

Page, Lisa C. (OGC) (FBI)

From: Page, Lisa C. (OGC) (FBI)
Sent: Tuesday, March 29, 2016 7:43 PM
To: Strzok, Peter P. (CD) (FBI)
Subject: RE: Second judge opens door to depositions in Clinton email case | TheHill

Oh boy.

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

From: "Strzok, Peter P. (CD) (FBI)" [REDACTED]
Date: 03/29/2016 7:41 PM (GMT-05:00)
To: "Page, Lisa C. (OGC) (FBI)" [REDACTED]
Subject: Fwd: Second judge opens door to depositions in Clinton email case | TheHill

b6 -1
b7C -1
b7E -6

<http://thehill.com/policy/national-security/274574-second-judge-opens-door-to-depositions-in-clinton-email-case>

Second judge opens door to depositions in Clinton email case

A second federal judge is opening the door to allowing current and former federal officials to answer questions under oath as part of the legal battle over Hillary Clinton's private email server.

Citing "evidence of government wrong-doing and bad faith," Judge Royce Lamberth of the U.S. District Court for the District of Columbia ordered that conservative watchdog group Judicial Watch could begin a limited version of the evidence-gathering process known as discovery.

The Obama administration has offered "constantly shifting admissions" about the state of Clinton's server, Lamberth added in his Tuesday order, raising questions about the extent of her use of the server and the government's role in setting it up.

The ruling represents growing frustration with the State Department's response to federal records laws, following a similar order from another federal judge earlier this year.

The decision is likely to only further inflame scrutiny of Clinton's bespoke email arrangement, which has dogged her presidential campaign. A pending court battle about the State Department's compliance with federal records laws is likely to stretch well into the general election.

Tuesday's case centered on talking points prepared in the aftermath of the 2012 terrorist attacks on the U.S. diplomatic facility in Benghazi, Libya, but has become entangled in broader questions surrounding Clinton's private server.

Tom Fitton, Judicial Watch's president, said that the "remarkable decision" on Tuesday "may help the

FBI (18-cv-154)-1584

American people find out why our efforts to get Benghazi answers was thwarted by Clinton's email games."

In the first case, which also involves Judicial Watch, Judge Emmet Sullivan questioned whether top State Department figures had intentionally tried to skirt the Freedom of Information Act (FOIA) by allowing Clinton to exclusively use her private email server throughout her time as secretary of State.

This month, Judicial Watch submitted a list of eight current and former State Department officials that it hoped would testify about their roles in facilitating Clinton's use of the unorthodox email system. The judge in that case has until April 15 to decide whether to proceed.

Because the process is already moving forward in the case before Sullivan, Lamberth's order on Tuesday is likely to have a limited practical effect.

Lamberth told Judicial Watch that it had until 10 days after Sullivan outlines the path forward in his case to decide whether it has additional lines of inquiry it would like to pursue in the other court battle.

Sponsored Content

Lamberth was appointed to his district court seat by President Reagan.

In addition to the FOIA lawsuits, the FBI and a pair of inspectors general are investigating whether Clinton or her top aides mishandled classified information through use of the private server.

Updated at 2:36 p.m.