw the cost bill which Mr. Neeley had filed while I was out of the office on May 20, 2004. He e-filed the motion under my name without first discussing the pleading with me or obtaining my approval and authorization to file it. I learned of the motion after-the-fact when the legal assistant placed a copy with my mail on Monday, May 24. I have since learned that Mr. Neeley agreed to waive the cost bill after the appeal time had expired upon a call from the plaintiff's counsel.

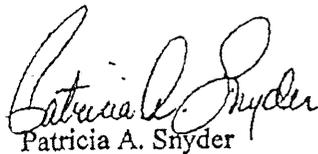
Although certainly these matters are serious, I believe it is also important that I apprise you of certain mitigating factors ongoing at this time. Just prior to these events, in February 2004, we lost one of the AUSAs in the Civil Division to lung cancer. She was diagnosed only shortly before her death. Mr. Neeley and this AUSA were extremely close personal friends. In addition to the emotional distress which accompanied the loss of this very dear person, her death left our Civil Division severely understaffed. To worsen matters, this office's civil chief retired as of January 1, 2004, and this person was also a dear friend of Mr. Neeley's. Our general civil defensive unit consisted of only three AUSAs, including the civil chief. Although I was quickly promoted to civil chief to assist Mr. Neeley in handling the civil case load, we were still down one AUSA. In addition to these overwhelming losses, Mr. Neeley was also struggling during this time with personal issues. He and his wife were divorcing, and he was selling a house, buying another house and moving. He is the custodial parent for his two children. Despite these

H. Marshall Jarrett, Counsel
August 19, 2004
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hardships, Mr. Neeley tried the *Youngblood* case referred to in paragraph B above in late April 2004 and, after a week-long trial, successfully secured a defense verdict for the United States.

Thank you for your attention to this matter. If I can be of further assistance, please do not hesitate to contact me at (334) 223-7280.

Very Truly Yours,



Patricia A. Snyder
First Assistant United States Attorney

Enclosures

cc: Joshua Eaton
General Counsel
Executive Office for the United States Attorneys

✓ The Honorable Leura G. Canary
United States Attorney
Middle District of Alabama



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, NW, Room 3266
Washington, D.C. 20530

OCT 12 2004

Leura Garrett Canary
United States Attorney
Middle District of Alabama
One Court Square, Suite 201
Montgomery, Alabama 36104

Re: AUSA R. Randolph Neeley

Dear Ms. Canary:

By letter dated August 19, 2004, First Assistant U.S. Attorney (FAUSA) Patricia A. Snyder informed this Office of three cases in which the conduct of Assistant U.S. Attorney (AUSA) R. Randolph Neeley raised serious concerns. In *United States v. Crenshaw*, Case No. 03-CV-1062-F (M.D. Ala.), the court dismissed the case for want of prosecution when AUSA Neeley allegedly did not respond to the defendant's motion to dismiss despite two orders to show cause, and then did not report the dismissal to your Office's Civil Chief. In *Youngblood v. Potter*, Case No. 2:02-CV-01298-WHA-SRW (M.D. Ala.), AUSA Neeley allegedly missed the deadline for filing a pre-trial brief, and his last-minute motion for an extension of time was denied. Finally, in *Hinton v. United States*, Case No. 02-W-1132-S (M.D. Ala.), AUSA Neeley allegedly settled a portion of the case without the permission of the AUSA in charge of the case after filing papers under her name and waiving costs after the time for appeal had expired.

We have initiated an investigation into these matters. To assist us in our investigation, please ask AUSA Neeley to prepare a written response to the allegations of misconduct. Please note that AUSA Neeley's written response should be his personal account of the conduct giving rise to the allegations, and that the response should not be edited or revised by any USAO employee. In preparing his response, AUSA Neeley should provide us with the documents from each case that he thinks would aid our review. AUSA Neeley may contact other personnel if necessary to obtain documents, but he should refrain from discussing the matter with other potential witnesses. In his response, AUSA Neeley should identify any witnesses who would be able to provide relevant information, but he should not contact them for the purpose of obtaining a written or oral statement.

AUSA Neeley should provide us with information regarding his professional background and experience, including his length of service and positions held with the Department. In addition, to assist us in determining which ethical rules apply in light of the enactment of 28 U.S.C. § 530B

(the "Citizens Protection Act of 1998"), he should identify each state in which he is licensed to practice law and his category of membership (e.g., active, inactive, associate, or some other membership category).

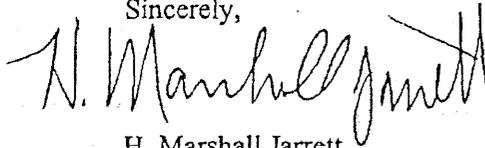
We would also like to know whether there has been any media coverage of any of the above-referenced cases in which the alleged misconduct occurred. If so, we ask that you provide us copies of any articles and/or any videotapes and/or transcripts of any broadcasts mentioning or discussing the matter.

For your information and to assist AUSA Neeley in preparing his response, I am enclosing a document describing the policies and procedures this Office follows in handling allegations of misconduct and judicial findings made against Department attorneys.

AUSA Neeley should send his response directly to this Office within three weeks of the date of this letter. He may, but is not required to, provide you with a courtesy copy of his response. In addition, we welcome any additional information or comments you may wish to provide within that time frame.

Thank you for your assistance in this matter. If you or AUSA Neeley has any questions, please contact me or Assistant Counsel Frederick C. Leiner on (202) 514-3365.

Sincerely,



H. Marshall Jarrett
Counsel

Enclosure



**U.S. Department of Justice
Office of Professional Responsibility
Policies and Procedures**

1. History of the Office of Professional Responsibility

The Department of Justice Office of Professional Responsibility (OPR) was created in 1975 as one response to the revelations of ethical abuses and misconduct by Department of Justice officials in the Watergate scandal. Pursuant to 28 C.F.R. § 0.39a, OPR reports directly to the Attorney General and Deputy Attorney General. The Office is headed by a Counsel and Deputy Counsel, and is staffed by Associate Counsel and Assistant Counsel.

2. Role of OPR

OPR has jurisdiction to investigate allegations of misconduct by Department of Justice attorneys, investigators and law enforcement personnel that relate to the exercise of an attorney's authority to investigate, litigate or provide legal advice.¹ Other allegations of misconduct by Department attorneys that do not fall within the jurisdiction of OPR are investigated by the Office of the Inspector General (OIG). OIG is required to notify OPR of the existence and results of any OIG investigation that reflects upon the professional ethics, competence or integrity of a Department attorney. In such cases, OPR is directed to take appropriate action.

In addition to reporting its findings and conclusions in individual investigations, OPR is also charged with providing advice to the Attorney General and Deputy Attorney General concerning the need for changes in policies and procedures which become evident during the course of OPR's investigations.

3. Allegations that Must be Reported to OPR

Chapter 1-4.100 of the United States Attorneys' Manual (USAM), entitled "Allegations of Misconduct by Department of Justice Employees - Reporting Misconduct Allegations," provides that:

- All Department employees must report to their United States Attorney, Assistant Attorney General, or other appropriate supervisor any evidence or non-frivolous allegation of misconduct. An employee who wishes to report directly to OPR or OIG may do so.

¹For clarity, we have described OPR's policies and procedures as they apply to Department attorneys. The same policies and procedures generally apply to investigators and law enforcement personnel.

- The supervisor must evaluate whether the misconduct at issue is serious. If so, the supervisor must report it to OPR or OIG, as appropriate. If the supervisor is uncertain, he or she may contact OPR or OIG to determine what action to take. If the supervisor was involved in the alleged misconduct, she or he must bring it to the attention of a higher ranking official.
- Any statement by a judge or magistrate indicating a belief that a Department attorney has engaged in misconduct, or taking under submission a claim of misconduct, must be reported to a supervisor. The supervisor must report to OPR immediately any evidence or non-frivolous allegation of serious misconduct.
- Judicial findings of attorney misconduct and judicial requests for an inquiry into possible misconduct must immediately be reported to OPR and the attorney's supervisor, regardless of whether the matter is regarded as frivolous or non-serious. Judicial findings of misconduct are, except in extraordinary cases, expeditiously investigated by OPR, without awaiting further judicial or appellate proceedings.

4. Receipt and Initial Review of Allegations of Misconduct

OPR receives allegations against Department attorneys from a variety of sources, including self-referrals and referrals of complaints by officials in U.S. Attorneys' offices and litigating divisions, private attorneys, defendants and civil litigants, other federal agencies, state or local government officials, judicial and congressional referrals, and media reports. OPR also conducts periodic searches of legal databases to identify opinions containing judicial findings of misconduct.

Information provided to OPR may be confidential. In appropriate cases, OPR will disclose that information only to the extent necessary in order to resolve the allegation.

Upon receipt, OPR reviews each allegation and determines whether further investigation is warranted. The determination whether to conduct an inquiry and/or full investigation in a specific case is a matter of investigative judgment. Many factors are weighed, including the nature of the allegation, its apparent credibility, its specificity, its susceptibility to verification, and the source of the allegation. OPR ordinarily completes investigations relating to the actions of attorneys who have resigned or retired in order to better assess the litigation impact of the alleged misconduct and to permit the Attorney General and Deputy Attorney General to judge the need for changes in Department policies or practices.

A decision to conduct an inquiry or full investigation in a matter does not give rise to a presumption of professional misconduct nor does it shift the burden of proof to the person being investigated.

5. Judicial Findings of Misconduct and Allegations in the Course of Litigation

Judicial findings of misconduct are, except in extraordinary cases, expeditiously investigated by OPR regardless of any planned appeal. Depending on the circumstances, magistrate judges' recommendations may result in an inquiry prior to review by the District Court. Oral statements by judges are not usually considered "findings" resulting in an automatic OPR investigation, but should

be reported to the U.S. Attorney or appropriate supervisor for a determination of whether an OPR referral is required.

If an allegation of misconduct made during the course of litigation is not summarily denied or overruled by the court, it must be brought to the supervisor's attention. If the supervisor determines that the allegation is non-frivolous and would constitute serious misconduct if true, it must be reported to OPR.

6. The Investigative Process in a Typical Matter

OPR's investigations involve a wide range of allegations, and the investigative methods used vary accordingly. The vast majority of complaints received by OPR each year are reviewed and determined not to warrant investigation because, for example, the complaint is frivolous on its face, it is vague and unsupported by any evidence, or it is not within OPR's jurisdiction. If OPR closes a matter without investigation this fact is recorded in OPR's files, and the attorney alleged to have engaged in misconduct receives no notice of the complaint.

In some cases, OPR determines that further information is needed to resolve the matter. The first step is usually to request a written response from the attorney involved in the allegation. Requests for responses to allegations should be answered promptly and thoroughly. Supporting documentation and any other relevant material should be included with the response, and other individuals with relevant information should be identified. However, in order to avoid any appearance of attempting to coordinate accounts, the attorney involved should not interview other witnesses or ask them to prepare written statements. If an attorney's trial schedule or other professional commitments preclude a response within the period requested, an extension of time may be arranged by contacting OPR.

In requesting a written response, OPR asks the attorney involved to provide pertinent information regarding his or her professional background and experience including his length of service and positions held with the Department. In order to determine what state bar rules may apply to the matter, OPR also asks the attorney involved to list each jurisdiction in which he or she maintains bar membership, regardless of his category of membership (*e.g.*, active, inactive, associate, or some other membership category). In addition, OPR asks if the allegation has been reported in the public media, and if so, that copies of any such stories or broadcasts be provided to OPR. This information is necessary in order to determine, when the matter is concluded, whether preparation of a public summary is appropriate (see 12, below).

In the case of a self-referral or referral by a supervisor, it is not necessary to await OPR's request before sending explanatory material. A written response to an allegation may be sent in anticipation of OPR's request -- either at the time the allegation is reported to OPR, or as soon thereafter as it can be prepared. This is particularly helpful in cases involving judicial findings where OPR must conduct expedited investigations.

In cases that cannot be resolved based on the written response and relevant documents, OPR conducts a full on-site investigation. Case files, investigative files, or other relevant documents may be reviewed. Interviews of witnesses with information relevant to the matter are conducted.

Interviews are ordinarily conducted by two OPR attorneys. The complainant is usually interviewed first. Witnesses identified by the complainant and by OPR may be interviewed next. An employee being interviewed may take notes but may not tape record the interview. If OPR determines that it would be in the interest of the investigation, a witness interview may be recorded or transcribed by a court reporter. In that event, a copy of the recording or transcript is ordinarily not made available to the witness.

All Department employees have an obligation to cooperate with OPR investigations, and to give information that is complete and candid. Employees who refuse to cooperate with OPR investigations may be subject to formal discipline, including removal.

7. Interview of the Person Alleged to have Committed Misconduct

In cases in which OPR determines that on-site interviews are necessary, OPR ordinarily interviews the attorney alleged to have engaged in misconduct at or near the end of its investigation, when the allegations have been fully developed. Most investigations are administrative in nature; in the instances in which the allegations involve criminal conduct, the attorney is so advised. In such cases, the subjects are not required to participate in an investigation unless they are informed that their statements will not be used to incriminate them in any criminal proceeding.

An attorney alleged to have engaged in misconduct is interviewed alone unless counsel is permitted to attend (see below). At OPR's discretion in the interest of the investigation, the subject may be sworn pursuant to 5 U.S.C. § 303. The interview is ordinarily transcribed by a court reporter. At the conclusion of the interview, the attorney will be given an opportunity, subject to a confidentiality agreement, to review the transcript and to provide a supplemental written response and additional documents relevant to the investigation. The confidentiality agreement requires return of the transcript and any copies together with any supplemental materials and the agreement will become an attachment to the transcript.

In the interview, the attorney alleged to have committed misconduct will be asked to address each of the outstanding issues and allegations. He or she may suggest witnesses to be interviewed, but such interviews are discretionary with OPR. Ordinarily, OPR does not disclose who has already been interviewed or whom it plans to interview.

8. Assistance of Counsel

If the matter involves alleged illegality, the attorney alleged to have committed misconduct is entitled to have counsel present to assist him or her. In the majority of investigations, however, the allegations are administrative in nature, and employees are not entitled to counsel as a matter of law. However, counsel may be permitted if OPR is satisfied that counsel will not interfere with or delay the interview. Counsel must be actually retained by the employee as his or her legal representative, not attending informally or as an observer. Coworkers are not permitted to attend as observers.

9. Post-investigation Procedures

At the conclusion of the investigation, OPR makes findings of fact and reaches conclusions as to whether professional misconduct has occurred. OPR may find professional misconduct in two types of circumstances: (1) where an attorney intentionally violated an obligation or standard imposed by law, applicable rule of professional conduct, or Department regulation or policy, or (2) where an attorney acted in reckless disregard of his or her obligation to comply with that obligation or standard. OPR may also find that the attorney used poor judgment or made a mistake; such findings do not constitute findings of professional misconduct.

If OPR determines that no misconduct or poor judgment occurred, the attorney who was investigated, the complainant, and other appropriate parties are notified of that result.

If OPR determines that professional misconduct or poor judgment occurred, it prepares a report containing its findings and conclusions, and provides that report to the Deputy Attorney General as well as the appropriate Assistant Attorney General, the Director of EOUSA, or other appropriate component head. In addition, if OPR finds professional misconduct, it will also recommend an appropriate range of disciplinary actions for consideration by the attorney's supervisors (see further discussion below). In cases of poor judgment, the attorney's supervisors may consider training, reassignment, or disciplinary action.

OPR may include in its report information relating to management and policy issues noted in the course of the investigation for consideration by Department officials.

10. Formal Disciplinary Action Based on OPR Findings

While OPR recommends an appropriate range of discipline in cases of professional misconduct, the decision whether to propose discipline and the nature of the action to be taken rests with the attorney's supervisors. Disciplinary actions against DOJ attorneys are governed by the DOJ Human Resources Order, chapter 1200, and include written reprimand, suspension, demotion, or removal. If a proposed disciplinary action is based on material included in an OPR report, that material must be disclosed to the attorney. Otherwise, the attorney involved in the allegation does not have a right to review the entire OPR report, which often contains confidential information regarding other employees or findings regarding management issues noted during the investigation.

11. Referral of Findings of Professional Misconduct to Bar Disciplinary Authorities

In cases in which it finds professional misconduct (either intentional misconduct or conduct in reckless disregard of an applicable standard or obligation), OPR ordinarily advises bar disciplinary authorities in the jurisdiction where the attorney is licensed of its finding. Such a referral is not made if the matter involves purely federal or Department concerns and no bar disciplinary rule appears to be implicated.

12. Public Disclosure of OPR Findings

OPR's findings in certain cases may be publically disclosed. The Department will disclose the final disposition, after all available administrative reviews have been completed, of any matter in the following categories:

a. A finding of intentional or knowing professional misconduct in the course of litigation or investigation where the Attorney General or Deputy Attorney General finds that the public interest in disclosure outweighs the privacy interest of the attorney and any law enforcement interests;

b. Any case involving an allegation of serious professional misconduct where there has been a demonstration of public interest, including referrals by a court or bar association, where the Attorney General or Deputy Attorney General finds that the public interest in disclosure outweighs the privacy interest of the attorney and any law enforcement interests;

c. Any case in which the attorney requests disclosure, where law enforcement interests are not compromised by the disclosure.

If a matter appears to meet these criteria, OPR prepares a summary of the matter including the attorney's name, sufficient facts to explain the context of the allegation, and the final disposition. This summary is submitted to the Department's Office of Information and Privacy ("OIP"), which determines whether the Privacy Act permits disclosure of the included information and whether revisions should be made to the summary prior to disclosure. If OIP advises that the statement is appropriate for disclosure, the summary is sent to the attorney and the appropriate supervisory official, and both are given the opportunity to make written comments and objections to the proposed disclosure on grounds of privacy or law enforcement concerns. Any such objections are reviewed by OIP.

OPR forwards the proposed summary to the Deputy Attorney General with its recommendation regarding release and attaches all comments that were received. The final decision as to whether to release a summary is made by the Attorney General. If the Attorney General decides that disclosure is appropriate, the summary is forwarded to the Office of Public Affairs for release.

13. OPR Review of Proposals to Refer Non-DOJ Attorneys to Bar Disciplinary Authorities

Prior to reporting to the bar any alleged unethical conduct by an attorney not employed by the Department of Justice, a DOJ attorney must discuss the matter with the U.S. Attorney or other component head, who in turn should consult with OPR about the matter. In appropriate cases, it may be desirable for such a complaint to be referred to the bar by OPR rather than by an attorney in the component in which the dispute arose.

TO <u>Patricia</u>		TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
DATE <u>3/15/05</u> TIME _____		CALLED TO SEE YOU	<input type="checkbox"/>	RETURNED CALL	<input type="checkbox"/>
PHONE CALLS "WHILE OUT" RECORD		WILL CALL AGAIN	<input type="checkbox"/>	URGENT	<input type="checkbox"/>
		MESSAGE _____			
M. <u>Cheryl</u>		<u>All fine - policy #</u>			
OF <u>Colonial Insurance</u>		<u>7155329460</u>			
PHONE <u>270-6539</u>		TAKEN BY: <u>JL</u>			
<small>AREA CODE NUMBER EXTENSION</small>					

Cotton States → MNC - 269-3152
US Dept. →
770-677-7275

Neely - OPR -

Fred Leiner - Asst Counsel - OPR
202-514-8607

✓ Walt McGriff - Scuff - Jim wheel 264-3453



- Tami
- Rand
- Ann
- Me
- Glenna
- Steve?
- Agency counsel:
- Vmas
- Dadka



UNITED STATES DEPARTMENT OF JUSTICE

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Snyder, Patricia

From: Eaton, Josh
Sent: Wednesday, August 11, 2004 5:24 PM
To: Snyder, Patricia
Subject: RE: Proposed Written Reprimand

Patricia,

You may certainly discipline Rand for conduct that OPR refuses to investigate or investigates and finds no professional responsibility related misconduct. However, as you note below you will have to wait until OPR makes its decision. This type of disposition would be appropriate if the issue related to something that turned out to not be a professional responsibility violation, yet was still inappropriate conduct deserving of discipline.

That being said, you should not mention the issues referred to OPR in the current reprimand in any way. Doing so will likely bar you from taking discipline action on the conduct in the future (as it will be very difficult, if not impossible, to distinguish in the reprimand between those issues for which you are reprimanding him, and those issues you are holding off on until OPR completes its investigation).

Hopefully, I have not further confused this issue. Certainly, let me know if I have or if you have any additional questions of concerns.

Josh

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

From: Snyder, Patricia
Sent: Wednesday, August 11, 2004 3:46 PM
To: Eaton, Josh
Subject: RE: Proposed Written Reprimand

Ms. Canary had a question about this draft reprimand. If OPR does not discipline on something we send up to them, but we think that it warrants discipline, can we later revise the written reprimand to address that conduct as well? Could we, for instance, state in the written reprimand that we are also concerned about his other acts or omissions, but we have referred those matters to OPR and will address them, if need be, upon conclusion of the OPR investigation?

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

From: Eaton, Josh
Sent: Wednesday, July 21, 2004 7:53 AM
To: Snyder, Patricia
Subject: RE: Proposed Written Reprimand

Patricia,

I wrote this rough draft reprimand for Rand. Basically I just wanted to give you an idea of what these usually look like. But as you will see in one or two areas I took some liberties with the facts. So, certainly, make modifications as you find necessary, or trash it and draft a new one if you would like. Either way, let me know if you want to discuss further,

Josh

<< File: Rand Reprimand.wpd >>

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

From: Snyder, Patricia
Sent: Friday, July 16, 2004 5:50 PM
To: Eaton, Josh
Subject: RE: Proposed Written Reprimand

<< File: OPR referral.wpd >>

Proposed OPR referral, for your review/suggestions. The USA is reviewing it as well, for her input. Thank you

for all of your assistance.

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

From: Eaton, Josh
Sent: Friday, July 16, 2004 2:27 PM
To: Snyder, Patricia
Subject: RE: Proposed Written Reprimand

<< File: Draft OPR referral.wpd >> Patricia, for the referral.

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

From: Snyder, Patricia
Sent: Thursday, July 15, 2004 10:34 AM
To: Eaton, Josh
Subject: RE: Proposed Written Reprimand

I tried you back, but we keep missing each other. Would you like to email them to me?

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

From: Eaton, Josh
Sent: Thursday, July 15, 2004 6:13 AM
To: Snyder, Patricia
Subject: RE: Proposed Written Reprimand

Patricia,

I am sorry I was unable to get back to you yesterday. Please call me at your convenience and we can talk about my suggestions.

Josh

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

From: Snyder, Patricia
Sent: Tuesday, July 13, 2004 1:48 PM
To: Eaton, Josh
Subject: Proposed Written Reprimand

I am attaching my recommendation that R. Randolph Neeley receive a written reprimand for the events we previously discussed. Please let me know your thoughts. Do you believe a written reprimand is appropriate for the incidents listed? Any thoughts/advice as to how we proceed from here? Thanks in advance for your assistance.

Password: disciplinary

<< File: Recommendation.wpd >>

Moore, Bertha

From: Snyder, Patricia
Sent: Thursday, April 28, 2005 10:48 AM
To: Moore, Bertha; Crooks, Janie
Subject: FW: trip to Montgomery

I am forwarding this to you for scheduling purposes, but please keep this information in confidence. Our interviews will take place in the civil conference room, which has been reserved for these days.

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

From: Leiner, Frederick C
Sent: Thursday, April 28, 2005 10:35 AM
To: Snyder, Patricia
Cc: Griffin, Lisa
Subject: trip to Montgomery

Patricia:

I received your phone message from last night confirming that you have been able to arrange the interviews on May 4 and 5. Along the lines of our discussion, I hope that interviews with you, Steve Doyle, and Annie Williams will be on the afternoon of the 4th, and Rand Neeley's will be on the morning of the 5th.

For internal purposes here at OPR, and so that I can arrange for the court reporter, would you please let me know the times you scheduled for each interview, and where Neeley's interview will be. Thanks.

Fred Leiner
direct dial: 202-514-8607



U.S. Department of Justice
Office of Professional Responsibility

Washington, D.C. 20530

SEP 30 2005

Leura Garrett Canary
United States Attorney
Middle District of Alabama
One Court Square, Suite 201
Montgomery, Alabama 36104

Re: AUSA R. Randolph Neeley

Dear Ms. Canary:

We have concluded our investigation of the conduct of Assistant U.S. Attorney R. Randolph Neeley in three cases your office referred to OPR. We concluded that in *United States v. Crenshaw*, AUSA Neeley made a mistake in not recognizing that the court's December 5, 2003 show cause order was unanswered when he reviewed the file in March 2004, and that he made a mistake in failing to inform his supervisor in April 2004 that the court had entered judgment against the government. In *Youngblood v. Potter*, we concluded that he did not commit professional misconduct or exercise poor judgment. Finally, in *United States v. Hinton*, we concluded that he made a mistake by filing a motion to withdraw the bill of costs under his supervisor's name without specifically informing her of his intention to do so. Our investigation of these matters is now closed.

Thank you for your assistance in this matter. If you have any questions, please contact the Executive Office for the U.S. Attorneys.

Sincerely,

H. Marshall Jarrett
Counsel

cc: Michael A. Battle
Director, EOUSA

Scott Schools
General Counsel, EOUSA

P



Memorandum

To: OSC File
From: Ronald R. Gallegos
Subject: Memorandum of Interview
Date: September 4, 2008

Below is a summary of an interview conducted on August 26, 2008, of Frederick C. Leiner, Assistant Counsel, and William J. Birney, Associate Counsel, who are with the Office of Professional Responsibility (OPR). Also present was James C. Duncan, Associate Counsel with OPR.

I explained to Mr. Leiner and Mr. Birney that I was working on an investigation related to a referral from the Office of Special Counsel (OSC). The investigation relates to alleged misconduct by management officials of the U.S. Attorney's Office in the Middle District of Alabama (MDAL). I was informed that they had seen the OSC referral letter and were aware that one of the allegations involved an OPR investigation involving AUSA Randolph Neeley.

Mr. Leiner stated that he was the lead investigator and wrote the report in the Neeley investigation. Mr. Birney was his supervisor. Prior to the interview, Mr. Leiner had obtained and reviewed the OPR investigative file. The file did not contain any helpful notes, and he does not specifically recall, how he determined who OPR would interview. However, Mr. Leiner's practice, which he believes was followed in this case, was to derive the witnesses to be interviewed from the information and documents provided by the district. Mr. Leiner stated that OPR alone determines who to interview. Any suggestion that officials of the MDAL "vetoed any witness from being interviewed is preposterous." Once it was determined who OPR would interview, management in the MDAL was informed and asked to arrange them. Mr. Leiner believes all the witnesses he wanted to interview were in fact interviewed. OPR wanted to conduct were done. There was no lack of cooperation by the MDAL. In fact, Mr. Leiner had the impression that management officials of the MDAL felt that AUSA Neeley should be strongly disciplined. Although the contact person at the MDAL was FAUSA Watson, he felt that FAUSA Watson was working hand-in-hand with USA Canary on the matter and that she supported FAUSA Watson regarding the investigation. It is not true that management was trying to protect AUSA Neeley

Mr. Birney stated that the incident regarding the arrest of AUSA Neeley was not material to the investigation and is outside the jurisdiction of OPR. The same is true regarding the "lunging" incident. It would have had no bearing on the investigation and again, would not fall within OPR's jurisdiction to investigate. However, if OPR learns of conduct such as the alleged "lunging" in the midst of an investigation, it would have the discretion to investigate the conduct as a separate investigation on behalf of and under an agreement with the Department of Justice, Office of Inspector General. It is similar to pendent jurisdiction of a court. The arrest and "lunging" incidents, however, were not

material to the investigation, and the OPR investigation of AUSA Neeley was not obstructed in any way, shape or form.

Mr. Leiner stated that he agreed completely with Mr. Leiner's statement that the arrest and "lunging" incidents were not material to the investigation and are outside the scope of OPR's jurisdiction.