



U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

May 19, 2015

Via Electronic Delivery

Ramona Raula Cotca, Esq.
Kate Bailey
Judicial Watch
425 Third Street, SW, Suite 800
Washington, DC 20024
rcotca@judicialwatch.org

Re: CRM-300444674
PR3:GIS8

Dear Ms. Cotca:

This letter serves as the fourth installment of the Criminal Division's rolling production in Judicial Watch, Inc. v. U.S. Department of Justice, 14-cv-1239, (D.D.C.), pursuant to the Meet and Confer Report filed September 23, 2014. Your request seeks records concerning meetings and/or communications between the Department of Justice Criminal Division Public Integrity Section and the Internal Revenue Service Tax Exempt and Government Entities Division, the White House, Members of Congress and/or congressional staff, and any non-government entity, regarding 501(c)(4) or other tax-exempt organizations.

After carefully reviewing 413 pages of records, this Office has determined that forty pages are appropriate for release with excisions and that 373 pages be withheld in full pursuant to:

5 U.S.C. § 552(b)(5), which concerns certain inter- and intra-agency communications protected by the attorney-work product and deliberative process privileges;

5 U.S.C. § 552(b)(6), which concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties; and

5 U.S.C. § 552(b)(7)(C), which concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties.

An additional 166 pages of reviewed records originated with the Federal Bureau of Investigation, an additional 150 pages originated with the Internal Revenue Service, and an additional seven pages originated with the Treasury Inspector General for Tax Administration. In accordance with 28 C.F.R. § 16.4(c) (2014), this Office has referred that material to those

agencies for processing and response to you. If you have any questions regarding these referrals, you may contact those agencies at the following:

David M. Hardy, Chief
Record/Information Dissemination Section
Records Management Division
Federal Bureau of Investigation
170 Marcel Drive
Winchester, VA 22602-4843
Tel: (540) 868-4500
Fax: (540) 868-4997
foiparequest@ic.fbi.gov

Amy P. Jones
Office of the Chief Counsel, Disclosure Branch
Treasury Inspector General for Tax Administration
1401 H Street NW, Suite 469
Washington, DC 20005
Tel: (202) 622-4068
Fax: (202) 622-3339
FOIA.Reading.Room@tigta.treas.gov

Rhonda O'Reilly, FOIA Contact
Internal Revenue Service
HQ FOIA Stop 211
P.O. Box 621506
Atlanta, GA 30362-3006
Tel: (860) 756-4673
Fax: (860) 807-9215

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all requesters and should not be taken as an indication that excluded records do, or do not, exist.

Although I am aware that your request is the subject of ongoing litigation and that appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to an administrative appeal of this determination. Your appeal must be in writing and addressed to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001. Your appeal must be postmarked or transmitted electronically within sixty days from the date of this

letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Courter", with a stylized flourish at the end.

Kenneth Courter
Chief
FOIA/PA Unit

Enclosures

cc: Bradley Cohen, Esq.
U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
Bradley.Cohen@usdoj.gov

Document ID: 0.7.300.19316

(b)(6), (7)(C) From: [REDACTED]
</o=crm/ou=wash/cn=recipients/cn=users/cn=pin/cn=[REDACTED]>
To: [REDACTED] (FBI) (b)(6), (7)(C) per FBI
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>
Cc:
Bcc:
Subject: Fw: DATA FORMAT ISSUE -- TIME SENSITIVE
Date: Tue Oct 05 2010 20:00:51 EDT
Attachments:

This is incoming data re 501c4 issues. Does FBI have a format preference?

(b)(6), (7)(C) [REDACTED] Election Crimes Branch &
Senior Trial Attorney
Public Integrity Section
Criminal Division
United States Department of Justice
Washington, D.C. 20530

(b)(6), (7)(C) [REDACTED]
202/514-3003 (f)

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(b)(6), (7)(C) From: Lerner Lois G <Lois.G.Lerner@irs.gov>
To: [REDACTED]
Cc: Lerner Lois G <Lois.G.Lerner@irs.gov>; Whitaker Sherry L <Sherry.L.Whitaker@irs.gov>
Sent: Tue Oct 05 17:52:04 2010
Subject: DATA FORMAT ISSUE -- TIME SENSITIVE

In checking with my folks on getting you the disks we spoke about, I was asked the following:

Before we can get started do you know if they would like the images in Alchemy or Raw format?

The difference is, Alchemy you need to search on one of the 5 index fields where Raw format, you load into your on software and you can do what ever you want to with it.

If you're like me, you don't know the answer. But, if you can check and get back to me Wednesday, we can get started and have these in about 2 weeks. If we don't have the information by tomorrow, it will take longer as there are other priorities in line. Please cc Sherry Whitaker on your response as she is likely to see your response before I do. Thanks

Lois G. Lerner
Director, Exempt Organizations

Document ID: 0.7.300.19375

From: Whitaker Sherry L
<sherry.l.whitaker@irs.gov>
To: (b)(6), (7)(C) </o=crm/ou=wash/cn=recipients/cn=users/cn=pin/cn=[REDACTED]>
Cc: (b)(6), (7)(C) [REDACTED] (FBI) (b)(6), (7)(C) per FBI
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>; [REDACTED]
</o=crm/ou=wash/cn=recipients/cn=users/cn=pin/cn=[REDACTED]>
Bcc:
Subject: RE: Address for 501 data
Date: Thu Oct 07 2010 10:48:54 EDT
Attachments:

Thanks

Sherry L. Whitaker, Manager

SE:T:BSP:SPP

Office Phone - 801-620-5045

Fax - 801-620-5088

Cell - [REDACTED] (b)(6) per IRS

TOD: Monday - Thursday 6:00 am - 4:30 pm (MT)

Sherry.L.Whitaker@irs.gov

Life isn't about waiting for the storm to pass, It's about learning to dance in the rain

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov]
Sent: Thursday, October 07, 2010 8:47 AM
To: Whitaker Sherry L (b)(6), (7)(C) per FBI
(b)(6), (7)(C) Cc: [REDACTED] (FBI); [REDACTED]
Subject: Address for 501 data

Please forward the properly available IRS 501 filing data to -

SSA [REDACTED] (b)(6), (7)(C) per FBI

FBI

935 Pennsylvania Ave NW
Room 3973
Washington, DC 20535

Thanks very much.

From: Lerner Lois G [mailto:Lois.G.Lerner@irs.gov]
Sent: Tuesday, October 05, 2010 5:52 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: Lerner Lois G; Whitaker Sherry L
Subject: DATA FORMAT ISSUE -- TIME SENSITIVE

In checking with my folks on getting you the disks we spoke about, I was asked the following:

Before we can get started do you know if they would like the images in Alchemy or Raw format?

The difference is, Alchemy you need to search on one of the 5 index fields where Raw format, you load into your on software and you can do what ever you want to with it.

If you're like me, you don't know the answer. But, if you can check and get back to me Wednesday, we can get started and have these in about 2 weeks. If we don't have the information by tomorrow, it will take longer as there are other priorities in line. Please cc Sherry Whitaker on your response as she is likely to see your response before I do. Thanks

Lois G. Lerner

Director, Exempt Organizations

Document ID: 0.7.300.19668

From: [REDACTED]

To: [REDACTED]

(b)(6), (7)(C)

</o=crm/ou=wash/cn=recipients/cn=users/cn=pin/cn=[REDACTED]>

Cc: [REDACTED] (FBI) (b)(6), (7)(C) per FBI

</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>

Bcc:

Subject: Re: DATA FORMAT ISSUE -- TIME SENSITIVE

Date: Thu Oct 07 2010 10:48:42 EDT

Attachments:

(b)(6), (7)(C) per FBI

[REDACTED] - [REDACTED] will be attending the IRS meeting with you tomorrow in my absence.

(b)(6), (7)(C)

[REDACTED] (b)(6), (7)(C) per FBI

(b)(6), (7)(C)

From: [REDACTED]@usdoj.gov>

To: [REDACTED]

Sent: Thu Oct 07 10:44:23 2010

Subject: RE: DATA FORMAT ISSUE -- TIME SENSITIVE

Got it—20535. See, the prsctrs can investigate too

From: [REDACTED] (b)(6), (7)(C) per FBI

Sent: Wednesday, October 06, 2010 6:03 PM

(b)(6), (7)(C)

To: [REDACTED]

Subject: Re: DATA FORMAT ISSUE -- TIME SENSITIVE

935 Pennsylvania Ave NW
Room 3973
Washington, DC

I need to get the zip for you

(b)(6), (7)(C)

From: [REDACTED]@usdoj.gov>

To: [REDACTED] (b)(6), (7)(C) per FBI

Sent: Wed Oct 06 17:55:41 2010

Subject: FW: DATA FORMAT ISSUE -- TIME SENSITIVE

[REDACTED] can you respond with your address?

(b)(6), (7)(C) per FBI

From: Lerner Lois G [mailto:Lois.G.Lerner@irs.gov]

Sent: Wednesday, October 06, 2010 4:34 PM

To: Whitaker Sherry L; [REDACTED]

(b)(6), (7)(C)

Cc: [REDACTED]; [REDACTED] (FBI) (b)(6), (7)(C) per FBI

Subject: RE: DATA FORMAT ISSUE -- TIME SENSITIVE

Thanks guys

Lois G. Lerner

Director, Exempt Organizations

From: Whitaker Sherry L

Sent: Wednesday, October 06, 2010 2:11 PM

To: [REDACTED] (b)(6), (7)(C) per FBI

(b)(6), (7)(C)

Cc: [REDACTED]; [REDACTED] (FBI); Lerner Lois G

Subject: RE: DATA FORMAT ISSUE -- TIME SENSITIVE

Raw format it will be. Please send me the address that you would like the DVDs sent to.

Thanks

Sherry L. Whitaker, Manager

SE:T:BSP:SPP

Office Phone - 801-620-5045

Fax - 801-620-5088

Cell - [REDACTED] (b)(6) per IRS

TOD: Monday - Thursday 6:00 am - 4:30 pm (MT)

Sherry.L.Whitaker@irs.gov

Life isn't about waiting for the storm to pass It's about learning to dance in the rain

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov]
Sent: Wednesday, October 06, 2010 12:05 PM
To: Lerner Lois G
(b)(6), (7)(C) Cc: Whitaker Sherry L; [REDACTED]; [REDACTED] (FBI) (b)(6), (7)(C) per FBI
Subject: RE: DATA FORMAT ISSUE -- TIME SENSITIVE

Thanks Lois – FBI says Raw format is best because they can put it into their systems like excel.

(b)(6), (7)(C) From: Lerner Lois G [mailto:Lois.G.Lerner@irs.gov]
Sent: Tuesday, October 05, 2010 5:52 PM
To: [REDACTED]
Cc: Lerner Lois G; Whitaker Sherry L
Subject: DATA FORMAT ISSUE -- TIME SENSITIVE

In checking with my folks on getting you the disks we spoke about, I was asked the following:

Before we can get started do you know if they would like the images in Alchemy or Raw format?

The difference is, Alchemy you need to search on one of the 5 index fields where Raw format, you load into your on software and you can do what ever you want to with it.

If you're like me, you don't know the answer. But, if you can check and get back to me Wednesday, we can get started and have these in about 2 weeks. If we don't have the information by tomorrow, it will take longer as there are other priorities in line. Please cc Sherry Whitaker on your response as she is likely to see your response before I do. Thanks

Lois G. Lerner

Director, Exempt Organizations

(b)(6), (7)(C) From: [REDACTED]
To: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
[REDACTED]>; [REDACTED]@tigta.treas.gov
<[REDACTED]@tigta.treas.gov>
(b)(6), (7)(C) Cc: [REDACTED]
Bcc: [REDACTED]
(b)(6), (7)(C) Subject: RE: [REDACTED]
Date: Tue Aug 06 2013 07:19:51 EDT
Attachments: image001.jpg

(b)(6), (7)(C) Dear [REDACTED]; [REDACTED] put [REDACTED] in touch with me yesterday and [REDACTED] agreed with the letter and said our client had the "green light" to proceed as long as a TIGTA agent was present or conducting the interview. [REDACTED] was to talk with [REDACTED] and will advise after [REDACTED] does so.

Thanks, [REDACTED]

(b)(6), (7)(C)

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(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, August 05, 2013 12:04 PM
To: [REDACTED]; [REDACTED]@tigta.treas.gov
Subject: Re: [REDACTED]

(b)(6), (7)(C) That's right, but given that [REDACTED] is cc'd on the letter, I told [REDACTED] to just give you [REDACTED] phone number in case you have questions. Sorry for the confusion. We'll ask [REDACTED] to call you.

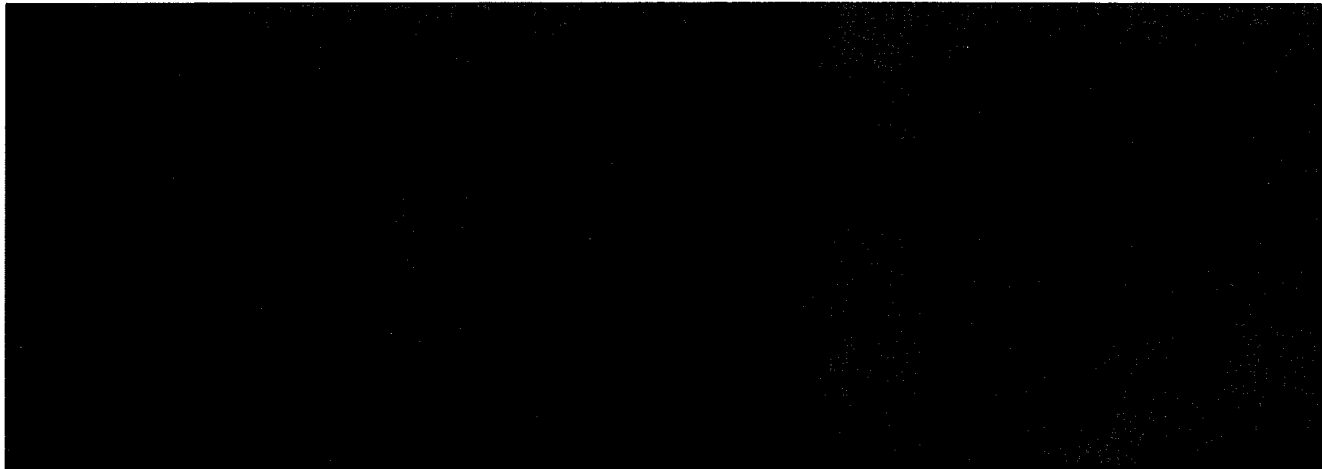
(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, August 05, 2013 12:00 PM Eastern Standard Time
To: [REDACTED] TIGTA <[REDACTED]@tigta.treas.gov>
Cc: [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C) Dear [REDACTED] I thought that in addition to the letter forwarded on Friday that [REDACTED], to whom [REDACTED] deferred was going to call me and confirm that the position stated in your letter was correct and that [REDACTED] was authorized to speak on Wednesday? Please see [REDACTED] E-mail to [REDACTED] from Friday at 2:49 P.M. My E-mail as to your letter neglected to raise that part of our conversation. Sorry.

(b)(6), (7)(C) Thanks, [REDACTED]
[REDACTED]

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(b)(5), (b)(6) & (7)(C)

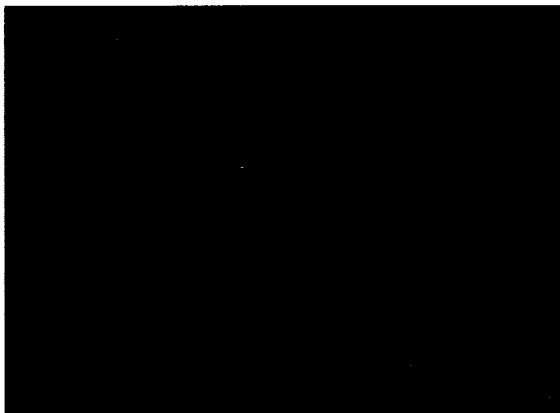


(b)(6), (7)(C) From: [REDACTED]
Sent: Thursday, August 08, 2013 2:39 PM
To: [REDACTED]
Subject: FW: [REDACTED] documents from other binder [IWOV-DMS.FID372463]

Here are the documents from the other binder. I am sorry for the delay.

(b)(6), (7)(C) From: [REDACTED]
Sent: Tuesday, July 23, 2013 7:04 AM
To: [REDACTED]
Subject: [REDACTED] documents from other binder [IWOV-DMS.FID372463]

(b)(6), (7)(C)



(b)(6), (7)(C)

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Thank You

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
(b)(6), (7)(C) [REDACTED]
Cc: [REDACTED] (CRT)
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>
Bcc:
(b)(6), (7)(C) Subject: Re: [REDACTED]
Date: Fri Aug 30 2013 16:42:55 EDT
Attachments:

(b)(6), (7)(C) I apologize; I intended to cc [REDACTED], my colleague from Civil Rights, who I told you about. [REDACTED] is cc'd here.

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, August 30, 2013 04:41 PM Eastern Standard Time
To: [REDACTED]
Subject: Re: [REDACTED]

Thank you for your email. I will forward you the authorization next week.

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, August 30, 2013 04:29 PM Eastern Standard Time
To: [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C) [REDACTED]:

(b)(6), (7)(C) Per our telephone conversation this afternoon, this is to confirm that I represent Internal Revenue Service employee [REDACTED] in matters relating to the IRS's alleged targeting of political advocacy organizations.

(b)(6), (7)(C) It is my understanding that you seek to conduct an interview of [REDACTED] in the next two or three weeks. I also understand, based on our conversation, that [REDACTED] is not a "target" of the Justice Department's investigation within the meaning of that term as defined in the U.S. Attorney's Manual. I further understand that, while [REDACTED] may technically come within the definition of "subject" as that term is broadly defined, you seek to interview [REDACTED] as a witness regarding the matters under investigation, and that you presently have no reason to believe that [REDACTED] committed any violations of law.

(b)(6), (7)(C) I will confer with my client regarding your request for an interview and get back to you as soon as possible. In the meantime, as we discussed, please provide me with an appropriate written authorization for [REDACTED] to disclose information governed by Section 6103 of the Internal Revenue Code.

Thanks and best regards,

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C)

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(b)(6), (7)(C)

CONSENT AND WAIVER FORM

I, _____, am a current or former employee of the IRS. I understand that there is a Department of Justice criminal investigation related to public allegations that IRS officials unlawfully discriminated against applicants for tax-exempt status. I understand that statements I have made in connection with my IRS employment, if induced by threat of termination or other significant adverse employment consequence, may not be used against me in any criminal investigation or proceeding under the principles announced in *Garrity v. New Jersey*, 385 U.S. 493 (1967).

I have made statements on dates prior to this Consent and Waiver Form to the U.S. Congress and its agents, committees, or functionaries, which relate to the matters under investigation (hereinafter "my prior statements"). I hereby acknowledge that my prior statements were made voluntarily and were not induced by threat of termination or other significant adverse employment consequence. Moreover, I waive any claims I may otherwise have under *Garrity* regarding my prior statements, including any argument that my prior statements (or any evidence derived from my prior statements) cannot be used against me in any criminal investigation or proceeding. I voluntarily consent to all of my prior statements being furnished to special agents of the FBI and TIGTA, as well as attorneys from the Department of Justice, to be used for any reason relevant to the pending criminal investigation and any future criminal proceeding.

By my signature below, in consultation with my attorney, I hereby voluntarily, knowingly, and intelligently give the above described consent and waive any rights I may have under *Garrity* related to my prior statements.

Printed Name_____
Signature_____
Date_____
Attorney Name_____
Attorney Signature_____
Date

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
>
To: [REDACTED]
Cc:
Bcc:
Subject: RE: Follow up
Date: Thu Sep 19 2013 13:37:51 EDT
Attachments:

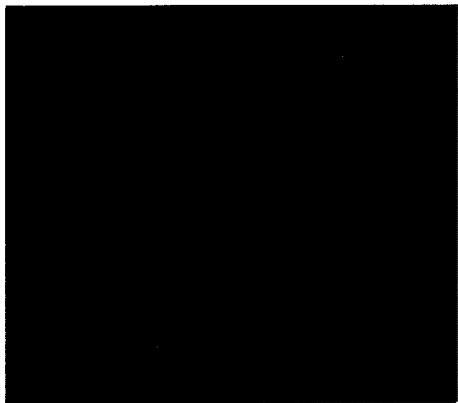
(b)(6), (7)(C) The meeting will take place in the Bond Building, located at 1400 New York Avenue, NW. The Public Integrity Section is located on the 12th Floor. You can ask for me when you check in at security. If you have any problems downstairs, you can contact me on my cell phone, [REDACTED] Also do not hesitate to call my cell phone at any point between now and then if there is anything else we need to discuss.

(b)(6), (7)(C) From: [REDACTED]
Sent: Tuesday, September 17, 2013 12:36 PM
To: [REDACTED]
Subject: RE: Follow up

Could you send address, room, other items for us to arrive prepared?

thanks,

(b)(6), (7)(C)



(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

Sent: Tuesday, September 17, 2013 12:06 PM

To: [REDACTED]

Subject: RE: Follow up

Perfect. See you then.

(b)(6), (7)(C)

From: [REDACTED]

Sent: Tuesday, September 17, 2013 12:05 PM

To: [REDACTED]

Subject: RE: Follow up

Could we begin at 9:30 am on Monday 9/23?

thanks

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, September 17, 2013 12:04 PM
To: [REDACTED]
Subject: RE: Follow up

Since sending this email, I had a scheduling issue come up that would make it preferable for us to meet in the AM; I would recommend b/w about 9 and 1. However, we can do later if necessary – please let me know what works.

(b)(6), (7)(C)

From: [REDACTED]
Sent: Monday, September 16, 2013 7:28 PM
To: [REDACTED]
Subject: RE: Follow up

(b)(6), (7)(C)

[REDACTED]

Monday, 9/23 will work. I recommend that we set aside about four hours for the interview; we are available all day – please let me know a slot that works for you. We are happy to host you here at the Bond Building. Unfortunately, I am not in a position to provide any documents to you to review before the meeting.

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

From: [REDACTED]
Sent: Monday, September 16, 2013 4:27 PM
To: [REDACTED]
Subject: RE: Follow up

(b)(6), (7)(C)

[REDACTED], Holly is available at the end of this week or Monday Sep 23. How long do you anticipate?

I also make her available based on your representation that she is not a target of your investigation.
Also do you have documents that you wish to show her or for her to review?

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Friday, September 13, 2013 4:40 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: Re: Follow up

Thanks for getting back to me. Look forward to receiving some possible dates.

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, September 13, 2013 04:38 PM Eastern Standard Time
To: [REDACTED]

Subject: RE: Follow up

(b)(6), (7)(C)

Holly will have difficulty signing the statement you sent her in that the IRS has required that she testify and cooperate under threat of termination. She of course has testified truthfully.

I will get back to you on dates.

(b)(6), (7)(C)

(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

Sent: Monday, September 09, 2013 7:54 PM

(b)(6), (7)(C)

To: [REDACTED]

Cc: [REDACTED] (CRT)

Subject: RE: Follow up

(b)(6), (7)(C)

Just wanted to follow up to see if you have any available dates. How does the week of 9/23 look?

(b)(6), (7)(C) [REDACTED]

From: [REDACTED]
Sent: Wednesday, September 04, 2013 8:13 PM
To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: Follow up

(b)(6), (7)(C)

(b)(6), (7)(C) [REDACTED]

Good speaking with you today. We look forward to meeting with you and your client, Ms. Paz. Please let us know some dates that work for you and we will go from there.

Per our conversation, please see the attached consent/waiver form pertaining to Ms. Paz's congressional interviews/testimony. We would like to review whatever transcripts we can obtain; executing this form will permit us to do so.

Also per our conversation, a representative of TIGTA will provide you with a 6103 authorization letter tomorrow.

(b)(6), (7)(C) [REDACTED]

Trial Attorney
Public Integrity Section
Criminal Division
United States Department of Justice
1400 New York Ave, NW, 12th Floor
Washington, D.C. 20005

(b)(6), (7)(C)

Ofc: [REDACTED]
Cell: [REDACTED]

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
Cc:
Bcc:
(b)(6), (7)(C) Subject: Re: IRS matter -- [REDACTED]
Date: Thu Sep 19 2013 13:52:13 EDT
Attachments:

Yes. There will be 4 or 5 of us. One from TIGTA, one or two from FBI, and me and possibly one other DOJ attorney.

(b)(6), (7)(C) From: [REDACTED]
Sent: Thursday, September 19, 2013 01:45 PM Eastern Standard Time
To: [REDACTED]
Subject: IRS matter -- [REDACTED]

(b)(6), (7)(C) [REDACTED]:

(b)(6), (7)(C) Are we confirmed for an interview of my client [REDACTED] at 9:30 a.m. on Sept. 26 at my office in [REDACTED]? If yes, how many people on your side will be coming?

Thanks --

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C)

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(b)(6), (7)(C)

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
(b)(6), (7)(C) To: [REDACTED]
<[REDACTED]>
Cc:
Bcc:
Subject: October 23 -- Confirmed
Date: Fri Sep 20 2013 10:59:51 EDT
Attachments:

(b)(6), (7)(C) [REDACTED] -

We are available on October 23 to interview Lois Lerner and are setting aside the entire day. We will come to your offices - I will let you know exactly who is coming before then. I assume we will be talking again before the 23rd; do not hesitate to contact me at any point.

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney
Public Integrity Section
Criminal Division
United States Department of Justice
1400 New York Ave, NW, 12th Floor
Washington, D.C. 20005

(b)(6), (7)(C) Ofc: [REDACTED]
Cell: [REDACTED]

(b)(5), (b)(6) & (7)(C)



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

From: [REDACTED]

Sent: Monday, September 23, 2013 02:14 PM Eastern Standard Time

(b)(6), (7)(C)

To: [REDACTED]

Cc: [REDACTED]@crt.usdoj.gov' <[REDACTED]@crt.usdoj.gov>; [REDACTED]

Subject: Re: [REDACTED]

Great - thanks.

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

From: [REDACTED]

Sent: Monday, September 23, 2013 10:53 AM Eastern Standard Time

(b)(6), (7)(C)

To: [REDACTED]

Cc: [REDACTED] (CRT) <[REDACTED]@crt.usdoj.gov>; [REDACTED]

Subject: Re: [REDACTED]

(b)(6), (7)(C)

Hi [REDACTED]

Sorry for the slow reply. Thursday works for us. Let's plan on 3 pm if that works for you. I'll let you know if we need to change that time.

Thanks,

(b)(6), (7)(C)

Sent from my iPhone

(b)(6), (7)(C)

On Sep 20, 2013, at 10:13 PM, "[REDACTED]" <[REDACTED]@usdoj.gov> wrote:

(b)(6), (7)(C)

[REDACTED] - Per our convo, can we do [REDACTED] in the afternoon on Thurs, [REDACTED] (Wed is bad for us.) We can be time flexible based on how long her appearance takes.

From: [REDACTED] (CRT) [mailto:[REDACTED]@usdoj.gov]

Sent: Friday, September 13, 2013 10:43 AM Eastern Standard Time

To

(b)(6), (7)(C)

Cc:

Subject:

(b)(6), (7)(C)

(b)(6), (7)(C)

As we discussed on Wednesday, we can be available on Tuesday, September 24, at 3:00 pm to interview [REDACTED] We will come to your office. Thanks.

(b)(6), (7)(C)

Civil Rights Division
Criminal Section

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From: [REDACTED]
To: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
(b)(6), (7)(C)
Cc: [REDACTED] (CRT)
<[REDACTED]@crt.usdoj.gov>; [REDACTED]
Bcc: [REDACTED]
(b)(6), (7)(C) Subject: RE: [REDACTED]
Date: Tue Oct 08 2013 17:32:44 EDT
Attachments:

(b)(6), (7)(C) Hi [REDACTED]

(b)(6), (7)(C) Yes—we represent [REDACTED]. Let me talk to [REDACTED] about [REDACTED] schedule and I'll get in touch with you about dates for an interview.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, October 08, 2013 10:11 AM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: [REDACTED]

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) We understand you represent [REDACTED]. We are interested in interviewing [REDACTED] in connection with our IRS investigation. Is this something [REDACTED] is amenable to and, if so, can we please slate something?

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc: [REDACTED]

(b)(6), (7)(C)

Cell: [REDACTED]

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(b)(6), (7)(C)

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]>
Cc:
Bcc:
Subject: Re: Lois Lerner
Date: Fri Oct 11 2013 14:35:54 EDT
Attachments:

Yes. I apologize if you have left me ofc messages. I will call you later this afternoon.

(b)(6), (7)(C)

From: [REDACTED]
Sent: Friday, October 11, 2013 02:20 PM Eastern Standard Time
To: [REDACTED]
Subject: Lois Lerner

Been trying to catch up with you for several reasons..can we get together Tuesday?

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C) From: [REDACTED]
To: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
Cc:
Bcc:
(b)(6), (7)(C) Subject: RE: Interview of [REDACTED]
Date: Tue Oct 15 2013 10:42:58 EDT
Attachments:

Great. We will see you then.

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, October 15, 2013 10:42 AM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

(b)(6), (7)(C) Yes – Bond at 10am. It will be DOJ (me and [REDACTED]), FBI, and TIGTA.

(b)(6), (7)(C) From: [REDACTED]
Sent: Tuesday, October 15, 2013 10:37 AM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

Yes. Will it be at the Bond Building? Also, who will be in attendance? TIGTA? Any other agencies?

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, October 15, 2013 9:31 AM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

We on for 10am tomorrow?

(b)(6), (7)(C) From: [REDACTED]
Sent: Wednesday, October 09, 2013 7:29 AM
To: [REDACTED]
Subject: Re: Interview of [REDACTED]

Let's go with the 10:00 am slot. I should be able to do an attorney proffer on Monday.

Sent wirelessly via Blackberry

(b)(6), (7)(C)

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(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Wednesday, October 09, 2013 07:03 AM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

That works – we can confirm Monday.

I suggest that we set aside a morning or an afternoon block, i.e., a four-hour block. I anticipate that will be ample to accomplish the interview (it is my hope that we can accomplish the interview in less than that). I suggest that we start at either 10 or at about 1 or 2. Whatever is more convenient for you and your client will work for us.

(b)(6), (7)(C)

If you are so inclined after you speak with [REDACTED] to the extent you can provide an attorney proffer, that may enable me to streamline the interview.

(b)(6), (7)(C)

From: [REDACTED]
Sent: Wednesday, October 09, 2013 6:55 AM
To: [REDACTED]
Subject: Re: Interview of [REDACTED]

(b)(6), (7)(C)

My client is still out of town. [REDACTED] will be back and I will be able to reach a final decision with [REDACTED] on Monday. I continue to believe that the interview will take place next Wednesday, but will confirm for you on Monday. Do you have a sense of how long it will go and what time you would like to start?

Sent wirelessly via Blackberry

(b)(6), (7)(C)

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From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

Sent: Tuesday, October 08, 2013 10:48 PM

To: [REDACTED]

Subject: RE: Interview of [REDACTED]

(b)(6), (7)(C)

(b)(6), (7)(C)

Just want to see where we are on this. Can we confirm October 16?

(b)(6), (7)(C)

From: [REDACTED]

Sent: Monday, September 30, 2013 5:41 PM

To: [REDACTED]

Subject: Re: Interview of [REDACTED]

(b)(6), (7)(C)

Sounds good. Thanks.

Sent wirelessly via Blackberry

(b)(6), (7)(C)

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(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, September 30, 2013 04:55 PM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

October 16 works for us; we're setting it aside. Why don't we tentatively plan for that day, and discuss time and any other necessary details assuming your client agrees to be interviewed?

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, September 30, 2013 4:46 PM
To: [REDACTED]
Subject: Re: Interview of [REDACTED]

(b)(6), (7)(C) For scheduling purposes, assuming [REDACTED] agrees to be interviewed, the following dates would work on our end: October 16, 21 and 22. Just let me know if one of these works for you and we can get the date on the calendar.

Sent wirelessly via Blackberry

(b)(6), (7)(C)

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(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, September 30, 2013 03:06 PM
To: [REDACTED]

(b)(6), (7)(C) Subject: Interview of [REDACTED]

[REDACTED]

(b)(6), (7)(C) Per our conversation Friday, attached please find a proffer agreement for your client, [REDACTED]. I would like to schedule an interview with [REDACTED] in the next few weeks if possible. Once you have an opportunity to speak with [REDACTED], assuming [REDACTED] is willing to meet, please let me know your availability.

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

(b)(6), (7)(C) Ofc: [REDACTED]

Cell: [REDACTED]

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
Cc:
Bcc:
(b)(6), (7)(C) Subject: Re: [REDACTED] Interview Wed
Date: Mon Oct 21 2013 14:24:13 EDT
Attachments:

Perfect - see you at 10am on Monday 11/4.

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, October 21, 2013 12:40 PM Eastern Standard Time
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Sure - 10:00 ok?

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: Monday, October 21, 2013 11:23 AM
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Yes - can we start in AM?

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, October 21, 2013 11:14 AM Eastern Standard Time
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Yes - are you all available on Monday, 11/4?

(b)(6), (7)(C) Thanks,
[REDACTED]

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: Monday, October 21, 2013 10:58 AM
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Now that the shutdown is over, any chance we can try to re-schedule?

(b)(6), (7)(C) From: [REDACTED]
Sent: Wednesday, October 02, 2013 03:54 PM Eastern Standard Time

(b)(6), (7)(C) To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Of course - no problem. Will do that and re-circulate.

(b)(6), (7)(C) From: [REDACTED]
Sent: Wednesday, October 02, 2013 02:51 PM Eastern Standard Time
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

(b)(6), (7)(C) [REDACTED]: One minor change I wanted to request in the proffer agreement before I forget about it – could you please change my client's first name to [REDACTED] in the first paragraph and [REDACTED] signature line? [REDACTED] is fine with [REDACTED] in conversation, but prefers [REDACTED] in more formal matters.

(b)(6), (7)(C) Thanks,
[REDACTED]

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: Tuesday, October 1, 2013 2:46 PM
To: [REDACTED]
Subject: RE: [REDACTED] Interview Wed

Understood. Let's just plan to reschedule – reopening tomorrow d/n sound promising. If by some chance the shutdown ends this evening, we can touch base by email to see if we can still assemble; but I'm going to tell the agents they can go ahead and schedule other matters under the circumstances.

Thanks.

(b)(6), (7)(C) From: [REDACTED]
Sent: Tuesday, October 01, 2013 2:29 PM
To: [REDACTED]
Subject: RE: [REDACTED] Interview Wed

If the shutdown is still in effect, we'll have to reschedule, unfortunately.

Sent from my Verizon Wireless 4G LTE Smartphone

----- Original message -----

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: 10/01/2013 2:27 PM (GMT-05:00)
To: [REDACTED]
Subject: RE: [REDACTED] Interview Wed

How do we look for tomorrow?

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, September 30, 2013 6:22 PM
To: [REDACTED]
Subject: RE: [REDACTED] Interview Wed

I understand completely. Please just keep me posted. If the shutdown necessitates us canceling for Wednesday, we will just reschedule once it is resolved. Thank you.

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, September 30, 2013 6:16 PM
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

(b)(6), (7)(C) [REDACTED]: The problem for us is that IRS Chief Counsel's Office told me Friday and again today that, if there is a shutdown and [REDACTED] is not viewed as essential (and I don't think [REDACTED] will be essential), [REDACTED] should not work during the shutdown. I believe they would consider a contrary course of action by [REDACTED] to be a violation of the Anti-Deficiency Act. This is frustrating for us, as [REDACTED] would like to get all three of [REDACTED] interviews scheduled for this week over with. But I don't want to see [REDACTED] get in any hot water with the IRS. We are dealing with this issue right now with the House Oversight and Government Reform Committee, [REDACTED] Majority staff of that committee wants to go forward; the Chief Counsel's Office apparently is caucusing about it right now. I'll keep you posted about how this plays out. Regardless, [REDACTED] wants to sit down with you all as soon as [REDACTED] is able to do so.

Thanks,

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: Monday, September 30, 2013 2:51 PM
To: [REDACTED]
Subject: [REDACTED] Interview Wed

Just wanted to let you know that the shutdown does not affect us; we're on for Wednesday. We will be short staffed administratively though. Please carry my cell phone number with you (below) in case you have any problems accessing our building/floor when you arrive. See you then.

(b)(6), (7)(C)

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc:

(b)(6), (7)(C)

Cell:

(b)(6), (7)(C) From: [REDACTED]
<[REDACTED]>
To: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
Cc:
Bcc:
Subject: RE: Lois Lerner
Date: Mon Oct 21 2013 16:33:10 EDT
Attachments: image004.png
image005.png
image006.png

Lunch is set and I'll give you the receipt when you are here on Wednesday. If you need anything, please don't hesitate to ask.

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, October 21, 2013 3:30 PM
To: [REDACTED]
Subject: Re: Lois Lerner

Yes - we have one vegetarian in the group. There will be 5 of us total. Please also send me a bill and let me know how best to reimburse. Thank you so much for handling the logistics for the meeting!

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, October 21, 2013 01:12 PM Eastern Standard Time
To: [REDACTED]
Subject: RE: Lois Lerner

(b)(6), (7)(C) [REDACTED] - do I need to be aware of any dietary requirements when ordering lunch for your group on Wednesday?

(b)(6), (7)(C) Description: [REDACTED]
[REDACTED]

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, October 21, 2013 12:51 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Lois Lerner

yes

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, October 21, 2013 12:36 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Lois Lerner

(b)(6), (7)(C) [REDACTED] -

Can we start at 9am rather 930 on Wednesday?

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, October 11, 2013 06:04 PM Eastern Standard Time
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Lois Lerner

(b)(6), (7)(C) Great... [REDACTED] will be with me

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

(b)(6), (7)(C) Sent: Friday, October 11, 2013 5:31 PM

To: [REDACTED]

Subject: RE: Lois Lerner

(b)(6), (7)(C) [REDACTED] –

I just returned to my office and received your messages from earlier in the week. I was on the road earlier in the week and at meetings out of the office today. A glitch – not the shutdown – prevented me from checking voicemail remotely. I apologize for not getting back to you. Please always feel free to call my cell phone -- [REDACTED] -- and/or ping me on email if you need to reach me and can't get me in my office.

(b)(6), (7)(C)

(b)(6), (7)(C) [REDACTED], my colleague from Civil Rights, will join us on Tuesday. When you arrive, it may be a good idea to call my cell. Our administrative staffing is light due to the shutdown and that has caused some delays in the officers downstairs being able to notify our section when visitors arrive. If you buzz me when you arrive, I'll meet you in the lobby and escort you upstairs.

See you Tuesday at 10.

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc: [REDACTED]

(b)(6), (7)(C)

Cell: [REDACTED]

(b)(6), (7)(C)
From: [REDACTED]
Sent: Friday, October 11, 2013 2:21 PM
To: [REDACTED]
Subject: Lois Lerner

: Been trying to catch up with you for several reasons..can we get together Tuesday?
