



Terry Goddard
Attorney General

Office of the Attorney General
State of Arizona

Criminal Division

September 25, 2009

Paul J. Orfanedes
Director of Litigation
JUDICIAL WATCH, INC.
501 School Street, SW
Suite 725
Washington, DC 20024

James P. Abdo
Napier, Abdo, Coury & Baille, PC
c/o JUDICIAL WATCH, INC.
501 School Street, SW
Suite 725
Washington, DC 20024

Dear Mr. Orfaedes and Mr. Abdo:

This office is in receipt of your letter of August 27, 2009 in which you request that we undertake action with regard to pension benefits being paid to the Phoenix Public Safety Manager, Jack Harris. Your letter alleges that such payments violate A.R.S. § 38-849(D), and you have indicated that in the event the Attorney General's Office does not bring an action challenging these payments, your organization is prepared to do so.

As you are likely aware, the Attorney General's Office has been subject to severe cuts over the last 18 months. These cuts have forced significant staff reductions that in turn force us to carefully evaluate the litigation our office undertakes.

We make no judgment about the legitimacy of your claims about violations of Arizona law, but given our limited resources and your organization's stated intent to pursue these claims in court, we believe our resources can be better used to address other matters of concern to our citizens. Accordingly, this letter will serve as notice that we will decline action on this matter.

Paul J. Orfanedes
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Nevertheless, we thank you for bringing this matter to our attention.

Sincerely,

A handwritten signature in cursive script that reads "Donald E. Conrad". The signature is written in black ink and is positioned above the typed name.

Donald E. Conrad
Division Chief Counsel
Criminal Division

DEC:lsr

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