

From: Axelrod, Matthew (ODAG)
To: Pope, Amy (CRM)
Sent: 3/31/2011 12:23:44 AM
Subject: RE: Mexican HVT defendant in NDIL filed a notice of public authority defense

Thanks.

From: Pope, Amy (CRM)
Sent: Wednesday, March 30, 2011 8:14 PM
To: Axelrod, Matthew (ODAG)
Subject: Fw: Mexican HVT defendant in NDIL filed a notice of public authority defense

FYI

Amy E. Pope | U.S. Department of Justice | Deputy Chief of Staff and Counselor to the Assistant Attorney General | Criminal Division | ☎ (202) 514-0770

From: McMillen, Jerold
To: Swartz, Bruce; Lurie, Adam; Pope, Amy; Sweeney, Laura (SMO)
Cc: Warlow, Molly; Garcia, Anthony; Snyder, Christopher A (Mexico City) <SnyderCA@state.gov>; Ryan, Monica; Rodriguez, Mary
Sent: Wed Mar 30 19:59:58 2011
Subject: Mexican HVT defendant in NDIL filed a notice of public authority defense

OIA recently learned that HVT Vicente Zambada Niebla (son of CPOT Ismael Zambada Garcia, alias "El Mayo" and close associate of CPOT "Chapo" Guzman), who was extradited from Mexico to face drug trafficking charges in NDIL, filed a notice of a public authority defense. The Mexican press has picked up on this issue, and has run with a story that Zambada Niebla is claiming that the U.S. government, including DEA, FBI, and ICE agents, were complicit in his drug trafficking activities in Mexico and elsewhere. The link to the Mexican press story, with the headline "El Vicentillo: Mas rapido y mas furioso" (More fast and more furious) is pasted below. The public authority defense filing is attached to this email.

[http://www.vanguardia.com.mx/el_vicentillo: mas rapido y mas furioso%E2%80%A6-684413.html#](http://www.vanguardia.com.mx/el_vicentillo:_mas_rapido_y_mas_furioso%E2%80%A6-684413.html#)

There was a status conference in NDIL this afternoon on the Zambada Niebla case. The public authority issue was not discussed in open court and a next status date was set for June 15. We spoke with the lead AUSA who told us that they had no idea the defense was going to file the notice, especially since they have been in negotiations since Zambada Niebla arrived in the U.S. regarding a potential cooperation agreement. The defendant has five attorneys, who apparently don't all agree on a coordinated defense strategy.

The AUSA also reported that there has not been any mainstream media coverage of the public authority defense issue, and a quick Google search only reveals a US-based blog that mentions the Mexican press coverage. However, according to the AUSA, there were two reporters from the Spanish-language press in the courtroom today, and their press office has received one press inquiry from a media outlet in Sinaloa.

Given the issues we're dealing with regarding Operation "Fast and Furious" issues:

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Please let us know if you have any questions or want us to follow up with the Embassy or NDIL on any further issues.

Jerry