

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

JUDICIAL WATCH, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 14-cv-1242 (RCL)
)	
U.S. DEPARTMENT OF STATE,)	
)	
Defendant.)	
)	

**NON-PARTY MONICA HANLEY’S RESPONSES AND OBJECTIONS TO PLAINTIFF
JUDICIAL WATCH, INC.’S INTERROGATORIES TO MONICA HANLEY**

Pursuant to Rules 33 and 26(e)(1)(A) of the Federal Rules of Civil Procedure, and subject to and without waiving the continued objection to the propriety of any discovery in this matter, non-party Monica Hanley hereby provides the following responses to Plaintiff Judicial Watch, Inc.’s interrogatories:

GENERAL OBJECTION

1. Non-party Monica Hanley objects to all of Plaintiff’s interrogatories on the ground that they are not authorized by the Federal Rules of Civil Procedure. Rule 33 of the Federal Rules of Civil Procedure, titled “Interrogatories to Parties,” does not authorize the service of interrogatories on non-parties. *See Univ. of Texas at Austin v. Vratil*, 96 F.3d 1337, 1340 (10th Cir. 1996); *accord* Charles A. Wright & Arthur R. Miller, *Parties Subject to Interrogatories*, 8B Fed. Prac. & Proc. Civ. § 2171 (3d ed.) (“[I]nterrogatories are limited to parties to the litigation.”).

INTERROGATORY OBJECTIONS AND RESPONSES

1. Did the State Department issue Secretary Clinton a Blackberry during her tenure at the State Department. If so, when was the Blackberry issued, by whom was it issued, and what happened to it?

Response: Ms. Hanley objects to this interrogatory as containing three discrete subparts. *See* Fed. R. Civ. P. 33(a)(1). Going forward, Ms. Hanley will consider this interrogatory to count as four interrogatories for purposes of the presumptive limit on the number of interrogatories set forth in Federal Rule of Civil Procedure 33(a)(1). Ms. Hanley has a vague recollection of a discussion of the issuance of a Blackberry by the State Department, but does not know who issued it or what happened to it.

2. How many Blackberries did you set up for Secretary Clinton during her tenure at the State Department and what happened to the old Blackberries and their SIM cards after the new Blackberry was set up?

Response: Ms. Hanley objects to this interrogatory as containing two discrete subparts. *See* Fed. R. Civ. P. 33(a)(1). Going forward, Ms. Hanley will consider this interrogatory to count as three interrogatories for purposes of the presumptive limit on the number of interrogatories set forth in Federal Rule of Civil Procedure 33(a)(1). Ms. Hanley recalls helping Secretary Clinton set up her Blackberry at least three or four times while at the State Department. Ms. Hanley gave the old Blackberries, including the SIM cards, back to the Secretary after the new Blackberry was set up.

3. Did you load contacts into any of Secretary Clinton's Blackberries during her tenure at the State Department? If so, identify those contacts.

Response: Ms. Hanley objects to this interrogatory because it contains a discrete subpart. *See* Fed. R. Civ. P. 33(a)(1). Going forward, Ms. Hanley will consider this interrogatory to count as two interrogatories for purposes of the presumptive limit on the number of interrogatories set forth in Federal Rule of Civil Procedure 33(a)(1). Ms. Hanley uploaded contacts that were associated with Secretary Clinton's email account onto Secretary Clinton's Blackberries. This would have included all of the Secretary's contacts that were on her server. Although Ms. Hanley

cannot recall every contact that was loaded onto Secretary Clinton's Blackberries, the contacts would have included Jake Sullivan, Philippe Reines, Lauren Jiloty, Lona Valmorro, Huma Abedin, Claire Coleman, Bill Burns, Wendy Sherman, Pat Kennedy, Melanne Verveer, Anne-Marie Slaughter, Cheryl Mills, Nora Toiv, Caroline Adler, and Nick Merrill, among others.

4. Did Secretary Clinton use her Blackberries during her tenure at the State Department to create, edit, or store memoranda or send text and PIN messages? If so, were the memoranda, text messages or PIN messages stored, records managed, or archived? If so, how? If not, why not?

Response: Ms. Hanley objects to this interrogatory because it contains 10 discrete subparts. *See* Fed. R. Civ. P. 33(a)(1). Going forward, Ms. Hanley will consider this interrogatory to count as eleven interrogatories for purposes of the presumptive limit on the number of interrogatories set forth in Federal Rule of Civil Procedure 33(a)(1). Ms. Hanley has no knowledge of Secretary Clinton creating, editing, or storing memoranda on her Blackberries. Ms. Hanley is aware that Secretary Clinton used her Blackberries to send text messages for personal matters, and has no awareness of Secretary Clinton using text messages for official matters. Ms. Hanley is aware that Secretary Clinton sent a Blackberry "PIN" message to Ms. Hanley at least one time, and while she does not recall whether it was related to official or personal business, her best recollection is that it was a personal PIN message. Ms. Hanley is unaware of Secretary Clinton sending PIN messages to others from her Blackberries. Ms. Hanley was not involved in the storing of text messages or PIN messages (to the extent there were any), but her best understanding is that they were not stored or archived on Secretary Clinton's server. Ms. Hanley does not know why text messages and PIN messages (to the extent there were any) were not stored on server.

5. Did Secretary Clinton use an iPad during her tenure at the State Department to

send emails? If so, how many iPads did she use, did you set them up for her, and what happened to the old ones?

Response: Ms. Hanley objects to this interrogatory because it contains three discrete subparts. *See* Fed. R. Civ. P. 33(a)(1). Going forward, Ms. Hanley will consider this interrogatory to count as four interrogatories for purposes of the presumptive limit on the number of interrogatories set forth in Federal Rule of Civil Procedure 33(a)(1). Secretary Clinton did use an iPad during her tenure at the State Department to send emails. Secretary Clinton used approximately two-to-four iPads during her tenure at the State Department. Ms. Hanley helped set up at least one of the iPads, along with Justin Cooper and Philippe Reines. One of the old ones was given to Ms. Hanley, but at the time it was given to her, it had already been restored to factory settings and its contents had therefore been deleted. Ms. Hanley understands that this iPad was provided to the FBI in connection with its investigation, and it has never been returned to Ms. Hanley.

6. Identify the 30 individuals whom Secretary Clinton most frequently emailed during her tenure as Secretary of State concerning official government business.

Response: Ms. Hanley objects to this interrogatory because it is beyond the scope of the discovery ordered by the Court. It is irrelevant to the question of whether the State Department conducted an adequate search in response to the FOIA request that Judicial Watch submitted to the State Department regarding certain talking points provided by the State Department to Susan Rice about the Benghazi attacks. Ms. Hanley further objects to this interrogatory as overly broad to the extent it requires Ms. Hanley to provide the names of individuals who were not involved in the issues relevant to the FOIA request at issue in this case. Ms. Hanley also objects to this interrogatory to the extent it requires her to provide information that is not within her personal knowledge. Ms. Hanley was not regularly privy to Secretary Clinton's emails and therefore cannot

know who “most frequently” emailed with the Secretary during her tenure at the State Department. As a result, Ms. Hanley cannot provide the information sought in this interrogatory, and any attempt to do so would require speculation.

7. It is Plaintiff’s understanding that you created an archive of all of Secretary Clinton’s emails from her tenure at the State Department by transferring the emails to both a laptop and thumb drive. Describe how you transferred the emails as well as identify how many emails you transferred, how many emails were deleted or not transferred, and who helped you with the transfer. In addition, what happened to the laptop and thumb drive?

Response: Ms. Hanley objects to this interrogatory because it contains four discrete subparts. *See* Fed. R. Civ. P. 33(a)(1). Going forward, Ms. Hanley will consider this interrogatory to count as five interrogatories for purposes of the presumptive limit on the number of interrogatories set forth in Federal Rule of Civil Procedure 33(a)(1). Ms. Hanley uploaded Secretary Clinton’s emails during her tenure at the State Department from the Platte River Network server to an Apple Macbook provided by Justin Cooper. Mr. Cooper assisted Ms. Hanley in transferring the emails from the server to the Macbook. Ms. Hanley does not know the number of emails that were transferred to the Macbook beyond the fact that all emails were transferred, and further states that no emails were deleted or not transferred. Ms. Hanley ultimately sent the Macbook via Federal Express to Platte River Network in February 2014.

Ms. Hanley also transferred all of Secretary Clinton’s emails to a thumb drive. She effectuated this transfer by placing the thumb drive into the USB port of a laptop containing a copy of all of Secretary Clinton’s emails and compressing the file. Ms. Hanley does not know the number of emails that were transferred to the thumb drive beyond the fact that all emails were transferred, and further states that no emails were deleted or not transferred. Ms. Hanley does not recall what happened to the thumb drive, but believes she may have provided it to Huma Abedin.

8. During Secretary Clinton's tenure at the State Department, identify all individuals who conducted searches for records of Secretary Clinton in response to Freedom of Information Act requests.

Response: Ms. Hanley objects to this interrogatory because it is overly broad and beyond the scope of discovery ordered by the Court. In particular, the interrogatory's focus on all FOIA requests is irrelevant to the question of whether the State Department conducted an adequate search in response to this specific FOIA request that Judicial Watch submitted to the State Department concerning certain talking points provided by the State Department to Susan Rice about the Benghazi attacks. Ms. Hanley further objects to this interrogatory because it seeks information outside the scope of her personal knowledge or any knowledge gained in her professional capacity as special assistant to Secretary Clinton. Ms. Hanley was not involved in conducting searches for records in response to Freedom of Information Act requests. Further, Ms. Hanley is unable to identify any individuals who conducted these searches during her tenure at the State Department.

9. During Secretary Clinton's tenure at the State Department, describe your role in searching for records or otherwise responding to Freedom of Information Act requests.

Response: Ms. Hanley objects to this interrogatory because it is overly broad and beyond the scope of discovery ordered by the Court. In particular, it is irrelevant to the question of whether the State Department conducted an adequate search in response to this specific FOIA request that Judicial Watch submitted to the State Department concerning certain talking points provided by the State Department to Susan Rice about the Benghazi attacks. Ms. Hanley was not involved in conducting searches for records in response to Freedom of Information Act requests during her tenure at the State Department. She had no role in conducting searches for records of Secretary Clinton in response to this specific Freedom of Information Act request.

10. Did you use a non-State Department email account to conduct official government business while employed at the State Department? If so, why did you do so, what email account did you use, how frequently did you use it, and with whom did you email?

Response: Ms. Hanley objects to this interrogatory because it contains four discrete subparts. *See* Fed. R. Civ. P. 33(a)(1). Going forward, Ms. Hanley will consider this interrogatory to count as five interrogatories for purposes of the presumptive limit on the number of interrogatories set forth in Federal Rule of Civil Procedure 33(a)(1). Ms. Hanley used two email accounts while she was an employee of the Department of State: a Department of State email account and a Gmail account. As a matter of general practice, Ms. Hanley endeavored to use her State account for work-related matters and her Gmail account for personal matters, including personal interactions with Secretary Clinton such as scheduling personal appointments for the Secretary. On occasion, for purposes of convenience, Ms. Hanley also used her Gmail account to send emails to herself, from her State Department account to her Gmail account, in order to print certain documents. In addition, Ms. Hanley might use her Gmail account if she were on a plane, or when her State Department email otherwise was not accessible. When she would use her Gmail in these circumstances, she routinely would cc her State email address, ensuring that a copy of the email would be stored in State Department record systems. In addition, emails received by Ms. Hanley through her Gmail account tended to be logistical in nature, and would typically be sent to her from another state.gov email account. She does not recall ever receiving official emails only to her Gmail account. During 2011-2012, Ms. Hanley was spending approximately 50 percent of her time traveling, and she therefore would have used her Gmail account more frequently during that period. Emails to or from Ms. Hanley's Gmail account included the following individuals: Lona Valmoro, Secretary Clinton's scheduler; Claire Coleman, Secretary Clinton's executive assistant; State Department trip director Shilpa Perasu; Huma Abedin; and Secretary Clinton, among

possibly others. The vast majority of these emails would have been either personal in nature, or logistical emails concerning travel.

11. Have you deleted emails with State Department email accounts from your non-State Department email account? If so, when did you delete them, why did you delete them, how many did you delete, did you talk to anyone about deleting them, and did you copy or archive them in any way before deleting them?

Response: Ms. Hanley objects to this request as containing five discrete subparts. *See* Fed. R. Civ. P. 33(a)(1). Going forward, Ms. Hanley will consider this interrogatory to count as six interrogatories for purposes of the presumptive limit on the number of interrogatories set forth in Federal Rule of Civil Procedure 33(a)(1). Ms. Hanley deleted all State Department emails from her Gmail account in 2015, by running a search of her Gmail account for all emails including a state.gov email address. Ms. Hanley deleted these emails because she no longer worked for the State Department. She does not recall how many emails were deleted, and did not copy or archive them before deletion because all of these emails would have already been maintained in the State Department's email system. Ms. Hanley spoke to both her personal lawyer and the FBI about deleting these emails.

12. Do you currently have any State Department records in your possession? If not, does the State Department have all emails sent or received by you from both your State Department and non-State Department email accounts in which you conducted official government business?

Response: Ms. Hanley objects to this interrogatory as containing a discrete subpart. *See* Fed. R. Civ. P. 33(a)(1). Going forward, Ms. Hanley will consider this interrogatory to count as two interrogatories for purposes of the presumptive limit on the number of interrogatories set forth in Federal Rule of Civil Procedure 33(a)(1). Ms. Hanley does not believe that she has any unique

State Department records in her possession. The State Department has all emails sent or received by either her State Department email or her non-State Department email in which she conducted official government business.

As to Interrogatories, see signature page at Attachment A.

As to objections:

Dated: May 24, 2019

Respectfully submitted,

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Assistant Attorney General

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Deputy Branch Director

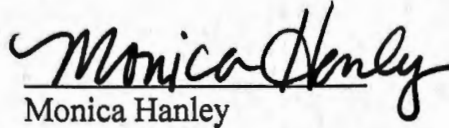
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VERIFICATION

I, Monica Hanley, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the interrogatory answers contained in Monica Hanley's Responses and Objections to Plaintiff Judicial Watch's Interrogatories to Monica Hanley are true and correct to the best of my knowledge.

Dated: May 24, 2019



Monica Hanley

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2019, I served the foregoing Responses and Objections of Non-Party Monica Hanley to Plaintiff's Interrogatories to Non-Party Monica Hanley by electronic mail on the following:

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