SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To Harriet Miers

You are hereby commanded to be and appear before the Committee on the Judiciary Subcommittee on Commercial and Administrative Law of the House of Representatives of the United States at the place, date and time specified below.

☑ **to testify** touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: 2141 Rayburn House Office Building, Washington, D.C. 20515

Date: July 12, 2007 Time: 10:00 a.m.

☑ **to produce the things identified on the attached schedule** touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: 2141 Rayburn House Office Building (at hearing at which you are testifying)

Date: July 12, 2007 Time: 10:00 a.m.

To _____

_____ _____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 13th day of June, 2007.

_____
Chairman or Authorized Member

Attest:

_____
Clerk

PROOF OF SERVICE

Subpoena for Harriet Miers

Address c/o Locke Liddell & Sapp, 2200 Ross Ave., Suite 2200, Dallas, TX 75201

before the Committee on the Judiciary

Subcommittee on Commercial and Administrative Law

U.S. House of Representatives
110th Congress

Served by (print name) _____

Title _____

Manner of service _____

Date _____

Signature of Server _____

Address _____

Schedule for Documents Sought in Subpoena
For Harriet Miers
Subcommittee on Commercial and Administrative Law
House Committee on the Judiciary
June 13, 2007

Items Requested

Complete and unredacted versions, including complete paper and electronic versions, of any and all documents in your possession, custody, or control related to the Committee's investigation into the preservation of prosecutorial independence and the Department of Justice's politicization of the hiring and firing of United States Attorneys, including possible misrepresentations to Congress and other violations of federal law. This includes any and all documents related to:

1) the evaluation of or decision to dismiss former U.S. Attorneys David Iglesias, H.E. "Bud" Cummins, John McKay, Carol Lam, Daniel Bogden, Paul Charlton, Kevin Ryan, Margaret Chiara, Todd Graves, or any of them, or any other U.S. Attorney dismissed or considered for dismissal since President Bush's re-election;

2) the implementation of the dismissal and replacement of any such U.S. Attorney;

3) the selection, discussion, or evaluation of any possible replacement or interim or acting appointment to fill any vacancy with respect to dismissed U.S. Attorneys and U.S. Attorneys considered for dismissal; or

4) the testimony of, or representations by, any official at the Department of Justice to the United States Congress regarding any of the matters set forth in (1) - (3).

Definitions and Instructions

(1) The term "document" is meant to carry, without limitation, the full breadth of that term as it is used in the Federal Rules of Civil Procedure. It includes, as applicable, any memorialization, whether typed, written, recorded, printed or otherwise produced by hand, or produced by any electronic or digital process or otherwise. It includes, without limitation, agreements, contracts, letters or other correspondence, facsimile or e-mail transmissions, telephone messages, logs or records, memoranda, notes, diaries, graphs, formulas, models, bulletins, computer printouts, transcripts, analyses, returns, summaries, accounts, estimates, projections, comparisons, messages, press releases, circulars, reviews, opinions, offers, studies, photographs, investigations, questionnaires, surveys,

work sheets, statistical data, reports, notebooks, manuals, charts or other graphic matter, plans, journals, ledgers, bank records, financial statements, summaries, analyses, commentary, expense reports, books, instructions, financial reports, working papers, records notes, notices, confirmations, telegrams, teletypes, interoffice or intra office communications, cables, and minutes or notations or other records of any type of any conversation, interview, telephone call, meeting, conference, discussion, or other communication. It includes any transmittal slip, attachment, appendix, or other document referenced therein. It includes, without limitation, any information contained on audiotape, videotape, microfilm, or microfiche, as well as any electronically stored information that has been created using, or is otherwise maintained on, digital repositories or other electronic media including, but not limited to, personal computers, office workstations, laptops, hard drives, handheld devices (such as Palm, Trio or Blackberry), phones (office, mobile and/or home), removable electronic storage devices (such as CDs, DVDs, and USB or thumb drives), shared network drives and servers (including e-mail and/or file servers) and back-up tapes (or other disaster recovery/archiving media).

(2) The terms "including," "includes," and "related to" are used in the broadest sense of the term and specification of a particular matter included in a request is not meant to exclude any other documents that might be responsive to a specific request.

(3) Use of either the singular or plural should not be deemed a limitation and the use of the singular should be construed, where applicable, the plural and vice versa.

(4) The conjunctive form "and" and the disjunctive form "or" are mutually interchangeable and are meant to encompass each other.

(5) In complying with this Subpoena, you are required to produce all responsive documents in your possession, custody, or control, whether held by you or by past or present agents or representatives, including documents you have placed in the temporary possession, custody, or control of a third party. No documents requested herein shall be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.

(6) In complying with this subpoena, you are to include a copy of the original, as well as any copy that differs in any respect, such as one with marginalia or other notations. You are also to include any markings, post-it notes, or other documents attached thereto, as well as any attachment relating to or incorporated by the document.

(7) With respect to any and all documents requested herein that are being withheld on the ground of privilege, furnish a list specifying the following information:

- the nature, source and date of the document;
- a description of the document's subject matter;

- the name and address of each recipient of the original or a copy of the document, together with the date or approximate date when each recipient received the document;

- the names and addresses of all other persons to whom the contents of the document have been disclosed, the date such disclosure took place, and the means of such disclosure; and

- the nature of the privilege or rule of law relied upon, including the identity of the person or persons asserting the privilege or rule as well as the legal basis for asserting that privilege or rule, or other reason for non-production.

(8) All electronic documents shall be provided in full on CD, DVD, or USB external hard drive, as well as in hard copy.

(9) The obligations created by this document request are continuing and you shall supplement your production if you locate additional responsive documents in your possession, custody, or control.

(10) Two separate sets of the documents shall be brought to 2141 Rayburn at the time of the hearing, one set for the Majority and one set for the Minority. Documents discovered after the hearing shall be promptly delivered to the Majority at 2138 Rayburn and to the Minority at 2142 Rayburn.