

**UNITED STATES OF AMERICA**  
**Congress of the United States**

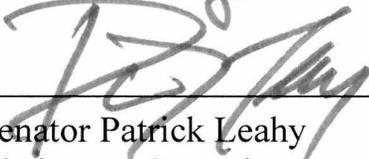
To J. Scott Jennings, Special Assistant to the President and Deputy Director of Political Affairs, **Greeting:**

Pursuant to lawful authority, YOU ARE HEREBY COMMANDED to appear before the Committee on the Judiciary of the Senate of the United States, on August 2, 2007, at 10:00 o'clock a.m., at their committee room 226 Dirksen Senate Office Building, then and there to testify what you know relative to the Committee's inquiry into the preservation of prosecutorial independence and the Department of Justice's politicization of the hiring and firing of United States Attorneys, and to bring with you the documents described in Attachment A under the terms and conditions stated therein.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To any Committee staff member or U.S. Senate Sergeant at Arms to serve and return.

Given under my hand, by authority vested in me by the Committee, on this 26th day of July, 20 07.

  
\_\_\_\_\_  
Senator Patrick Leahy  
Chairman, Committee on the Judiciary  
United States Senate

## Attachment A

### Documents Subpoenaed

1. 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. The documents produced shall include, but not be limited to:
  - A. Any and all documents related to the: 1) 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 other U.S. Attorney(s) dismissed since President Bush's re-election (hereinafter "dismissed U.S. Attorneys"); 2) evaluation of any U.S. Attorney(s) considered for dismissal since President Bush's re-election (hereinafter "U.S. Attorneys considered for dismissal"); 3) the implementation of the dismissal and replacement of the dismissed U.S. Attorneys; and 4) the selection, discussion and 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.
  - B. Any and all documents related to the testimony of any official at the Department of Justice to the United States Congress regarding any of the matters set forth in paragraph A, above.

### Instructions

1. In complying with this subpoena, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agent, employee, or representative acting on your behalf. You are also required to produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. No documents as defined herein called for by this request shall be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee. If you have knowledge that any subpoenaed document as defined herein has been destroyed, discarded, or lost, identify the subpoenaed document and provide an explanation of the destruction, discarding, loss or disposal and the date at which then document was destroyed, discarded or lost.

3. This subpoena is continuing in nature. Any document not produced because it has not been located or discovered by the return date shall be provided immediately upon location or discovery subsequent thereto with an explanation of why it was not located or discovered by the return date.
4. If you believe any responsive documents are protected by a privilege, please provide a privilege log which (1) identifies any and all responsive documents to which the privilege is asserted, (2) sets forth the date, type, addressee(s), author(s) (and, if different, the preparer and signatory), general subject matter, and indicated or known circulation of the document, and (3) states the privilege asserted in sufficient detail to ascertain the validity of the claim of privilege.
5. Production with respect to each document shall include all electronic versions and data files from email applications as well as from word processing, spreadsheet, or other electronic data repositories applicable to any attachments, and shall be provided to the Committee where possible in its native file format and shall include all original metadata for each electronic documents or data file. Productions shall be provided on CD, DVD, or USB external hard drive.
6. Any draft, preliminary version, modification, revision, or amendment of a document, and any version that otherwise differs in any respect, such as having marginalia, markings, other notations or attachments, or otherwise, shall be considered a separate document and shall also be furnished as responsive.
7. Documents shall be produced as they are kept in the usual course of your business, including with any file labels, dividers, or other identifying markers with which they were associated when this subpoena was served. Also identify to which paragraph from the subpoena such documents are responsive.
8. All documents shall be bates-stamped sequentially and produced sequentially, with an indication as to which paragraph of the schedule it is responsive.

### **Definitions**

1. The term “document” as used in this subpoena includes all emails, memoranda, reports, agreements, notes, correspondence, files, records, and other documents, data, information or memorialization in any form, whether physical or electronic, maintained on any digital repository or electronic media, and should be construed as it is used in the Federal Rules of Civil Procedure.
2. The terms “related” and “relating” with respect to any given subject, shall be construed broadly to mean anything that constitutes, contains, embodies, reflects, identifies, concerns, states, refers to, deals with or is in any manner whatsoever pertinent to the subject.

3. The terms “including” and “includes,” with respect to any given subject, shall be construed broadly so that specification of any particular matter shall not be construed to exclude any documents that you have reason to believe the Committee might regard as responsive.
4. The terms “Department of Justice” and “Department” includes without limitation, anyone presently or formerly employed there, suspended from employment there, or on administrative leave from employment there.
5. The term “White House” includes, without limitation, anyone presently or formerly employed there, suspended from employment there, or on administrative leave from employment there.