

From: McMillen, Jerold
To: Wyatt, Arthur; Blanco, Kenneth; Fruchterman, George; Cobar, Marlon
CC: Ryan, Monica
Sent: 3/31/2011 1:17:28 PM
Subject: RE: Mexican HVT defendant in NDIL filed a notice of public authority defense

Looping in Monica who covers NDIL for our team and who has also discussed this matter at some length with the lead AUSA yesterday evening. She was told the same as Bob.

DEA Mexico may be another source of info. as to what's behind the claim.

Jerry

From: Wyatt, Arthur
Sent: Thursday, March 31, 2011 9:17 AM
To: Blanco, Kenneth; Fruchterman, George; McMillen, Jerold; Cobar, Marlon
Subject: RE: Mexican HVT defendant in NDIL filed a notice of public authority defense

Bob is getting us an answer.

From: Blanco, Kenneth
Sent: Thursday, March 31, 2011 9:14 AM
To: Wyatt, Arthur; Fruchterman, George; McMillen, Jerold; Cobar, Marlon
Subject: RE: Mexican HVT defendant in NDIL filed a notice of public authority defense

ODAG wants to know the basis for the PA defense. We need to call the AUSA back and get that information.

Kenneth A. Blanco
Deputy Assistant Attorney General

From: Wyatt, Arthur
Sent: Thursday, March 31, 2011 9:04 AM
To: Blanco, Kenneth; Fruchterman, George; McMillen, Jerold; Cobar, Marlon
Subject: RE: Mexican HVT defendant in NDIL filed a notice of public authority defense

Bob Cryne reached out to the AUSA, and below is his response. In light of this response,

DP

DP

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

From: Cryne, Robert
Sent: Thursday, March 31, 2011 8:25 AM
To: Fruchterman, George
Subject: RE: Fw: Mexican HVT defendant in NDIL filed a notice of public authority defense

George:

First thing this morning, I called and spoke with the lead AUSA Tom Shakeshaft (NDIL) at home about this. He is fully aware of it and asked [DP] He advised me of several things:

DP

DP

DP

Bob

ROBERT FRANCIS CRYNE
Trial Attorney
Special Operations Division
U. S. Dept. of Justice
14560 Avion Parkway
Chantilly, Virginia 20151
Office: 703-488-4694
FAX: 703-488-4640
BB Cell: 202-257-5112

From: Blanco, Kenneth
Sent: Thursday, March 31, 2011 8:52 AM
To: Wyatt, Arthur; Fruchterman, George; McMillen, Jerold; Cobar, Marlon
Subject: FW: Mexican HVT defendant in NDIL filed a notice of public authority defense

Gets, please see below. ODAG wants us to run this down and find out as much as we can. Please coordinate among you how to do this.

Kenneth A. Blanco
Deputy Assistant Attorney General

From: Raman, Mythili
Sent: Thursday, March 31, 2011 7:52 AM
To: Johnston, Deborah A. (ODAG) (SMO); Goldberg, Stuart (ODAG) (SMO); 'DJohnston@usa.doj.gov'; Axelrod, Matthew (ODAG) (SMO); Wilkinson, Monty (OAG) (SMO)
Cc: Blanco, Kenneth
Subject: Re: Mexican HVT defendant in NDIL filed a notice of public authority defense

Yes, we're trying to run down the details.

From: Johnston, Deborah A. (ODAG) <Deborah.A.Johnston@usdoj.gov>
To: Raman, Mythili; Goldberg, Stuart (ODAG) (SMO); Johnston, Deborah (USAMD) <DJohnston@usa.doj.gov>; Axelrod, Matthew (ODAG) (SMO); Wilkinson, Monty (OAG) (SMO)
Cc: Blanco, Kenneth
Sent: Thu Mar 31 07:48:06 2011
Subject: Re: Mexican HVT defendant in NDIL filed a notice of public authority defense

Has crim reached out to the USAO, and the LEAs for details?

Debbie

From: Raman, Mythili (CRM)
Sent: Wednesday, March 30, 2011 08:34 PM
To: Goldberg, Stuart (ODAG); Johnston, Deborah A. (ODAG); Johnston, Deborah (USAMD); Axelrod, Matthew (ODAG); Wilkinson, Monty (OAG)
Cc: Blanco, Kenneth (CRM)
Subject: Fw: Mexican HVT defendant in NDIL filed a notice of public authority defense

DOJ-FF-20426

FYI, thought you should see this, given our recent discussions re Osiel Cardenas.

From: Pope, Amy
To: Raman, Mythili; Weinstein, Jason; Blanco, Kenneth
Sent: Wed Mar 30 20:13:05 2011
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%A6684413.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