

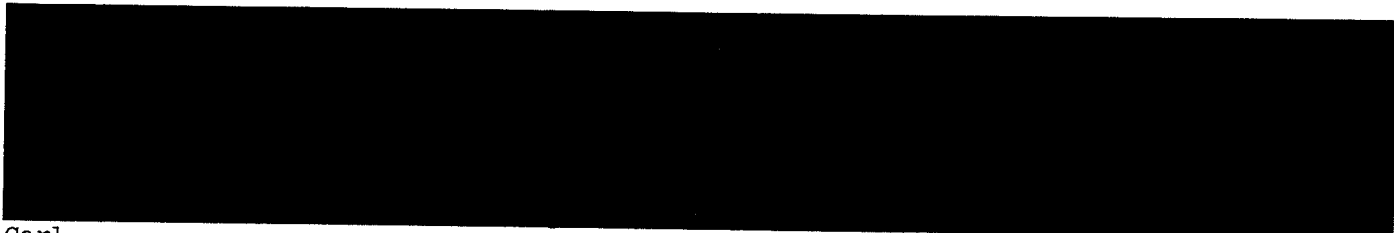
# **CIVIL DIVISION**

Cook, Elisebeth C

---

From: Nichols, Carl (CIV)  
Sent: Tuesday, November 13, 2007 11:14 AM  
To: Wood, Seth M; Benczkowski, Brian A (OLA) b-6  
Cc: Gerry, Brett (OLP); Cook, Elisebeth C; Olsen, Matthew; [REDACTED]  
Demers, John (NSD); Eisenberg, John; Wainstein, Kenneth (NSD); Benczkowski, Brian A (OLA)  
Subject: Feinstein Briefing

b-5



Carl

Kovakas - Declaration

Document 1

OLP-6

Gerry, Brett

**From:** Nichols, Carl (CIV)  
**Sent:** Thursday, October 11, 2007 4:22 PM  
**To:** Eisenberg, John; Gerry, Brett (OLP); Ben Powell; Coppolino, Tony (CIV)  
**Subject:** FW: Final Redline of Immunity Provision.DOC  
**Attachments:** Final Redline of Immunity Provision.DOC

Privileged & Confidential b-5

[REDACTED]

Thanks

b-3

**From:** [REDACTED]  
**Sent:** Thursday, October 11, 2007 3:25 PM  
**To:** Nichols, Carl (CIV)  
**Cc:** [REDACTED] b-3  
**Subject:** Final Redline of Immunity Provision.DOC

Subject to Joint Defense Agreement

Carl,

b-3

Please call us at your convenience (at [REDACTED]) to discuss.

b-3

[REDACTED]

b-3

[REDACTED]

b-3

[REDACTED]

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S. \_\_\_\_\_

To govern actions concerning alleged assistance to elements of the intelligence community and for other purposes.

Deleted: provide appropriate defenses in

IN THE SENATE OF THE UNITED STATES

Mr. ROCKEFELLER (for himself and MR. BOND) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To govern actions concerning alleged assistance to elements of the intelligence community and for other purposes.

Deleted: provide appropriate defenses in

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I - DISPOSITION OF CERTAIN MATTERS ARISING FROM THE ALLEGED PROVISION OF ASSISTANCE BY ELECTRONIC COMMUNICATIONS PROVIDERS TO THE INTELLIGENCE COMMUNITY

Sec. 101. Definitions. (a) The term "assistance" means the provision of information or access to information (including communications content or records, or other information relating to a customer or communication), facilities, or another form of assistance;

Deleted: ,

(b) The term "covered action" means an action filed in any Federal or State court alleging that an electronic communication provider furnished assistance to an element of the intelligence community and seeking monetary or other relief from the provider;

Deleted: ,

(c) The term "element of the intelligence community" means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4));

Deleted: civil

Deleted: civil

(d) The term "electronic communication provider" means -

Deleted: (

Deleted: )

(1) A telecommunications carrier as that term is used in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

(2) A provider of electronic communication service, as that term is defined in section 2510 of title 18, United States Code; or

(3) A provider of remote computing service, as that term is defined in section 2711 of title 18, United States Code; and

(4) includes a corporate parent, subsidiary, or affiliate, or an officer, employee, or agent of an entity described in subparagraphs (1), (2), or (3).

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Sec. 102. Limitations on Actions -- (a) In General -- Notwithstanding any other provision of law, a covered action may not be filed or maintained in any court and shall be promptly dismissed if the Attorney General certifies to the court, subject to review for abuse of discretion, that assistance provided by the relevant electronic communication provider, if any, was --

Deleted: Civil

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(1) in connection with a communications intelligence program that was --

(A) authorized by the President between September 11, 2001 and January 17, 2007; and

(B) designed to identify or intercept communications in order to detect or prevent a terrorist attack or activities in preparation for a terrorist attack against the United States; and

(2) pursuant to a written request or directive from the Attorney General or the head of an element of the intelligence community, or their designees, indicating that the program was authorized by the President and determined to be lawful.

(b) Review of Certifications. -- If the Attorney General files a declaration under section 1746 of title 28 that disclosure of the certification pursuant to subsection (a) would harm the national security of the United States, the court shall

(1) review such certification in camera and ex parte, and

(2) limit any public disclosure concerning such certification, including any public order following such an ex parte review, to a statement that the conditions of subsection 102(a) have been met, without disclosing the basis for the certification.

Deleted: (1) The relevant electronic communication provider did not provide any of the alleged assistance; or . . . ¶  
(2) Any assistance by that electronic communication provider was --

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Deleted: , and not reauthorized after

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(c) Nondelegation. -- The authority and duties of the Attorney General under this section shall be performed by the Attorney General (or Acting Attorney General) or a designee in a position not lower than the Deputy Attorney General.

Sec. 103. Civil Actions in State Court. -- Any covered civil action that is brought in a State court shall be deemed to arise under the Constitution and laws of the United States and shall be removable under section 1441 of title 28, United States Code.

Sec. 104. Rule of Construction – Nothing in this Act may be construed to limit any otherwise available immunity, privilege, or defense,

Deleted:  
Deleted: under any other provision of law  
Deleted: any  
Deleted: civil

Sec. 105. Effective Date and Application. – This title shall apply to all covered actions, without exception, pending on or after the date of enactment of this Act.

## TITLE II – GENERAL PROCEDURES FOR IMPLEMENTING STATUTORY DEFENSES

The Foreign Intelligence Surveillance Act (50 U.S.C. 1801 et seq.) is amended by inserting after title VII the following new title:

### “TITLE VIII – GENERAL PROVISIONS

#### “DEFINITIONS

“SEC. 801. DEFINITIONS. – In this title --

(a) The term “State” means any State, political subdivision of a State, the Commonwealth of Puerto Rico, the District of Columbia, and any territory or possession of the United States, and includes any officer, public utility commission, or other body authorized to regulate an electronic communication provider.

(b) The term “assistance” means the provision of information (including communications content records, or other information relating to a customer or communication), facilities, or any other form of assistance.

(c) The term “element of the intelligence community” means an element of the intelligence community as specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(d) The term “electronic communication provider”--

(1) means --

(A) a telecommunications carrier as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

(B) A provider of electronic communications service, as that term is defined in section 2510 of title 18, United States Code; or

(C) A provider of remote computing service, as that term is defined in section 2711 of title 18, United States Code; and

(2) includes a corporate parent, subsidiary, or affiliate, or an officer, employee, or agent of an entity described in subparagraph (1).

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(e) The term “person” means (1) any electronic communication provider, or (2) a landlord, custodian, or other person who is authorized to provide information (including records or other information relating to a customer), facilities, or another form of assistance under this Act.

"PROCEDURES FOR IMPLEMENTING STATUTORY DEFENSES

"SEC. 802. (a) IN GENERAL. -- Notwithstanding any other provision of law, no action may be filed or maintained in any Federal or State court against any person for providing assistance to an element of the intelligence community, and any such action shall be promptly dismissed, if the Attorney General certifies to the court, subject to review for abuse of discretion, that --

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(1) assistance by that person, if any, was provided pursuant to an order of the court established under section 103(a) directing such assistance;

Deleted: (1) the person did not provide any of the alleged assistance;

(2) assistance by that person, if any, was provided pursuant to a certification in writing under section 2511(2)(a)(ii)(B) of title 18;

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(3) assistance by that person, if any, was provided pursuant to a directive under subsections 102(a)(4), 105B(e), or 701(g);

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Deleted: or

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(4) assistance by that person, if any, was provided pursuant to a request under section 2709 of title 18; or

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Deleted: any

(5) assistance by that person, if any, was provided pursuant to any other statutorily authorized request or demand.

Comment: (p1) There does not appear to be a section 701(a) of FISA.

(b) REVIEW OF CERTIFICATIONS. -- If the Attorney General files a declaration under section 1746 of title 28 that disclosure of a certification pursuant to subsection (a) would harm the national security of the United States, the court shall

(1) review such certification in camera and ex parte, and

(2) limit any public disclosure concerning such certification, including any public order following such an ex parte review, to a statement that the conditions of subsection 802(a) have been met, without disclosing the basis for the certification.

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TITLE III -- PREEMPTION OF STATE INVESTIGATIONS

The Foreign Intelligence Surveillance Act (50 U.S.C. 1801 et seq.) as amended by title II of this Act is further amended by inserting at the end the following new section:

"PREEMPTION

"SEC. 803. -- (a) IN GENERAL. -- No State shall have authority to --

(1) conduct an investigation into an electronic communication provider's alleged assistance to an element of the intelligence community;

(2) require through regulation or any other means the disclosure of information about an electronic communication provider's alleged assistance to an element of the intelligence community;

(3) impose any administrative sanction on an electronic communication provider for assistance to an element of the intelligence community; or

(4) commence or maintain an action to enforce a requirement that an electronic communication provider disclose information concerning alleged assistance to an element of the intelligence community.

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Deleted: or other proceeding

(b) AUTHORITY TO BRING SUIT. – The United States may bring suit to enforce the provisions of this section.

(c) JURISDICTION. – The district courts of the United States shall have jurisdiction over any civil action brought by the United States to enforce the provisions of this section.

(d) APPLICATION TO PENDING MATTERS. – This section shall apply to any and all investigations, actions, or proceedings, without exception, pending on or after the effective date of the Act.

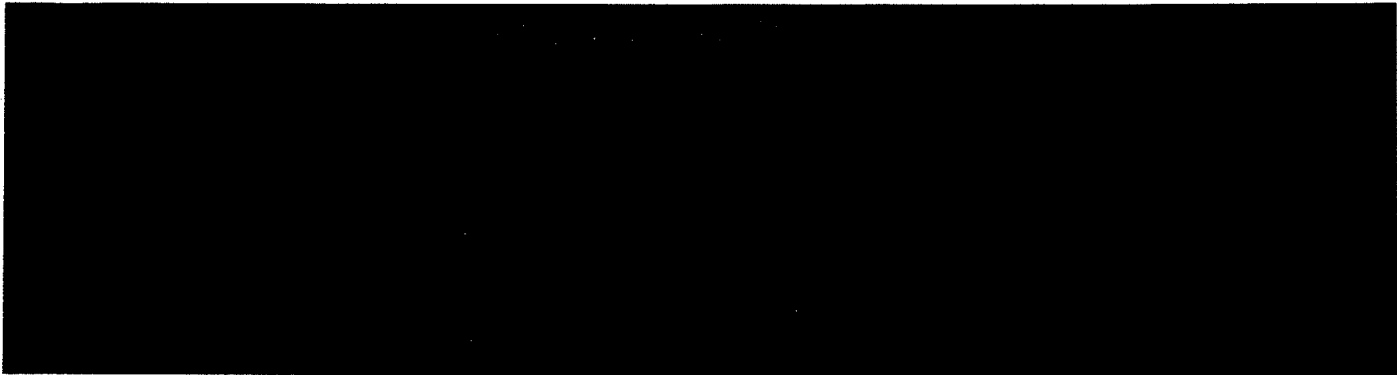
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TITLE IV – SEPERABILITY

If any particular provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.



Not Responsive



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

**From:** Nichols, Carl (CIV) [mailto:Carl.Nichols@usdoj.gov]

**Sent:** Wednesday, October 17, 2007 1:20 PM

**To:** Demers, John (NSD); Wainstein, Kenneth (NSD); Gerry, Brett (OLP); Eisenberg, John; Potenza, Vito;

b-3



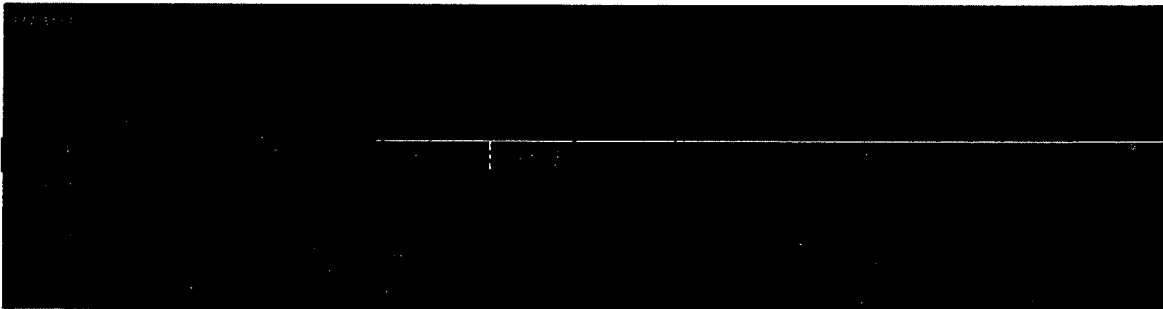
b-3

; Coppolino, Tony (CIV); Haas, Alexander (CIV)

**Subject:** [Redacted]

PRIVILEGED & CONFIDENTIAL

b-5



b-3

b-5

**From:** [Redacted] b-3  
**Sent:** Tuesday, October 16, 2007 6:30 PM  
**To:** Nichols, Carl (CIV)  
**Cc:** [Redacted] b-3  
**Subject:** Additional Immunity Language

Subject to Joint Defense Privilege

Carl,

Below is proposed immunity language. We think the arbitration provision is important. The second provision would be helpful, but we defer to you regarding whether it is politically feasible. [Redacted] asked us to let you know that [Redacted] takes no position as to the arbitration language but opposes the second provision.

b-3

b-3

§ 202(e) ARBITRATIONS. No claim that (1) alleges that an electronic communication service provider furnished assistance to an element of the intelligence community between September 11, 2001 and January 17, 2007, and (2) seeks monetary or other relief from the electronic communication service provider related to the provision of such assistance shall be subject to

DAG-710

1/23/2008

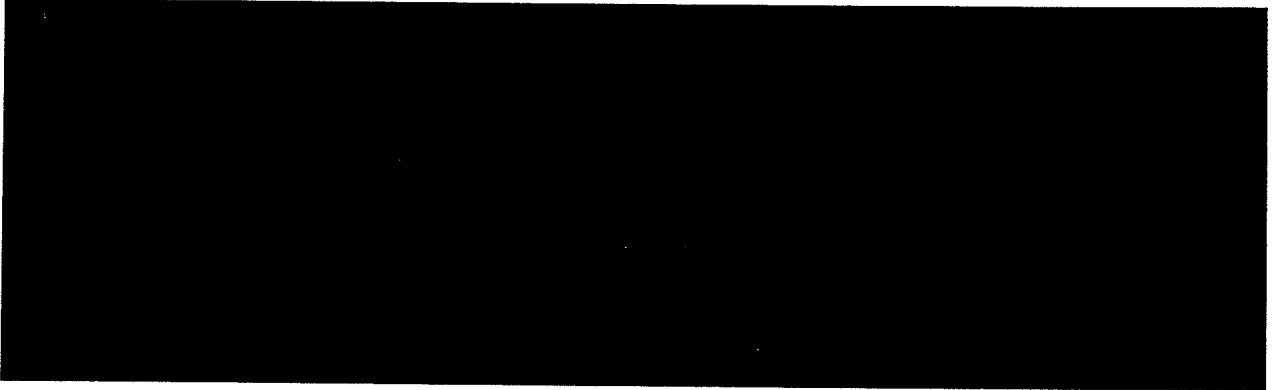
Kovakas - Declaration

Document 3

arbitration. Such a claim may be brought, if at all, only in federal court. Upon application of either party, a federal district court shall promptly enjoin an arbitration subject to this provision.

To be inserted after paragraph 2 in § 202(b): "If, following the filing by the Attorney General in a covered civil action of a declaration under this subsection, a court concludes that for any reason it cannot review in camera and ex parte a certification submitted by the Attorney General pursuant to paragraph 202(a)(1) or render a decision on the basis of such a certification, the covered action shall not lie or be maintained, and shall be promptly dismissed."

b-3



b-6

[REDACTED]  

---

From: Gerry, Brett

Sent: Monday, December 17, 2007 1:01 PM

To: Nichols, Carl (CIV); Eisenberg, John; Demers, John (NSD); Wainstein, Kenneth (NSD); [REDACTED] b-6  
[REDACTED] b-6 (6)

Subject: RE: [REDACTED] b-6

[REDACTED] b-5

---

From: Nichols, Carl (CIV)

Sent: Monday, December 17, 2007 12:55 PM

To: Gerry, Brett ; Eisenberg, John; Demers, John (NSD); Wainstein, Kenneth (NSD); [REDACTED] b-6

Subject: RE: [REDACTED] b-5

[REDACTED] b-5

---

From: Gerry, Brett

Sent: Monday, December 17, 2007 12:40 PM

To: Nichols, Carl (CIV); Eisenberg, John; Demers, John (NSD); Wainstein, Kenneth (NSD); [REDACTED] b-6

Subject: RE: [REDACTED] b-5

---

From: Nichols, Carl (CIV)

Sent: Monday, December 17, 2007 12:39 PM

To: Eisenberg, John; Gerry, Brett ; Demers, John (NSD); Wainstein, Kenneth (NSD); [REDACTED] b-6

Subject: [REDACTED] b-5

[REDACTED] b-5

Carl

Kovakas - Declaration

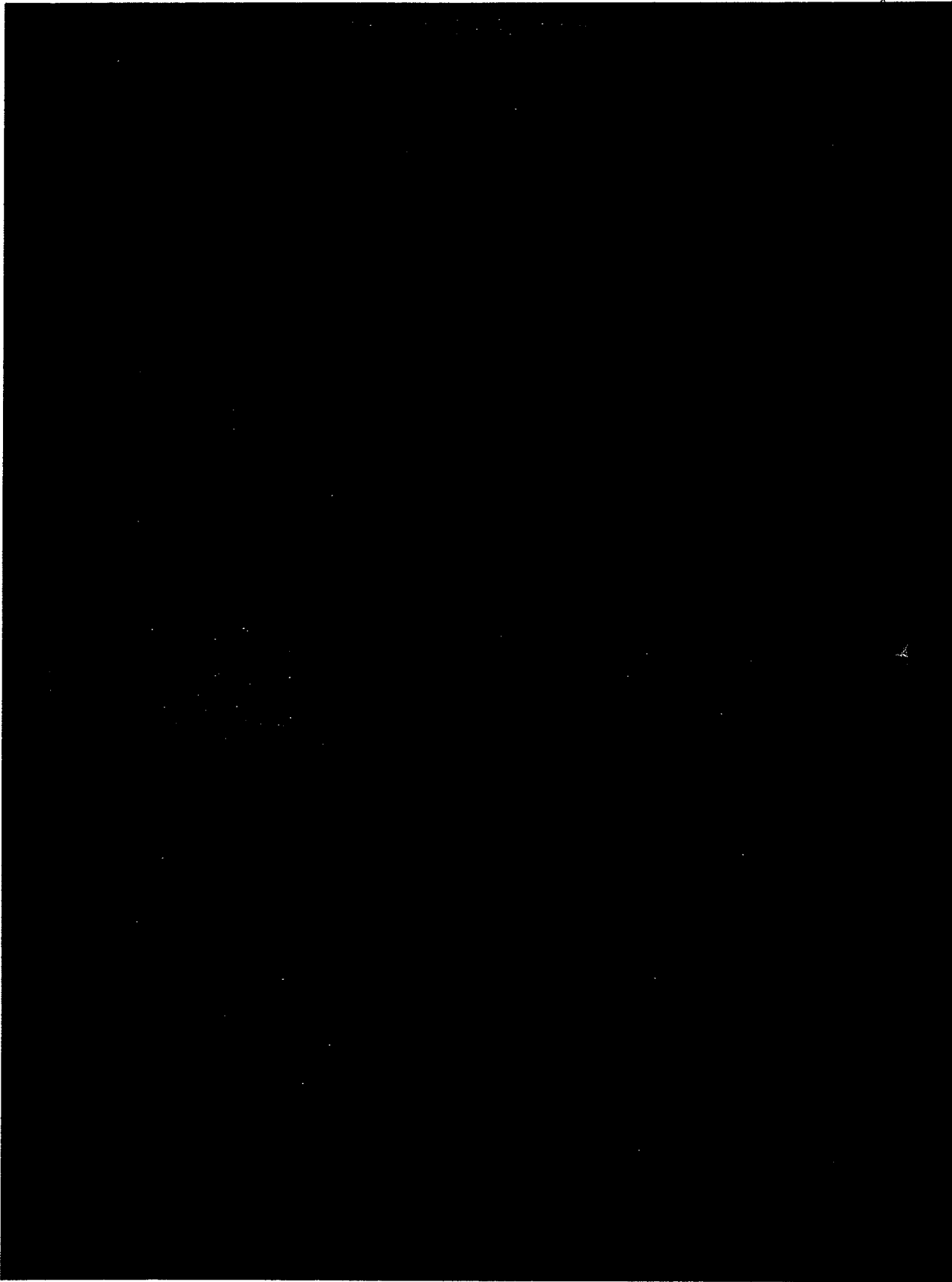
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Document 4

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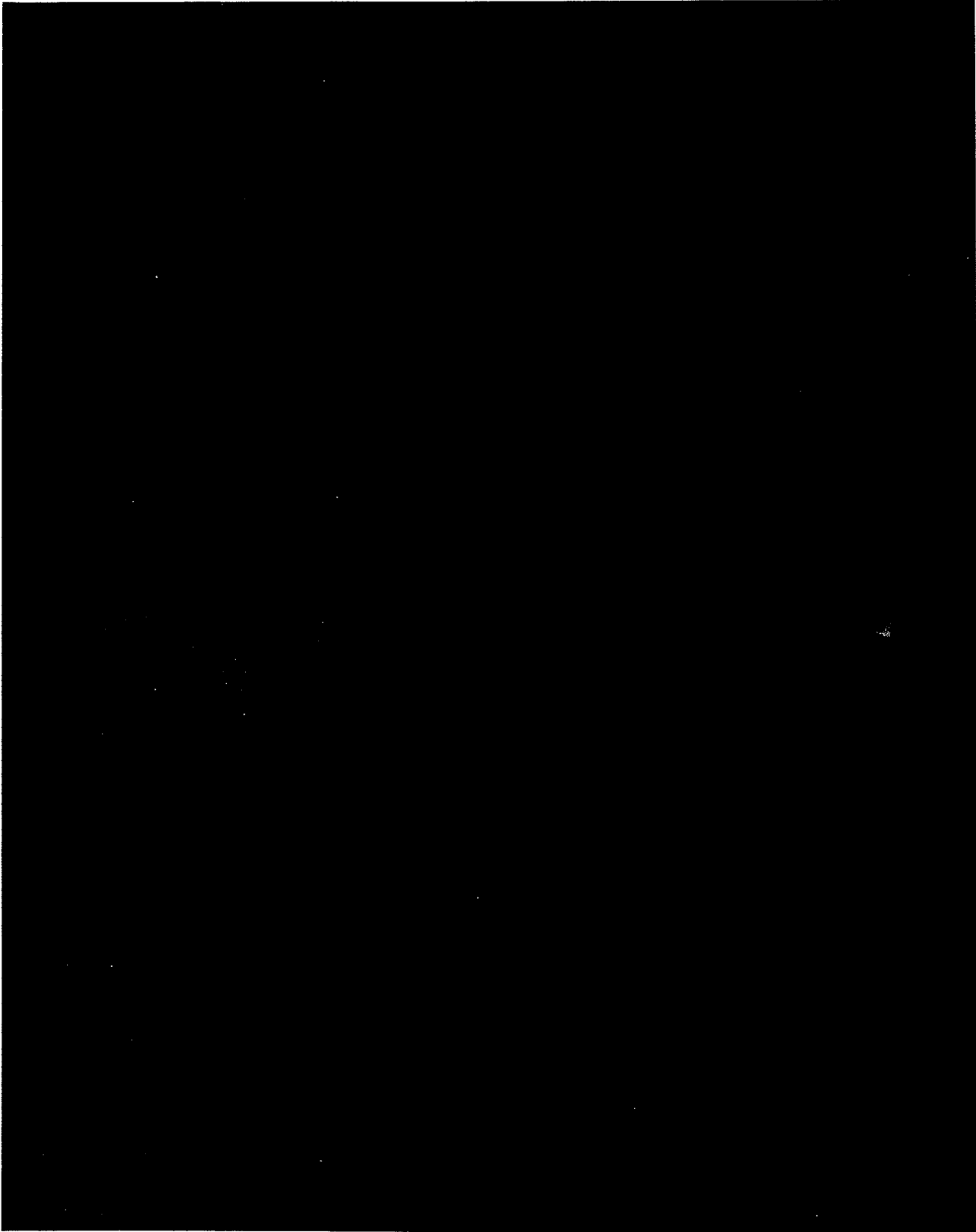
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h



b-5

3



4

[Redacted] b-6

From: Nichols, Carl (CIV)  
Sent: Thursday, January 17, 2008 6:20 PM  
To: [Redacted] b-5  
Cc: Demers, John; [Redacted] b-6  
Subject: RE: [Redacted] b-5

thanks!

From: [Redacted] b-6  
Sent: Thursday, January 17, 2008 6:13 PM  
To: Nichols, Carl (CIV)  
Cc: Demers, John; [Redacted] b-5  
Subject: RE: [Redacted] b-5

b-5

[Redacted]

[Redacted] b-6

From: Nichols, Carl (CIV)  
Sent: Thursday, January 17, 2008 4:54 PM  
To: Demers, John; [Redacted] b-6  
Subject: [Redacted] b-5

[Redacted] b-5

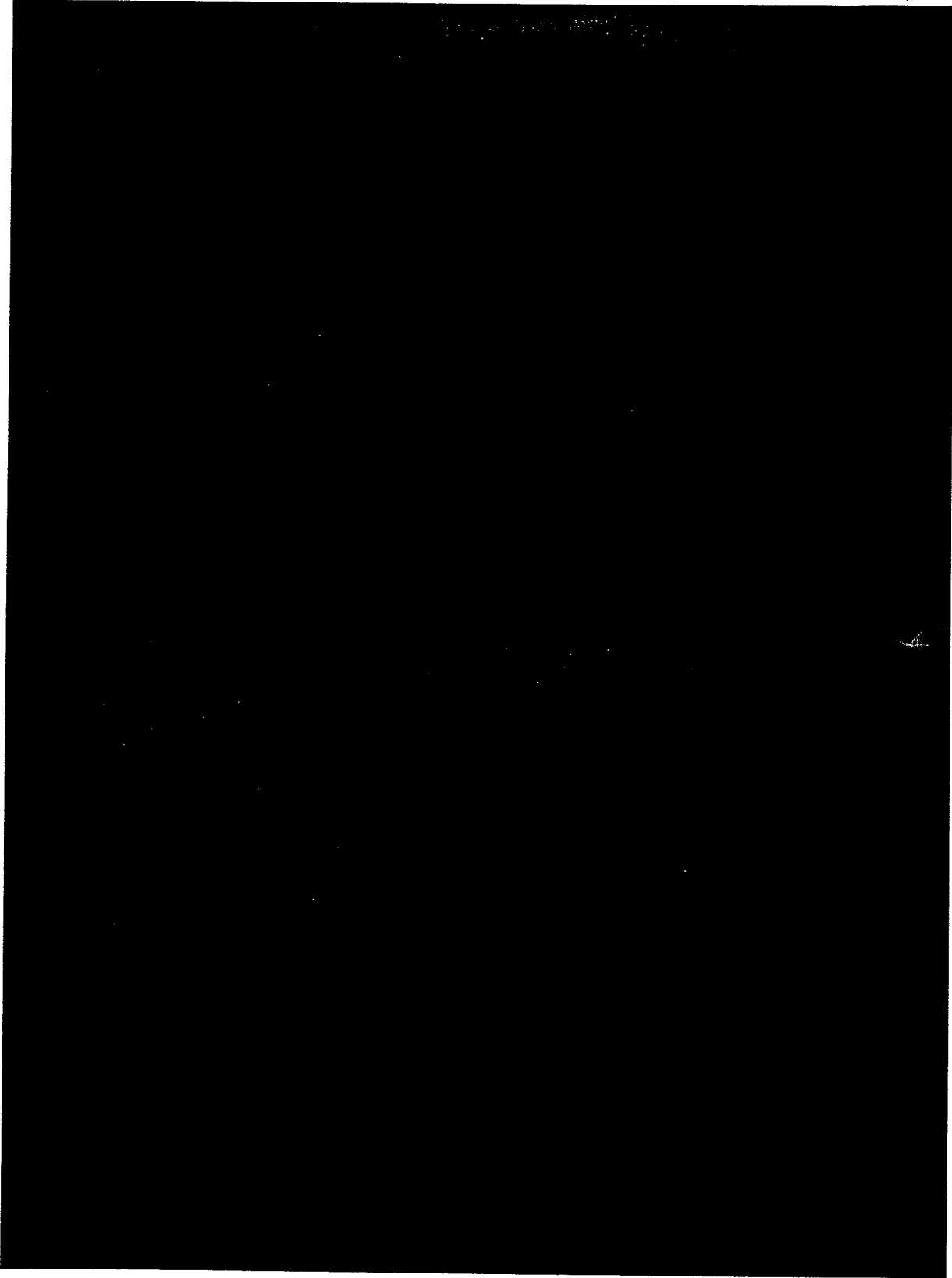
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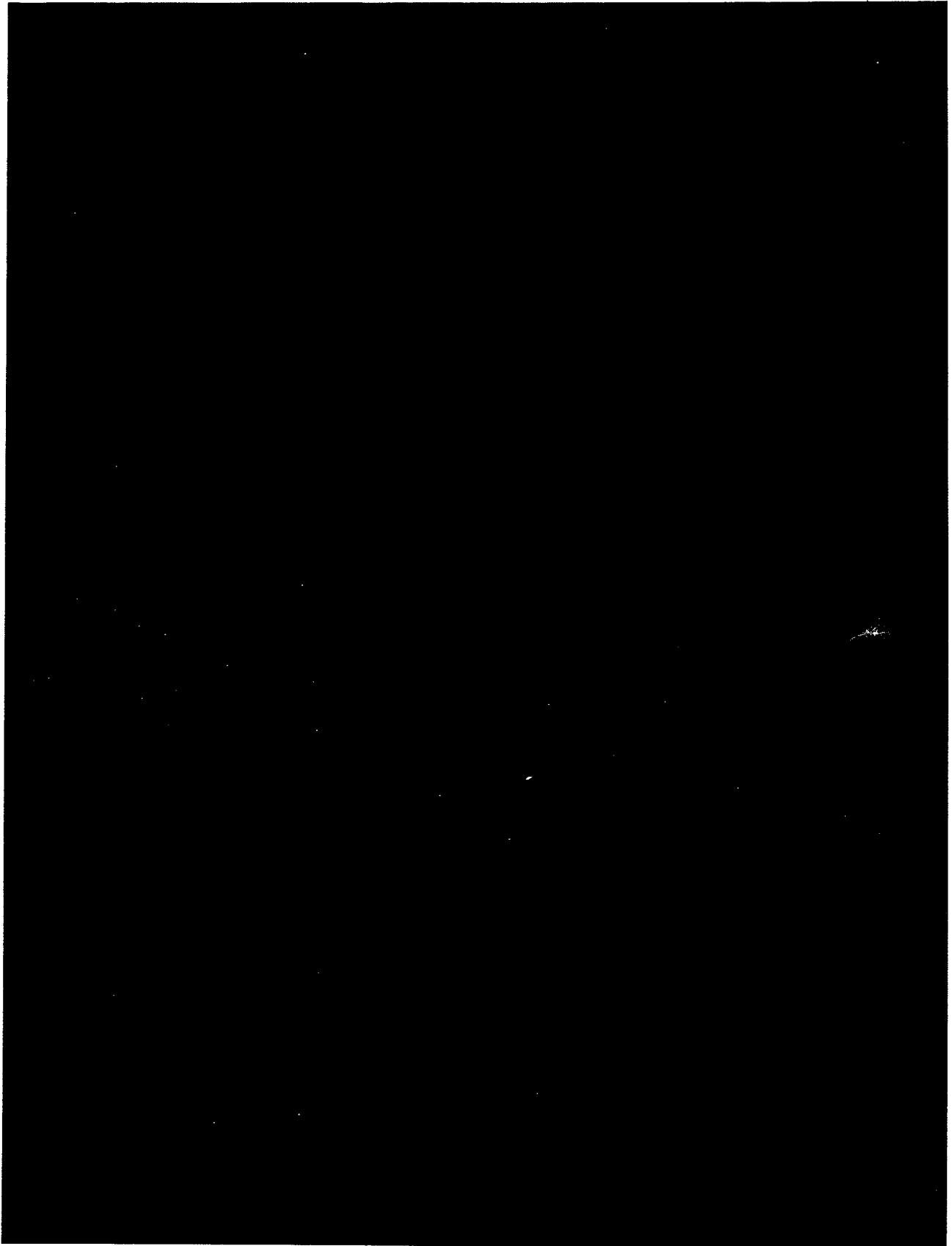
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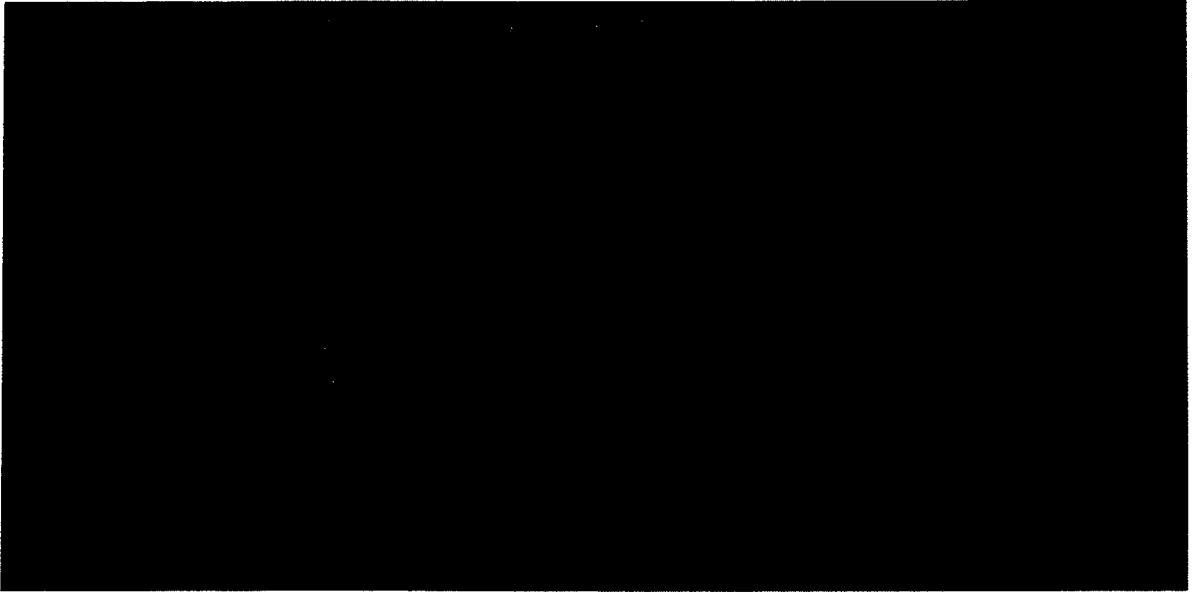
b-5

7



b-5

8



g R

[redacted] b-6  
From: Nichols, Carl  
Sent: Wednesday, June 25, 2008 11:57 AM b-6  
To: Coppolino, Tony (CIV); Letter, Douglas (CIV); Hunt, Jody (CIV); [redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Freeborne, Paul (CIV)  
Subject: Re: [redacted] b-5

[redacted] b-5

----- Original Message -----  
From: Coppolino, Tony (CIV) b-5  
To: Letter, Douglas (CIV); Nichols, Carl; Hunt, Jody (CIV); [redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Freeborne, Paul (CIV)  
Sent: Wed Jun 25 11:55:40 2008  
Subject: RE: [redacted] b-5

[redacted]

From: Letter, Douglas (CIV)  
Sent: Wednesday, June 25, 2008 11:52 AM b-6  
To: Nichols, Carl; Coppolino, Tony (CIV); Hunt, Jody (CIV); [redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Freeborne, Paul (CIV)  
Cc: McKenzie, Peggy (CIV)  
Subject: RE: [redacted] b-5

[redacted] b-5

From: Nichols, Carl  
Sent: Wednesday, June 25, 2008 11:48 AM b-6  
To: Letter, Douglas (CIV); Coppolino, Tony (CIV); Hunt, Jody (CIV); [redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Freeborne, Paul (CIV)  
Cc: McKenzie, Peggy (CIV)  
Subject: RE: [redacted] b-5

[redacted] b-5

From: Letter, Douglas (CIV) b-6  
Sent: Wednesday, June 25, 2008 11:47 AM  
To: Coppolino, Tony (CIV); Nichols, Carl; Hunt, Jody (CIV); [redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Freeborne, Paul (CIV)  
Cc: McKenzie, Peggy (CIV)  
Subject: RE: [redacted] b-5

Tony, et al: b-6  
b-5 [redacted] b-5  
b-5 [redacted]

b-5



From: Coppolino, Tony (CIV)  
Sent: Tuesday, June 24, 2008 10:48 AM  
To: [redacted]

b-3

[redacted] Nichols, Carl; Hunt, Jody (CIV);  
Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV);  
Coppolino, Tony (CIV); Freeborne, Paul (CIV); [redacted] b-3  
Cc: McKenzie, Peggy (CIV)  
Subject: Meeting on Immunity Legislation

b-3

After conferring with everyone, the best time for meeting to discuss the immunity legislation seems to be Thursday (6/26) at 11:30 am here at Main Justice in the Civil Division Conference Room - Room 3141.

Non-DOJ attendees should confirm they are coming to me, and please cc Peggy McKenzie with your name and firm name. To start on time at 11:30 and not run too far into lunch hour, you should allow 15 minutes to get through security at the Constitution Ave entrance. Someone will meet attendees at the visitor center and escort you upstairs. If you need a contact number when you get here, try one of the numbers below.

Thanks - looking forward to seeing everyone.

Tony Coppolino  
[redacted] b-6

Alex Haas  
(202) 305-9334

Peggy McKenzie  
(202) 514-9723



From: Nichols, Carl  
Sent: Wednesday, June 25, 2008 11:48 AM  
To: Letter, Douglas (CIV); Coppolino, Tony (CIV); Hunt, Jody (CIV); [redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Freeborne, Paul (CIV)  
Cc: McKenzie, Peggy (CIV)  
Subject: RE: [redacted] b-5

b-5



From: Letter, Douglas (CIV)  
Sent: Wednesday, June 25, 2008 11:47 AM  
To: Coppolino, Tony (CIV); Nichols, Carl; Hunt, Jody (CIV); [redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Freeborne, Paul (CIV)  
Cc: McKenzie, Peggy (CIV)  
Subject: RE: [redacted] b-5

b-6

b-5

11

[Redacted]

b-6

[Redacted]

b-5

[Redacted]

b-5

**From:** Coppelino, Tony (CIV)

**Sent:** Tuesday, June 24, 2008 10:48 AM

b-3

**To:** [Redacted] Nichols, Carl; Hunt, Jody (CIV); [Redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV); Coppelino, Tony (CIV); Freeborne, Paul (CIV); [Redacted]  
**Cc:** McKenzie, Peggy (CIV)  
**Subject:** Meeting on Immunity Legislation

b-3

b-6

b-3

After conferring with everyone, the best time for meeting to discuss the immunity legislation seems to be Thursday (6/26) at 11:30 am here at Main Justice in the Civil Division Conference Room - Room 3141.

Non-DOJ attendees should confirm they are coming to me, and please cc Peggy McKenzie with your name and firm name. To start on time at 11:30 and not run too far into lunch hour, you should allow 15 minutes to get through security at the Constitution Ave entrance. Someone will meet attendees at the visitor center and escort you upstairs. If you need a contact number when you get here, try one of the numbers below.

Thanks - looking forward to seeing everyone.

Tony Coppelino

[Redacted]

b-6

Alex Haas  
(202) 305-9334

Peggy McKenzie  
(202) 514-9723

b-6

17 R

From: [redacted] b-3  
 Sent: Tuesday, June 24, 2008 6:20 PM  
 To: Coppolino, Tony (CIV); [redacted] b-3  
 [redacted] Nichols, Carl; Hunt, Jody (CIV); [redacted] Haas, Alexander (CIV);  
 O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV); Freeborne, Paul (CIV);  
 b-3 [redacted]  
 Cc: McKenzie, Peggy (CIV)  
 Subject: Re: Meeting on Immunity Legislation

b-3

[redacted]

Thanks

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

From: Coppolino, Tony (CIV) <Tony.Coppolino@usdoj.gov>

b-3

[redacted]

[redacted] Nichols, Carl <Carl.Nichols@usdoj.gov>; Hunt, Jody (CIV) b-6  
 <Jody.Hunt@usdoj.gov>; [redacted] Haas, Alexander  
 (CIV) <Alexander.Haas@usdoj.gov>; O'Quinn, John (CIV) <John.C.O'Quinn@usdoj.gov>; Bondy,  
 Thomas (CIV) <Thomas.Bondy@usdoj.gov>; Letter, Douglas (CIV) <Douglas.Letter@usdoj.gov>;  
 Coppolino, Tony (CIV) <Tony.Coppolino@usdoj.gov>; Freeborne, Paul (CIV)  
 <Paul.Freeborne@usdoj.gov>; [redacted] b-3

Cc: McKenzie, Peggy (CIV) <Peggy.McKenzie@usdoj.gov>

Sent: Tue Jun 24 10:48:24 2008

Subject: Meeting on Immunity Legislation

After conferring with everyone, the best time for meeting to discuss the immunity legislation seems to be Thursday (6/26) at 11:30 am here at Main Justice in the Civil Division Conference Room - Room 3141.

Non-DOJ attendees should confirm they are coming to me, and please cc Peggy McKenzie with your name and firm name. To start on time at 11:30 and not run too far into lunch hour, you should allow 15 minutes to get through security at the Constitution Ave entrance. Someone will meet attendees at the visitor center and escort you upstairs. If you need a contact number when you get here, try one of the numbers below.

DEPT

Thanks - looking forward to seeing everyone.

Tony Coppolino

[redacted]

b-6

Alex Haas  
(202) 305-9334

Peggy McKenzie  
(202) 514-9723

NOTICE: b-3

[redacted]

b-6

13 R

[Redacted]

From: [Redacted] b-3  
 Sent: Tuesday, June 24, 2008 2:50 PM  
 To: [Redacted] Coppolino, Tony (CIV); [Redacted] Nichols, Carl; Hunt, Jody (CIV); [Redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV); Freeborne, Paul (CIV); [Redacted] b-3  
 Cc: McKenzie, Peggy (CIV); [Redacted] b-3  
 Subject: RE: Meeting on Immunity Legislation  
 b-3

[Redacted]

From: [Redacted] b-3  
 Sent: Tuesday, June 24, 2008 10:52 AM  
 To: Coppolino, Tony (CIV); [Redacted] b-3 Nichols, Carl; Hunt, Jody (CIV); [Redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV); Freeborne, Paul (CIV); [Redacted] b-3  
 Cc: McKenzie, Peggy (CIV)  
 Subject: RE: Meeting on Immunity Legislation

b-3

b-3

[Redacted]

b-3

From: Coppolino, Tony (CIV) [mailto:Tony.Coppolino@usdoj.gov]  
 Sent: Tuesday, June 24, 2008 10:48 AM  
 To: [Redacted] b-3 Nichols, Carl; Hunt, Jody (CIV); [Redacted] Haas, Alexander (CIV); O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV); Coppolino, Tony (CIV); Freeborne, Paul (CIV); [Redacted] b-3  
 Cc: McKenzie, Peggy (CIV)  
 Subject: Meeting on Immunity Legislation

b-3

b-3

After conferring with everyone, the best time for meeting to discuss the immunity legislation seems to be Thursday (6/26) at 11:30 am here at Main Justice in the Civil Division Conference Room - Room 3141.

Non-DOJ attendees should confirm they are coming to me, and please cc Peggy McKenzie with your name and firm name. To start on time at 11:30 and not run too far into lunch hour, you should allow 15 minutes to get through security at the Constitution Ave entrance. Someone will meet attendees at the visitor center and escort you upstairs. If you need a contact number when you get here, try one of the numbers below.

*DOJ*

Thanks - looking forward to seeing everyone.

*Not Responsive*

Tony Coppolino  
[Redacted] b-6

Alex Haas  
(202) 305-9334

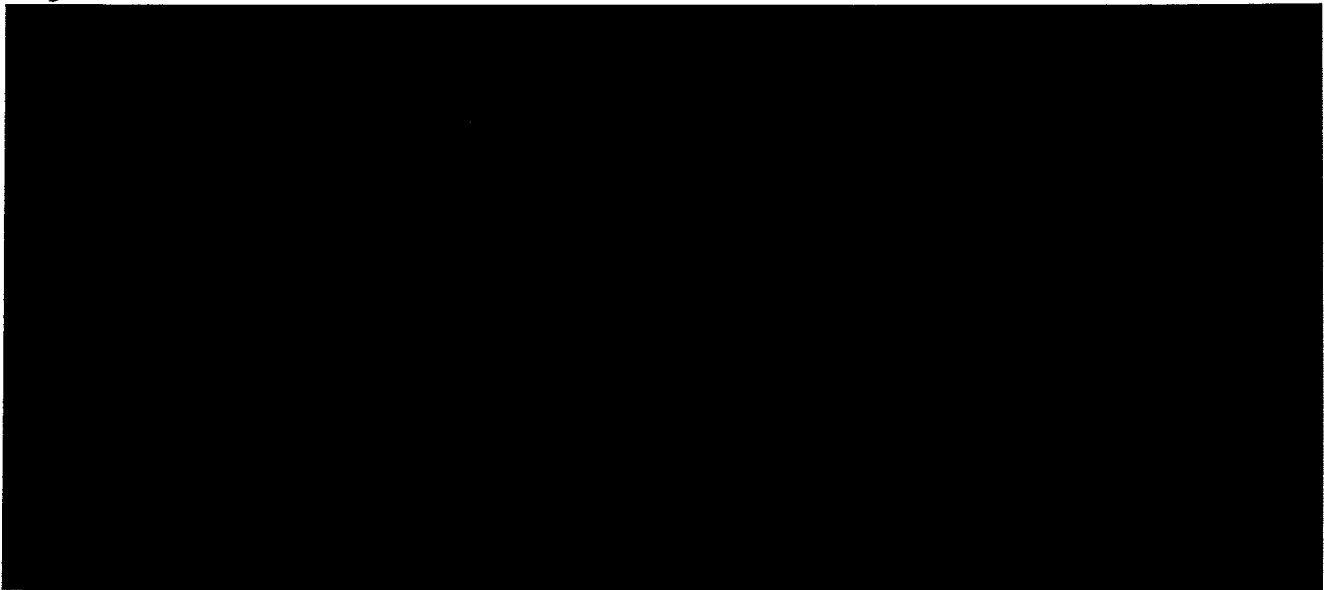
Peggy McKenzie

[Redacted]

14

(202) 514-9723

b-3





b-6

15

2

From: Letter, Douglas (CIV)  
 Sent: Monday, June 23, 2008 6:15 PM  
 To: Nichols, Carl; Coppolino, Tony (CIV); Haas, Alexander (CIV); Freeborne, Paul (CIV);  
 b-6 [redacted] Hunt, Jody (CIV)  
 Cc: O'Quinn, John (CIV); Bondy, Thomas (CIV)  
 Subject: RE: [redacted] b-5

[redacted]

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

From: Nichols, Carl  
 Sent: Monday, June 23, 2008 5:44 PM  
 To: Coppolino, Tony (CIV); Haas, Alexander (CIV); Freeborne, Paul (CIV); [redacted] b-6  
 [redacted] Hunt, Jody (CIV)  
 Cc: O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV)  
 Subject: Re: [redacted] b-5

[redacted] b-5

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

From: Coppolino, Tony (CIV) b-6  
 To: Haas, Alexander (CIV); Nichols, Carl; Freeborne, Paul (CIV); [redacted] Hunt,  
 Jody (CIV)  
 Cc: O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV)  
 Sent: Mon Jun 23 17:38:15 2008  
 Subject: RE: [redacted] b-6

Yes - thanks

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

From: Haas, Alexander (CIV)  
 Sent: Monday, June 23, 2008 5:32 PM b-6  
 To: Coppolino, Tony (CIV); Nichols, Carl; Freeborne, Paul (CIV); [redacted] Hunt,  
 Jody (CIV)  
 Cc: O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV)  
 Subject: RE: [redacted] b-5

[redacted]

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

From: Coppolino, Tony (CIV)  
 Sent: Monday, June 23, 2008 5:31 PM b-6  
 To: Nichols, Carl; Freeborne, Paul (CIV); Haas, Alexander (CIV); [redacted] Hunt,  
 Jody (CIV)  
 Cc: O'Quinn, John (CIV); Bondy, Thomas (CIV); Letter, Douglas (CIV); Coppolino, Tony (CIV)  
 Subject: RE: [redacted] b-5 b-3 b-3 b-3 b-5

[redacted] b-5 b-3  
 [redacted] b-3  
 [redacted] b-5  
 [redacted] b-3  
 [redacted] can

Tony

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

From: Nichols, Carl  
 Sent: Monday, June 23, 2008 3:59 PM b-6  
 To: Coppolino, Tony (CIV); Freeborne, Paul (CIV); Haas, Alexander (CIV); [redacted]  
 [redacted] Hunt, Jody (CIV)  
 Cc: O'Quinn, John (CIV)

Subject: Re: [redacted] b-5

[redacted] b-5

16

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

From: Coppolino, Tony (CIV)  
To: Nichols, Carl; Freeborne, Paul (CIV); Haas, Alexander (CIV); [redacted] b-6 Hunt,  
Jody (CIV)  
Cc: O'Quinn, John (CIV)  
Sent: Mon Jun 23 15:57:43 2008  
Subject: RE: [redacted] b-5

b-3 b-5

b-5

[redacted]

TC

From: Nichols, Carl  
Sent: Monday, June 23, 2008 3:24 PM  
To: Freeborne, Paul (CIV); Haas, Alexander (CIV); Coppolino, Tony (CIV); [redacted] b-6  
Hunt, Jody (CIV)  
Cc: O'Quinn, John (CIV)  
Subject: RE: [redacted] b-5

b-6

b-5

[redacted]

b-3 b-5

From: Freeborne, Paul (CIV)  
Sent: Monday, June 23, 2008 12:04 PM  
To: Haas, Alexander (CIV); Coppolino, Tony (CIV); Nichols, Carl; [redacted] b-6 Hunt,  
Jody (CIV)  
Cc: O'Quinn, John (CIV)  
Subject: RE: [redacted] b-5

[redacted]

Paul G. Freeborne  
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Fax. (202) 616-8460

From: Haas, Alexander (CIV) b-6  
Sent: Monday, June 23, 2008 11:46 AM  
To: Coppolino, Tony (CIV); Nichols, Carl; [redacted] Freeborne, Paul (CIV); Hunt,  
Jody (CIV)  
Cc: O'Quinn, John (CIV)  
Subject: RE: [redacted] b-5

b-5 [redacted] b-3 b-6 17

b-6

From: Coppolino, Tony (CIV)  
Sent: Monday, June 23, 2008 11:45 AM  
To: Coppolino, Tony (CIV); Nichols, Carl; [redacted] Haas, Alexander (CIV);  
Freeborne, Paul (CIV); Hunt, Jody (CIV)  
Cc: O'Quinn, John (CIV)  
Subject: [redacted] b-5

b-6

b-5 b-3 b-5

[redacted]

Tony C.

From: Coppolino, Tony (CIV)  
Sent: Thursday, June 19, 2008 3:55 PM  
To: Coppolino, Tony (CIV); Nichols, Carl; [redacted] Haas, Alexander (CIV);  
Freeborne, Paul (CIV); Hunt, Jody (CIV)  
Subject: RE: WP Article on Immunity Deal 061908

b-6

b-3

[redacted]

b-5

Tony

Not Responsive

[redacted]

b-6  
[Redacted]

18

**From:** Freeborne, Paul (CIV)  
**Sent:** Monday, June 23, 2008 12:04 PM  
**To:** Haas, Alexander (CIV); Coppolino, Tony (CIV); Nichols, Carl; [Redacted] Hunt, Jody (CIV)  
**Cc:** O'Quinn, John (CIV)  
**Subject:** RE: [Redacted] b-5

[Redacted]

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Washington, D.C. 20001  
Tel. (202) 353-0543  
Fax. (202) 616-8460

**From:** Haas, Alexander (CIV)  
**Sent:** Monday, June 23, 2008 11:46 AM  
**To:** Coppolino, Tony (CIV); Nichols, Carl; [Redacted] Freeborne, Paul (CIV); Hunt, Jody (CIV)  
**Cc:** O'Quinn, John (CIV)  
**Subject:** RE: [Redacted] b-5

b-5  
b-6 [Redacted] b-3 b-6

**From:** Coppolino, Tony (CIV)  
**Sent:** Monday, June 23, 2008 11:45 AM  
**To:** Coppolino, Tony (CIV); Nichols, Carl; [Redacted] Haas, Alexander (CIV); Freeborne, Paul (CIV); Hunt, Jody (CIV)  
**Cc:** O'Quinn, John (CIV)  
**Subject:** [Redacted] b-5

b-5  
b-5 [Redacted] b-3 b-5

Tony C.

**From:** Coppolino, Tony (CIV)  
**Sent:** Thursday, June 19, 2008 3:55 PM  
**To:** Coppolino, Tony (CIV); Nichols, Carl; [Redacted] Haas, Alexander (CIV); Freeborne, Paul (CIV); Hunt, Jody (CIV)  
**Subject:** RE: [Redacted] b-5

b-5

b-5

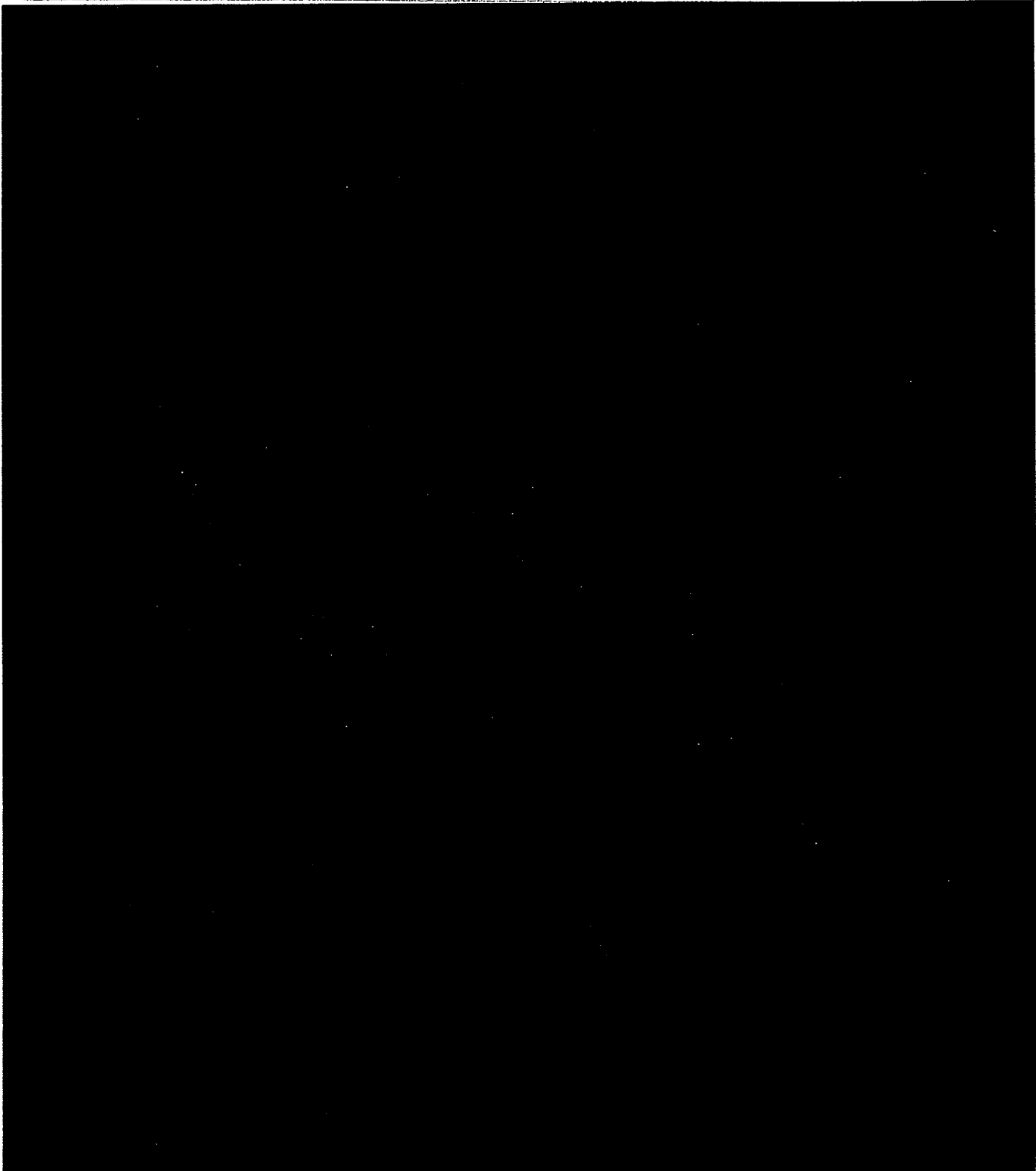
b-3

b-5

19

Tony

Not Responsive



b-6

20

From: Nichols, Carl  
 Sent: Monday, June 23, 2008 3:59 PM  
 To: Coppolino, Tony (CIV); Freeborne, Paul (CIV); Haas, Alexander (CIV); [REDACTED]  
 Hunt, Jody (CIV)  
 Cc: O'Quinn, John (CIV)  
 Subject: Re: [REDACTED] b-5

b-6

[REDACTED] b-5

----- Original Message -----  
 From: Coppolino, Tony (CIV)  
 To: Nichols, Carl; Freeborne, Paul (CIV); Haas, Alexander (CIV); [REDACTED] Hunt,  
 Jody (CIV)  
 Cc: O'Quinn, John (CIV)  
 Sent: Mon Jun 23 15:57:43 2008  
 Subject: RE: [REDACTED] b-5

b-6

b-6 [REDACTED]  
 b-5 [REDACTED]

TC

From: Nichols, Carl  
 Sent: Monday, June 23, 2008 3:24 PM  
 To: Freeborne, Paul (CIV); Haas, Alexander (CIV); Coppolino, Tony (CIV); [REDACTED] Hunt, Jody (CIV)  
 Cc: O'Quinn, John (CIV)  
 Subject: RE: [REDACTED] b-5

b-6

b-6 [REDACTED]  
 b-5 [REDACTED]  
 b-5 [REDACTED]  
 b-5 [REDACTED]

From: Freeborne, Paul (CIV)  
 Sent: Monday, June 23, 2008 12:04 PM  
 To: Haas, Alexander (CIV); Coppolino, Tony (CIV); Nichols, Carl; [REDACTED] Hunt,  
 Jody (CIV)  
 Cc: O'Quinn, John (CIV)  
 Subject: RE: [REDACTED] b-5

b-6

[REDACTED] b-5

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Kovakas - Declaration  
 Document 11

From: Haas, Alexander (CIV) 21  
Sent: Monday, June 23, 2008 11:46 AM b-6  
To: Coppolino, Tony (CIV); Nichols, Carl; [REDACTED] Freeborne, Paul (CIV); Hunt, Jody (CIV)  
Cc: O'Quinn, John (CIV)  
Subject: RE: [REDACTED] b-5

b-5 [REDACTED] b-3 b-6  
b-6 [REDACTED]

From: Coppolino, Tony (CIV)  
Sent: Monday, June 23, 2008 11:45 AM b-6  
To: Coppolino, Tony (CIV); Nichols, Carl; [REDACTED] Haas, Alexander (CIV); Freeborne, Paul (CIV); Hunt, Jody (CIV)  
Cc: O'Quinn, John (CIV)  
Subject: [REDACTED] b-5

b-5 [REDACTED] b-3 b-5  
[REDACTED]

Tony C.

From: Coppolino, Tony (CIV)  
Sent: Thursday, June 19, 2008 3:55 PM b-6  
To: Coppolino, Tony (CIV); Nichols, Carl; [REDACTED] Haas, Alexander (CIV); Freeborne, Paul (CIV); Hunt, Jody (CIV)  
Subject: RE: [REDACTED] b-5

b-5 [REDACTED] b-3 b-6  
b-5 [REDACTED]

Tony

Not Responsive

[REDACTED]

b-6  
[Redacted]

88

**From:** O'Quinn, John (CIV)  
**Sent:** Monday, June 23, 2008 2:10 PM  
**To:** Freeborne, Paul (CIV); Haas, Alexander (CIV); Coppolino, Tony (CIV); Nichols, Carl; b-6  
b-6 [Redacted] Hunt, Jody (CIV)  
**Subject:** RE: Immunity Legislation

Greg and I will be meeting with Lamberth on Wednesday morning, but you should feel free to go ahead without me.

**From:** Freeborne, Paul (CIV)  
**Sent:** Monday, June 23, 2008 12:04 PM  
**To:** Haas, Alexander (CIV); Coppolino, Tony (CIV); Nichols, Carl; b-6 [Redacted] Hunt, Jody (CIV)  
**Cc:** O'Quinn, John (CIV)  
**Subject:** RE: [Redacted] b-5

[Redacted] b-5

Paul G. Freeborne  
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Fax. (202) 616-8460

**From:** Haas, Alexander (CIV)  
**Sent:** Monday, June 23, 2008 11:46 AM  
**To:** Coppolino, Tony (CIV); Nichols, Carl; [Redacted] Freeborne, Paul (CIV); Hunt, Jody (CIV)  
**Cc:** O'Quinn, John (CIV)  
**Subject:** RE: [Redacted] b-5

Dup.

b-5  
b-6 [Redacted] b-3 b-6

**From:** Coppolino, Tony (CIV)  
**Sent:** Monday, June 23, 2008 11:45 AM  
**To:** Coppolino, Tony (CIV); Nichols, Carl; [Redacted] Haas, Alexander (CIV); Freeborne, Paul (CIV);  
Hunt, Jody (CIV)  
**Cc:** O'Quinn, John (CIV)  
**Subject:** [Redacted] b-5

b-6 [Redacted] b-3 b-5  
b-5 [Redacted]

7/11/2008

Kovakas - Declaration

Document 12

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