

I. T/C w/ the Governor

a. Odato issue

- 1. Got very little from Dumen's lawyer on whether Odato asked Dumen in early May about Bruno's plane voyage.

1301

Thyng

Peter Age

Dand Hunt

SPM

Whitaker

(for partners)

I. List of things to do:

7/22

✓ a. Call w/ Kindler

1. Odato Form

✓ a. Did we go first or did he?

✓ b. what prompted the 2nd form?

2. Dumen's statement

✓ a. substance

✓ b. mechanics

✓ b. Call with Brown

✓ 1. statement

✓ 2. mechanics

✓ c. Tom Levin

✓ 1. Odato - send search of Dapp's stuff

✓ d. Draft statement

7/22

11:30 am

- I. The w/ Terry Kirdan
- If he needs to take the list he'll do it. Feels that things are being taken out of context and spun. My Aunt is telling me that he didn't spy on ~~anybody~~ and that things are being taken out of context.
 - Spoke w/ Darren last night and again this morning; he's given me a bunch of documents and I'm trying to get up to speed.
 - Notes of inquiries
 1. Darren, when asked, looked at me like an alien and said I've heard through Air Potenti been doing this for a long time, don't you think and couldn't see it coming.
 - I ~~got~~ understand what you are saying but I really didn't get it, why isn't he just doing a good job.

8/22

1:56 pm

- I. Aunt's call w/ Hannah
- We want some good
 1. You want accuracy
 2. You want a result
 3. We want family; our testimony; we'll issue a statement
 4. We want you to be silent or cooperative
 - We're offering sworn statements from Karen & Dagg, denying ~~our~~ ^{your} allegations and, in Darren's case, expunging some contradictions. We think that will be helpful.

7/22/07

2pm

OAG:

Hensley
Lorenz
Tribes

Gary Goldfeder

Mooney
Poretti
Pope

I. 1/c w/ the OAG / Report Briefing

a. Opening

1. Poretti: apologizing for late start (was supposed to be @ 11am)
2. Went a briefing on the report and everyone's statements

b. Pope

1. We can't have goals. We have 2.
 - a. We want an "a" for cooperation
 - b. and finishing
2. Give goals
 - a. accuracy
 - b. a result

3. Our costs

- a. Can you give us a representation re: what you'll say about cooperation. Hoping the report be silent and, if asked, you'll say we cooperated. We're prepared to offer sworn statements.

c. Lorenz

1. We need to talk about your proposal - why do we have to do this first.

d. Hensley

1. "AG is on a boat" and I can't reach him easily, but I'll bludgeon him

e. PAUSE AND CAUCUS

II. Second Call

- a. We're going forward and like the staff on consensus

7/22

b. The Report

1. Begins in the context of what's going on
 - a. Were they responding to FOIC - point there was "a plan" motivated not by FOIC but by a desire to put out a negative media story
 - b. Dupp/Burner remarks are just facts
 - c. Shows there was a "strategy"
2. Next to extent there were FOIC requests, we rec'd 2: 6/27 and 7/10. We make the point that the first is "surrendered" and "did not require the collection and dissemination of documents due in any way"
3. Putting aside the motivation, even if you accept they were responding to FOIC, there conduct deviated from SOP in the following ways:
 - a. In response to Howard's request, Feltis decided the creation of docs not advisable maintained and he did so notwithstanding that FOIC doesn't require the creation of records.
 - b. Through use of investigator they begin reporting upcoming information and treat FOIC as a continuing request w/ an on-going creation of docs. We make the point that creating records carries the risk of making mistakes, which, in fact, occurs. [May 17/April]
 - c. Howard requested only selective information, focusing on Bruno, and Feltis creates Bruno-focused materials -- it's selective.

deviated from FOIC & SOP

7/22

b. The Report

- 3. Even if a FOIA, how is it depicted
- d. Release sensitive information w/o doing any kind of security review
- e. Rep't personally handled this - unprecedented. Interviewed past 3 Rep's.
- 4. We also mention that Howard & Felt's accounts are inconsistent. Not a big part, but it's there. There are other parts of testimony that's clearly wrong
 - 1. Have got stuff ahead of time.
 - 2. Have spoke to anyone but Popp
 - 3. Giving a heads up for a FOIA - surprised when it arrived; not ~~his~~ his role, thought someone else was handling
- 5. Howard concedes that he knew it was a politically sensitive matter and intentionally didn't tell Talbot
- 6. Felt's felt pressure by a supervisor
- 7. We reference the public statement that are informal
 - a. That record-keeping procedures were changed in April
 - b. Complaints made by Richard Long and his daughter & had nothing to do w/ driving any going into Jenkins but didn't result in any record policies being changed.

7/22

The Report

b./7. Unforgotten public statement

a.c. Explain confusion about Hoover's use of ground transportation - ~~should~~ not related to security or threat assessment

8. We do point out that Howard seemed genuinely seemed concerned/offended by what he believed was misuse of state assets. Since etc he ends up having an agency he ought to protect. Howard has many mechanisms to protect the SP and, even w/ an email from Felt on 5/23 asking should I keep doing it, he doesn't do it

9. stress the need to not politicize the SP. Former Sup'ts say that is critical. This is one of the Sup'ts failings. Makes a statement and Jerald says to an aviator's captain - "I can't discuss that" when the captain says "what are we doing." * Sup't was too vulnerable could have not asking questions. Picture coming off the page

10. Finishing

a. Under pretext of FOIA request the Dir's decision cannot follow planned to give media create deep as transportation, schools. Revision from SOP and circumstances of FOIA laws and regs

b. Duties of FOIA must be protected - should let agencies know what they can FOIA

7/22

10. Fendley's
- c. Gov of shall set the standard for
delays for not interfering in SP
business. SP must be a political
need a new ethics rule
 - d. Anti-trust, antitrust & communications
which should be evaluated in light
of the above findings
11. Bruner's use of state aircraft
- a. Policy & certification changes. seems to
allow mixed usage w/ reimbursement.
Policy is permissive.
 - b. Went through dots
 1. First May dots where there's problems.
then all other
 - 2
 3. For every dot there was at least 2
legislative meetings on each dot
space, short meetings and at
one point the official purpose is
canceled.
 4. First there are no violations
 5. Review other policies and recommend
a new one
 - a. clear guidelines
 - b. clear limits on use
 - c. Fendley's
 1. In accordance w/ state policies practice
 2. all trips in 2007; some legis business
but was often minimized.
 3. current policy is overly permissive and
porous.

b. The Report

12. Governor's office cooperation

7/22
a. all still being reviewed. We indicate there was initial cooperation but at a certain point, after Felt's - Howard, we had interviews scheduled. We heard that SP had been notified and had to cancel. Interfered w/ the investigation because it slowed us down. Found it troubling. Sending the message. Certain candid requests were declined. Too much time to get away on the FOIC thing. Disappointed that our interview requests were declined.

13. "We find it troubling and counterfactual" that we didn't cooperate. If it stays in its present form, it's going to be extremely difficult for this office to embrace your report. Your description is "a counterfactual and not fact."

14. Recent

a. Don't know your deal stuff planned on Friday

b. Why is anyone served by getting into a dispute about our cooperation

III. Post Briefing call

7/22

Parenti
Pope
Murray

Low
Christine

a. David providing a summary

b. Announcements for others

1. Is there an appendix?

2. Governor's statement?

3. When do we get it?

c. Christine

1. We need to apologize to brass & SP

2. Announce and 11:30 press conference - shortly after the press gets it.

d.

1. "Be confident, strong and determined to do better."

e. Parenti's second call w/ Ben Lounsbury

1. "Expectations, thorough and fair." If we thank them and say that, they'll drop the cooperation part.

Why did you make false statement? Were you lying or was someone lying to you?

"Delayed where are you?"

f. To Do:

1. Q + A TP - Christine

2. Letter to staff, letter to SP

3. Statement - talking points - Parenti

4. Calls (brass)

5. News statements

6. schedule

7. SP Notification

8. Staff Meeting

9. Regional reps

10. Senate hearings

11. Michael + Olivia

7/28

- I. Call w/ Andrew Lyons
 - a. Louis has to know how this. want to make sure it doesn't hurt his relationship w/ the Governor.
 - b. " Did everything possible to protect Damon Papp

II. Meeting w/ the Governor

- a. Logic of it
 1. This is a good report and we're not going to quibble w/ the results. We asked the IG, my superior counsel, to investigate.
 2. Apology to Brown & state police
 3. I'm accountable and I accept the responsibility
 4. Commence sanctions
 5. No violation of law
 6. Willers - called for

Brown

f

Guings

EL

Elmer Rob

I. Q-A

1. When did you know

Wardlaw is:
them