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May 3, 2007

VIA FACSIMILE AND OVERNIGHT DELIVERY

Glenn A. Fine
Inspector General
United States Department of Justice
950 Pennsylvania Ave. NW, Suite 4706
Washington, DC 20530-0001

H. Marshall Jarrett
Counsel, Office of Professional Responsibility
United States Department of Justice
950 Pennsylvania Ave. NW, Room 3266
Washington, DC 20530-0001

Re: OIG/OPR Investigation into Allegations Against Monica M. Goodling

Dear Messrs. Fine and Jarrett:

We represent Ms. Monica M. Goodling, former Counsel to the Attorney General and White House Liaison. We learned yesterday, through a press release issued by the Department, that Ms. Goodling is the subject of a joint investigation by the Office of the Inspector General and the Office of Professional Responsibility into "an allegation that [Ms.] Goodling reviewed Assistant U.S. Attorney applicants for offices that were headed by interim or acting U.S. Attorneys and may have taken prohibited considerations into account during such review." We are writing in response to that press release.

As an initial matter, we are disappointed with the Department's lack of professional courtesy. There is no justification for publicizing this information in a press release before notifying us that our client is the subject of an active investigation into allegations aimed specifically at her.

Second, as you well know, and contrary to certain misimpressions circulating in the press, the House Judiciary Committee's ability to obtain immunity for Ms. Goodling under 18 U.S.C. § 6005 is in no way subject to approval by the Department, and the Department may not delay the issuance of an order of immunity by instituting a parallel investigation. See Application of U.S. Senate Select Committee on Presidential Campaign Activities, 361 F. Supp. 1270 (D.D.C. 1973) ("Although § 6005 permits the Attorney General to apply to the court for a 20-day

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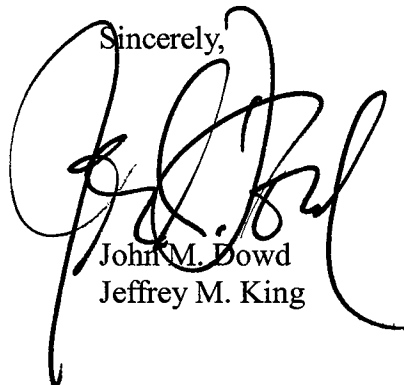
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extension in which the court 'shall defer the issuance of any order,' no veto power or other authority is bestowed.'"). Moreover, given the close interrelationship between the subject matter under investigation by the OIG and OPR and the matters under investigation by Congress, Ms. Goodling would assert her Fifth Amendment privilege as to your inquiry just as she has done before Congress.

What disturbs us most is that the Department chose to make its announcement about Ms. Goodling in the midst of Congress's ongoing investigation into the Department's affairs, and less than two weeks after the House Judiciary Committee passed a resolution authorizing the House General Counsel to apply for an order of immunity for Ms. Goodling. The timing of your release smacks of retribution and intimidation.

Sincerely,

A handwritten signature in black ink, appearing to be a combination of initials and names, written over the typed names below.

John M. Dowd
Jeffrey M. King

cc: Attorney General Alberto Gonzales
Deputy Attorney General Paul McNulty
Ms. Monica M. Goodling