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**From:** McMillen, Jerold  
**To:** Blanco, Kenneth; Cobar, Marlon; Wyatt, Arthur  
**Sent:** 3/31/2011 1:51:58 AM  
**Subject:** Re: Fw: Mexican HVT defendant in NDIL filed a notice of public authority defense

Yes!

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

From: Blanco, Kenneth  
To: Cobar, Marlon; Wyatt, Arthur  
Cc: McMillen, Jerold  
Sent: Wed Mar 30 21:12:46 2011  
Subject: RE: Fw: Mexican HVT defendant in NDIL filed a notice of public authority defense

I agree. Hey Jerry, do you still have that pole in your office?

Sent with Good (www.good.com)

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

From: Cobar, Marlon  
Sent: Wednesday, March 30, 2011 08:57 PM Eastern Standard Time  
To: Blanco, Kenneth; Wyatt, Arthur  
Cc: McMillen, Jerold  
Subject: Re: Fw: Mexican HVT defendant in NDIL filed a notice of public authority defense

Just consulted with Jerry (he's still at the office working through the night!). At this point, it does not appear that Zambada's filing is related to OCG. However, his initial public authority filing under Rule 12 only needs to allege a minimum amount of facts. Aside from that, I doubt Sinaloa was involved in Gulf's assistance to OCG during Cazadores. Will keep you posted, however.

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

From: Blanco, Kenneth  
To: Wyatt, Arthur; Cobar, Marlon  
Sent: Wed Mar 30 20:39:08 2011  
Subject: FW: Fw: Mexican HVT defendant in NDIL filed a notice of public authority defense

Marlon, can this be related to OC in any way? I don't think it is but based on what you know what do you think?

Sent with Good (www.good.com)

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

From: Pope, Amy  
Sent: Wednesday, March 30, 2011 08:13 PM Eastern Standard Time  
To: Raman, Mythili; Weinstein, Jason; Blanco, Kenneth  
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

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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.

**DP**

Jerry