

---

**From:** Axelrod, Matthew (ODAG)  
**To:** Colborn, Paul P (SMO); Burton, Faith (SMO)  
**Sent:** 5/4/2011 9:28:32 PM  
**Subject:** FW: Wide Receiver  
**Attachments:** AZ Star Article re ATF Emails.pdf; Def Motion for Brady Material.pdf; Def MTD Pre-Indictment Delay.pdf; Opp MTD Pre-Indictment Delay.wpd; Order Denying MTD.pdf; Rsp to Motion for Brady Material 5.3.11.wpd

An example of how the public release of docs is being used by defense attorneys in other cases.

---

**From:** [REDACTED] (USAAZ)  
**Sent:** Wednesday, May 04, 2011 4:35 PM  
**To:** Burke, Dennis (USAAZ); Scheel, Ann (USAAZ); Axelrod, Matthew (ODAG)  
**Cc:** Morrissey, Mike (USAAZ)  
**Subject:** Wide Receiver

Dennis, Matt and Colleagues:

A defense attorney has made some use of the media or [REDACTED] ATF emails in a separate case from Fast and Furious. In this Tucson investigation the defendant Mendez has made a Brady motion alleging that there are communications between ATF and gun dealers encouraging them to sell guns to suspected members of drug cartels. Our response, filed by Laura Gwinn from the Criminal Division's Gang unit, makes clear this Tucson case was investigated in 2007 and thus, "The agent whose e-mail is excerpted: [REDACTED] ATF did not even arrive in Phoenix until December 2009, more than two years after the last overt act of the instant indictment."

---

**From:** Gwinn, Laura (CRM)  
**Sent:** Wednesday, May 04, 2011 11:29 AM  
**To:** Clemens, Shelley (USAAZ)  
**Cc:** [REDACTED] ATF (USAAZ); Trusty, James (CRM); Jaffe, David (CRM)  
**Subject:** Wide Receiver

Shelley,

I am in Tucson this week, but up in PHX this morning and met with [REDACTED] ATF. He suggested you may want to be aware of a couple of the motions that have been filed in Wide Receiver and our responses. I apologize for not thinking of keeping you in the loop on these. A Motion for Brady Material and our response is attached; also a Motion to Dismiss (pre-trial delay) and our response. J. Bury has denied the MTD.

Patrick also suggested you and I should talk this week about some aspects of WR. I will be back down in Tucson this afternoon thru Friday around 1130 (I think my flight is around 130 or 145PM), if you are available.

*Laura Gwinn  
Dept of Justice Criminal Division  
Organized Crime & Gang Section  
1301 New York Avenue 7th Floor  
Washington, DC 20005  
(202) 262-6763 (C)*