

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JUDICIAL WATCH, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 13-cv-1363 (EGS)
)	
U.S. DEPARTMENT OF STATE,)	
)	
Defendant.)	
)	

**PLAINTIFF’S NOTICE OF EVIDENCE RELEVANT TO ITS MOTION
TO COMPEL SECRETARY CLINTON TO ANSWER INTERROGATORY 14**

1. Plaintiff submits this notice regarding new evidence that pertains directly to Plaintiff’s currently pending motion to compel and, in particular, Interrogatory 14 of that motion.

2. Interrogatory 14 seeks to uncover why Secretary Clinton continued using a personal BlackBerry to conduct State Department business after being advised of the risks in doing so. This interrogatory is pertinent because Secretary Clinton’s personal BlackBerry was an integral part of the operation of the clintonemail.com system, a subject squarely within the scope of discovery. It was how she accessed her email. Without her personal BlackBerry, there likely would have been no clintonemail.com system because the Secretary did not use a desktop or laptop and a State Department BlackBerry would have linked to an official “state.gov” email account.

3. Specifically, Interrogatory 14 asks whether Secretary Clinton reviewed a March 6, 2009 Information Memo from Assistant Secretary of State for Diplomatic Security Eric J. Boswell to Ms. Mills in which he wrote that he “cannot stress too strongly, however, that any unclassified BlackBerry is highly vulnerable in any setting to remotely and covertly monitoring

conversations, retrieving email, and exploiting calendars,” and, if Secretary Clinton did review the memo, why did she continue using an unclassified BlackBerry to access her clintonemail.com email account to conduct official State Department business?

4. Plaintiff recently received evidence that demonstrates that Secretary Clinton reviewed the Information Memo or, at a minimum, was informed about the substance of it.

5. On March 8, 2009, just two days after the Information Memo was sent to Ms. Mills, Secretary Clinton wrote in an email, “Against the advice of the security hawks, I still do carry my berry.” *See* Exhibit A.

6. The fact that Secretary Clinton continued to use a personal BlackBerry to conduct State Department business after being advised of the risks of doing so – now more than ever before – raises the obvious question: “Why?”

Dated: June 8, 2017

Respectfully submitted,

/s/ Michael Bekesha

Michael Bekesha

D.C. Bar No. 995749

JUDICIAL WATCH, INC.

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Counsel for Plaintiff Judicial Watch, Inc.

Exhibit A

C05940143 UNCLASSIFIED U.S. Department of State Case No. F-2015-06322 Doc No. C05940143 Date: 05/30/2017

From: H <hdr22@clintonemail.com>
Sent: Sunday, March 8, 2009 7:29 PM
To: Susan Kennedy [redacted]
Subject: Re: from Susan Kennedy

B6

RELEASE IN
PART B6

Against the advice of the security hawks, I still do carry my berry but am prohibited from using it in my office, where I spend most of my time when I'm not on a plane or in a "no coverage" country!

So great hearing from you and greatly appreciate the support. Keep watching and let me know what you think from time to time

[redacted]

B6

From: Susan Kennedy
Date: Sat, 7 Mar 2009 11:32:48 -0800
To: <hr15@att.blackberry.net>
Subject: Re: from Susan Kennedy

Just in case you are still allowed to carry your blackberry, your friends are watching you with great pride. You look strong and confident, and at the same time you come across the TV like a warm friend visiting a family of nations that has been through hell. Few people can stand in the shadow of a new president and shine as a world leader in her own right. You are doing that, deftly. And your friends are cheering for you at home. Take care of yourself
Susan Kennedy

On Wed, Aug 6, 2008 at 10:51 AM, <hr15@att.blackberry.net> wrote

You were missed, but it was great seeing Vicki and so many other friends and supporters who are, as you likely know, having a tough time.

I wholeheartedly agree with you about our failure to stand for something beyond personality and a laundry list of issues. I would love to talk further about all of this w you. Are you planning to be in DC or NY anytime this Fall? If not, I will try to see you when I'm next in SF/N CA.

All the best

Sent via BlackBerry by AT&T

From: "Susan Kennedy" [redacted]
Date: Sun, 3 Aug 2008 08:51:13 -0700
To: <hr15@att.blackberry.net>
Subject: from Susan Kennedy

Sorry I couldn't make it to your SF events. [redacted]

[redacted]

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Someday I would love to have that discussion with you. Thank you for all you've

done Susan

--
Susan P Kennedy

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Susan P Kennedy

HA 09/01/2015