

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

REGINALD G. MOORE, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Civ. No. 00-953 (RWR/DAR)
)	
MICHAEL CHERTOFF)	
SECRETARY, U.S.)	
DEPARTMENT OF HOMELAND)	
SECURITY.)	
)	
Defendant.)	

**NOTICE REGARDING DEFENDANT’S ADDITIONAL
VIOLATION OF COURT ORDER FOR CONSIDERATION IN
PLAINTIFFS’ MOTION FOR SANCTIONS (DOCKET NO. 488, PART 2)**

Plaintiffs hereby provide notice to the Court of Defendant’s additional violation of a Court order that should be considered in connection with Plaintiffs’ Motion for Sanctions (“Plaintiffs’ Sanctions Motion”) (Docket No. 488, Part 2). In connection with the evidentiary hearing relating to that motion, the parties submitted a Joint Exhibit Regarding Orders Compelling Production from Defendant or For Sanctions (admitted as Joint Exhibit 3 on April 16, 2008). 1/ It has since come to Plaintiffs’ attention that Defendant has yet again violated an order of this Court. Specifically, on December 20, 2007, this Court ordered Defendant to produce all responsive electronic discovery no later than March 20, 2008. 2/ However, on April

1/ This exhibit identifies the motions and orders the parties believe respond to the Court’s inquiry regarding the number of orders entered by this Court or the District Court that compelled Defendant to produce discovery or witnesses, upheld orders compelling discovery from Defendant, or sanctioned Defendant in connection with discovery motions.

2/ The electronic discovery was the subject of Plaintiffs’ Motion to Compel Defendant to Comply with His Discovery Obligation to Search and Produce Responsive E-Mails and Electronic Documents (Docket No. 457), which this Court granted on September 13, 2007.

25, 2008, more than a month after the Court-ordered deadline (and almost two years after they were first due to Plaintiffs), Defendant produced additional responsive e-mails sent to and/or from the Secret Service e-mail accounts of current and former Secret Service employees. See Exhibit 1 (Apr. 25, 2008 Letter from M. Braswell).

Plaintiffs are disgusted, but unfortunately not surprised by the extremely racist and offensive content of many of these late-produced e-mails, many of which were unabashedly sent to and/or from the Secret Service e-mail accounts of high-level Secret Service managers. Indeed, based on Plaintiffs' current information and belief, the e-mails described below involve *at least* 20 current or former Secret Service Special Agents that have been promoted to the GS-14 level or above, and that are or have been decision-makers involved in the promotions process that is at the core of this Title VII discrimination case. 3/ The example e-mails that are attached as exhibits to this Notice show the long-standing culture of racism that has permeated – and continues to permeate – even the highest levels of the Secret Service ranks. 4/ For example, Defendant produced the following:

- July 2007 e-mail regarding the GS-15 promotion of Plaintiff Leroy Hendrix in June 2007, referring to Plaintiff Hendrix not by name, but instead as “a black guy” in complaining that the Secret Service promoted him over the Agent who authored the e-mail and indicating that Plaintiff Hendrix’s new Special Agent in Charge was “very upset” that Plaintiff Hendrix was promoted to his office. See Exhibit 2.

3/ Unless otherwise noted, the titles and grades listed below are those currently held, or were held at the time of resignation or retirement, by the Special Agents included on these e-mails, and where known, also include the number of years at that grade. Thus, while some of these Agents may not have been decision-makers at the time they sent or received these racist e-mails, they have since been promoted to supervisory positions, bringing with them the racist mindsets reflected in these e-mails that they sent or received on their Secret Service e-mail accounts.

4/ In an abundance of caution, Plaintiffs have redacted a portion of the domain name of the e-mail addresses listed on the e-mails that are attached as exhibits.

- October 2003 e-mail about a “Harlem Spelling Bee” sent by the Assistant Director of Government Liaison and Public Affairs (SES) (then Deputy Assistant Director of the Office of Protective Operations) to a now-retired Deputy Assistant Director. The e-mail purports to list “vocabulary words” from “Gerome’s Ebonics homework assignment,” such as “Hotel – I gave my girlfriend crabs and the hotel everybody,” and “Disappointment – My parole officer tol’ me if I miss disappointment they gonna send me back to the joint.” Exhibit 3. The Assistant Director received this e-mail from a GS-14 Special Agent (since 1997). See id.
- March 2003 e-mail about Reverend Jessie Jackson that was sent to several Secret Service e-mail accounts (among others), including a Deputy Assistant Director, a GS-14 Special Agent (since 2000), and two other former supervisory Agents (one GS-14 and one GS-15 at the time they left the Agency). The e-mail, which is entitled “The Righteous Reverend,” tells a purported “joke” about the assassination of Rev. and Mrs. Jackson in an airplane that is “struck by a missile and blown to smithereens,” and concludes that “it certainly wouldn’t be a great loss, and it probably wouldn’t be an accident either.” Exhibit 4.
- Pornographic e-mail depicting a Caucasian woman leaning next to an African-American male with an enlarged penis, discussing the injuries someone’s “white wife” sustained from sex acts with the African man and playing on fears that African-American men will “steal” Caucasian women. This e-mail was passed between the Special Agent in Charge of the Presidential Protective Division (SES) and the Special Agent in Charge of the Cincinnati Field Office (GS-15 since 2005) in March and June 2003. See Exhibit 5.
- March 2005 e-mail attaching a video of a fabricated “public service announcement” purporting to be about AIDS awareness. The video contains images of hooded KKK members and a burning cross, “joking” that these images of racial hatred are the least of an African-American male’s worries if he is having unprotected sex with a Caucasian female; the video e-mail is copied to a Deputy Assistant Director (who has since retired), the Resident Agent in Charge of the Bangkok, Thailand Resident Office (GS-15), and four additional GS-14 supervisors. See Exhibit 6.
- February 2003 e-mail that tells a purported “joke” that refers to lynching black people and large African-American male genitalia – being “hung like a black man” – that was sent by a Secret Service contractor to several Secret Service e-mail accounts (among others), including a Deputy Assistant Director, a GS-14 Special Agent (since 2000) and a former GS-14 Special Agent. See Exhibit 7.
- May 2005 e-mail to the Special Agent in Charge of the Cleveland Field Office (GS-15) that purports to tell a “joke” about robots that were painted black

after which “four of ‘em didn’t show up for work, two filed for welfare, and the other two robbed the pro shop.” Exhibit 8.

- January 2005 e-mail from the Assistant Special Agent in Charge of the Atlanta Field Office (GS-15) to the Special Agent in Charge of the Louisville Field Office (GS-15 since 2003), the Assistant Special Agent in Charge of the Presidential Protective Division (GS-15 since 2005), the Special Agent in Charge of the Chicago Field Office (SES), and the Deputy Special Agent in Charge of the Washington Field Office (GS-15 since 2003) that purports to tell a “joke” involving the “popular myths of sexuality” about African-American men, Native American men, French men, Jewish men and “the Southern redneck.” Exhibit 9.
- July 2003 e-mail exchange between the Special Agent in Charge of the Dignitary Protective Division (SES) and a former GS-14 Special Agent ranting about reverse racism, political correctness, affirmative action, quotas and Al Sharpton, among other topics; the Special Agent in Charge then inquires if he can forward the e-mail to a GS-15 Agent (now retired) because he is “worthy of trust and confidence.” Exhibit 10. “Worthy of trust and confidence” is the motto of the United States Secret Service.

Defendant has not and cannot offer any reasonable justification for his failure to produce these racist and offensive e-mails by the Court-ordered deadline. Defendant takes the perplexing position that he was justified in flouting the Court’s December 20, 2007 Order because he determined at first that these e-mails are non-responsive. This position is wholly disingenuous because a review of the e-mails leaves no doubt that they are responsive to Plaintiffs’ discovery requests, and thus clearly encompassed in the Court’s December 20, 2007 Order compelling Defendant to produce all responsive electronic documents by March 20, 2008. As discussed above, one e-mail specifically relates to the GS-15 promotion of Plaintiff Hendrix, shockingly referring to Plaintiff Hendrix not by name, but instead only as “a black guy.” See Exhibit 2. Another of the e-mails was sent by the now Assistant Director of Government Liaison and Public Affairs. See Exhibit 3. As a member of the Advisory Board, this Agent is involved in the decision-making for *all* promotions to GS-14 and above. Defendant also makes the following mystifying claim to justify his violation of this Court’s Order by stating: “with only a

few exceptions,” the late-produced e-mails were not sent by Secret Service employees involved in the decision-making process. See Exhibit 1 (Apr. 25, 2008 Letter from M. Braswell) at 1. Although Plaintiffs lack access to the information needed to determine the identity of all Secret Service employees who sent or received the e-mails in question, as set forth above, it appears from the information that Plaintiffs have been able to obtain that the e-mails involve *at least* 20 current or former Secret Service Special Agents at the GS-14 level or above who are or have been decision-makers involved in the promotions process at issue in this case.

Thus, any claim by Defendant that these late-produced e-mails are not responsive is at best disingenuous, and calls into serious question what other responsive electronic documents continue to be improperly withheld by Defendant. These offensive and racist e-mails are clearly subject to the Court’s December 20, 2007 Order, and Defendant’s failure to timely produce them constitutes a violation of that Order. Accordingly, in addition to the 14 instances in which Defendant has been compelled to produce discovery or witnesses, and the three instances in which this Court has sanctioned Defendant for his conduct in discovery (as identified by Plaintiffs in Joint Exhibit 3), Plaintiffs respectfully request that this Court also consider this most recent violation of a Court order in resolving Plaintiffs’ Sanction Motion.

Respectfully submitted,

_____/s/
 E. Desmond Hogan (D.C. Bar # 458044)
 Melissa N. Henke (D.C. Bar # 483741)
 Jennifer W. Feinberg (D.C. Bar # 482788)
 Hogan & Hartson LLP
 555 Thirteenth Street, N.W.
 Washington, D.C. 20004
 (202) 637-5600

/s/

John P. Relman (D.C. Bar # 405500)
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Relman & Dane PLLC
1225 Nineteenth Street, N.W., Suite 600
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(202) 728-1888

Attorneys for Plaintiffs

Dated: May 9, 2008



U.S. Department of Justice

Jeffrey A. Taylor
United States Attorney

District of Columbia

*Judiciary Center
555 Fourth St., N.W.
Washington, D.C. 20530*

April 25, 2008

Jennifer Klar, Esq.
Relman & Dane, PLLC
1225 19th St. N.W.
Suite 600
Washington, D.C. 20036-2456

Re: Moore, et al. v. Chertoff, Civ. Action No. 00-953 (RWR/DAR)

Dear Ms. Klar:

Pursuant to Fed. R. Civ. P. 26(e)(1)(A), defendant hereby supplements his release of information obtained as a result of the search for electronic documents ordered by the Court, on December 20, 2007, to be produced by March 20, 2008. The enclosed electronic documents were not produced previously because they do not clearly relate to a specific, well-defined discovery request.

Upon further review and consideration, we have concluded that plaintiffs may believe that some of these electronic documents are encompassed within their broadly framed document request number 1 of "Class Plaintiffs' Second Set of Requests for Production of Documents," which seeks: "All documents relating or referring in any way to the claims and defenses raised in this case." Although defendant objected to this request on the grounds that it was, among other things, overbroad, the Court on September 13, 2007, overruled this objection and required defendant to conduct a search for electronic documents responsive to plaintiffs' document production requests. While plaintiffs have no hostile work environment claim in this case and the electronic documents do not appear to relate to the claims plaintiffs have made concerning non-promotion and the building blocks to promotion, plaintiffs may believe that some of the attached electronic documents relate in some way to their claims in this case. If so, then other electronic documents enclosed may likewise relate in some way to a defense to plaintiffs' use of such e-mails.

We note that with only a few exceptions the electronic documents being produced were not sent by any Secret Service employee involved in the decision-making process with respect to promotions at the agency or decisions with respect to the building blocks to promotions. Nonetheless, out of an abundance of caution, we are producing this information so that plaintiffs



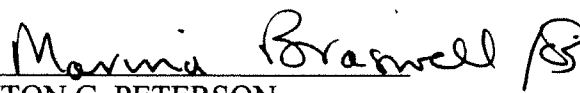
can decide whether they believe that this information "relates to" their claims. Of course, this production is without prejudice to defendant's position that the accompanying materials are neither an appropriate subject of discovery or responsive to plaintiffs' discovery requests, and in no way waives defendant's right to seek to exclude this information from being used in any substantive way in the litigation.

Please note, the attachment to document # E14091966 contains law enforcement sensitive information and is hereby designated as subject to the soon-to-filed proposed law enforcement protective order.

If you have any questions concerning this matter, please feel free to give me a call.

Sincerely,

JEFFREY A. TAYLOR
United States Attorney

By: 
BENTON G. PETERSON
MICHELLE N. JOHNSON
MARINA UTGOFF BRASWELL
Assistant United States Attorneys

STEVEN STANFORD (SOD)

From: STEVEN STANFORD (SOD)
Sent: 7/16/2007 4:51:13 PM
To: 'THEGUBS@[REDACTED].net' THEGUBS@[REDACTED].net;
Cc:
Bcc:
Subject: Re: Transfer

We are just not going any where right now. not good only because we didn't get the promotion. They promoted a black guy in front of me. The SAIC in LA didn't know the guy and is very upset, but nothing I can do about it now.
Steven M. Stanford

----- Original Message -----

From: Rosalind Gubbins <thegubs@[REDACTED].net>
To: STEVEN STANFORD (SOD)
Sent: Mon Jul 16 16:37:39 2007
Subject: Re: Transfer

I can't stand it. Is this good or bad?

----- Original Message -----

From: Steven Stanford <mailto:Steven.Stanford@[REDACTED].gov>
To: THEGUBS@[REDACTED].net
Sent: Monday, July 16, 2007 4:35 PM
Subject: Re: Transfer

No where!
Steven M. Stanford

----- Original Message -----

From: Rosalind Gubbins <thegubs@[REDACTED].net>
To: STEVEN STANFORD (SOD)
Sent: Mon Jul 16 16:34:05 2007
Subject: Re: Transfer

Soooooooo, where are you going?
M O M G

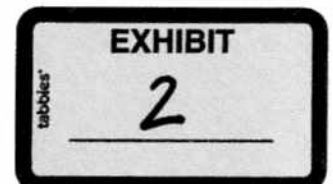
----- Original Message -----

From: Steven Stanford <mailto:Steven.Stanford@[REDACTED].gov>
To: vstanford@[REDACTED].com ; STANFORD744@[REDACTED].NET ; Mike.Stanford@[REDACTED].com ; THEGUBS@[REDACTED].net
Sent: Monday, July 16, 2007 4:30 PM
Subject: Transfer

We are NOT being transferred to LA! Long story we'll talk about it after our vacation.

Hope all is well.
Steven M. Stanford

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.5.476 / Virus Database: 269.10.6/902 - Release Date: 7/15/2007 2:21 PM



No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.5.476 / Virus Database: 269.10.6/902 - Release Date: 7/15/2007 2:21 PM

Thomas Grupski

From: Thomas Grupski
Sent: 10/9/2003 7:35:14 PM
To: rediger@[redacted].net rediger@[redacted].net;
Cc:
Subject: [Fwd: Test]
Attachments: Test (2.21 KB).msg;tgrupski.vcf;



From: Daniel Paulson [Daniel.Paulson@[REDACTED].gov]
Sent: Thursday, October 09, 2003 10:49 AM
To: Matthew McWilliams; Eugene Grunert; Thomas Grupski; Williams, Gerard; Washington, Jim and Tisha; Popelmayer, Dave ; Paulson, Howard; Morris, Don; Moore, Keith; Maroney, Frank; Gorman, Bob ; Farrell, Tom; DiGiovanni, Sal; Connors, Joseph; Boyd, Steve; Bergman, Alan; Figliuolo, James; Arnold, BJ; Glenn Millan
Subject: Test

HARLEM SPELLING BEE

Gerome Hakim Watkins is a 20 year-old 5th grader. This is Gerome's Ebonics homework assignment. He must use each vocabulary word in a sentence.

1. Hotel - I gave my girlfriend crabs, and the hotel everybody.
2. Dictate - My girlfriend say my dictate good.
3. Catacomb - I saw Don King at da fight the other night. Man, somebody get that catacomb.
4. Foreclose - If I pay alimony today, I got no money foreclose.
5. Rectum - I had two Cadillac's, but my bitch rectum both.
6. Disappointment - My parole officer tol' me if I miss disappointment they gonna send me back to the joint.
7. Penis - I went to the doctors and he handed me a cup and said penis.
8. Israel - Tito try to sell me a Rolex. I say, "man, it look fake!" "He say, "Bullshit, that watch Israel".
9. Undermine - There's a fine lookin' hoe living in the apartment undermine.
10. Acoustic - When I was little, my uncle bought me acoustic and took me to the pool hall.
11. Iraq - When we got to the pool hall, I tol' my uncle Iraq, you break.
12. Stain - My mother-in-law stopped by and I axed her, "Do you plan on stain for dinner?"
13. Fortify - I axed this ho on da street, "how much?" she say "fortify."
14. Income - I just got in bed wif da ho and income my wife.

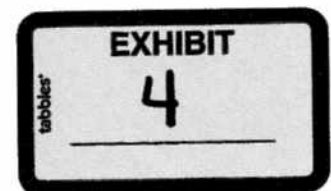
Becky6666@.com

From: Becky6666@.com
Sent: 3/3/2003 8:32:06 AM
To: Rshea@.org Rshea@.org; ekee@.com ekee@.com;
lheinze@.gov lheinze@.gov; DDiri67775@.com DDiri67775@.com;
Gumshoe@.net Gumshoe@.net; Alflam@.com Alflam@.com;
Michael.Crotty@.net Michael.Crotty@.net; Mloujohns@.com Mloujohns@.com;
plcflynn@.net plcflynn@.net; Murfwizard@.net Murfwizard@.net;
mdonaghey@.gov mdonaghey@.gov; MaineDrew@.net MaineDrew@.net;
William_McCabe@.edu William_McCabe@.edu; JBunaskavich@.gov
JBunaskavich@.gov; dxjefferson@.gov dxjefferson@.gov;
PMcMurray@.gov PMcMurray@.gov; BigJoe066@.com BigJoe066@.com;
nhegarty17@.com nhegarty17@.com; Timothy.P.O'connor@.net
Timothy.P.O'connor@.net; Albert.R.Richmond@.net Albert.R.Richmond@.net;
fatjack520@.com fatjack520@.com; john.simpson2@.net john.simpson2@.net;
John.W.Simpson@.net John.W.Simpson@.net; mfasulo@.gov
mfasulo@.gov; mmannix@.gov mmannix@.gov; nhegarty@.gov
nhegarty@.gov; ddirienzo@.gov ddirienzo@.gov;
Cc: RBeckwith@.gov RBeckwith@.gov ;
Bcc:
Subject: The Righteous Reverend

Jesse Jackson is visiting a primary school, and he stops by one of the classes. They are in the middle of a discussion related to words and their meanings. The teacher asks the Reverend Jackson is he would like to lead the discussion on the word "tragedy". So the illustrious leader asks the class for an example of a tragedy. One little boy stands up and offers: "If my best friend, who lives on a farm, is playing in the field and a runaway tractor comes along and knocks him dead, that would be a tragedy." "No," says the great Jesse Jackson, "that would be an accident."

A little girl raises her hand: "If a school bus carrying 50 children drove off a cliff, killing everyone inside, that would be a tragedy." "I'm afraid not," explains the exalted spiritual leader. "That's what we would call a great loss."

The room goes silent. No other children volunteer. Reverend Jackson searches the room. "Isn't there someone who can give me an example of a tragedy?" Finally, at the back of the room, a small boy raises his hand. In a quiet voice he says, "If a jet carrying the Rev. & Mrs. Jackson was struck by a missile and blown to smithereens, that would be a tragedy." "Fantastic!" exclaims Jackson, "that's right. And can you tell me why that would be a tragedy?" "Well," says the boy, "because it certainly wouldn't be a great loss, and it probably wouldn't be an accident either."



Donald e White

From: Donald e White
Sent: 6/4/2003 3:38:19 PM
To: Kurt Douglass kdouglass@[REDACTED]gov;
Cc:
Bcc:
Subject: [Fwd: [Fwd: FW: [Fwd: FW: Missing Wife]]]
Attachments: Missing Wife (63.9 KB).msg;



From: kdouglass [kdouglass@[REDACTED].gov]
Sent: Monday, March 24, 2003 10:28 AM
To: dewwhite@[REDACTED].gov
Subject: [Fwd: FW: [Fwd: FW: Missing Wife]]

Attachments: FW: [Fwd: FW: Missing Wife]



FW: [Fwd: FW:
Missing Wife]

Sorry I forgot to send this to you. I think you'll get a chuckle!

Kurt

From: Coleman, Michael [michael.coleman@[REDACTED].gov]
Sent: Tuesday, March 11, 2003 5:21 PM
To: kdouglass@[REDACTED].gov
Subject: FW: [Fwd: FW: Missing Wife]

Attachments: FW: Missing Wife



FW: Missing Wife

-----Original Message-----

From: Robert D. Rodriguez [mailto:rdrodriguez@[REDACTED].gov]
Sent: Thursday, February 20, 2003 9:05 PM
To: irarobb@[REDACTED].net; Coleman, Michael
Subject: [Fwd: FW: Missing Wife]

true story

Dear Sirs:

I am writing to ask your help in locating my missing wife. We were on a wonderful trip to Africa for our honeymoon several months ago. On our flight back, we had a connection in England and somehow became separated. I had her paged for several hours and then contacted local and international police to assist me in locating her. To date, all of our attempts to find her have been unsuccessful. I am now desperate to find my lost love and am trying to use the Internet to locate her. Please forward this to everyone you know so I can spread the word on locating my missing wife.

Sincerely,

Mr. Josh Halligan
Sydney.
Australia

After a few weeks search....

Dear Mr. Halligan,

We have found your wife in Africa of all places. However, it is unknown how she got here, nor is she able to talk because of lockjaw, but we are under the impression that she does not want to leave. We have tried for several days to bring her back home, but she is insistent on staying here. I have enclosed a picture for you to see that she is okay, and not let you worry because she is in good hands here in this village. Please contact us if there is anything else you might want to know.

Nairobi Police Department - See photo attached

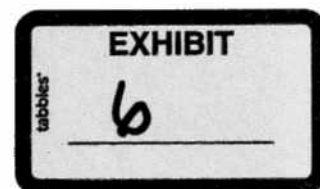


Charles White

From: Charles White
Sent: 3/15/2005 4:56:09 PM
To: Alexander, Al almkinfl@████████.com; Kassatkin, Alexei kasatka1@████████.net; Allen, Dr. Gary Gary.Allen@████████.mil; Amati, Aldo amati@████████.org; Barnes, Kent Barnes1959@████████.com; Bernard, Jean-Pierre bienvu@████████.fr; Bologna, John jonootz@████████.net; Cadruvi, Steffi scadruvi@████████.ch; Cody Fred fcodyf@████████.net; Cotter, William william.cotter@████████.gov; Cotton, M.O. mcotton50@████████.com; Healy, David aeffects@████████.com; Deluca, Tom Tdeluca19@████████.com; Dey, Dr. Chayan cdey@████████.edu; Dittmann Mike mdittmann1961@████████.net; Geiger Fred fredg70@████████.com; Gerich, Lana lanagerich@████████.net; Gerum, Hans johann.gerum@████████.de; Guilbault, Tony Tony.Guilbault@████████.gov; Healy Donna Donna@████████.com; Healy, Michael Michael.Healy@████████.com; Healy, Paul paul@████████.us; Hudak, Ed ehudak@████████.net; Jacobs, Ron ronj111@████████.net; James, Greg gpjamesa149@████████.com; Jekosch, Gregor gregor.jekosch@████████.de; Kloo, Julie juliekloo@████████.com; Klueh Kurt kurt.klueh@████████.de; Inigo Lambertini lambertini@████████.org; Heeger, Marshall Marshall.Heeger@████████.gov; Martiak, Mark mark.martiak@████████.com; Matuschek, Walli und Mattu caas.matuschek@████████.de; McNally, Fr. Steve embassypriest@████████.com; McNamara, Vincent Bigvin007@████████.com; Merkel, Sandra SMerkel@████████.de; Miller, K. Millerkm@████████.com; Monteverdi, Lance monte_5252@████████.com; Masha and Nikita Tregubov n.tregubov@████████.net; Obermaier, Stephen stephan.obermaier@████████.de; Painter, Lloyd und Ingrid loydpaint@████████.com; Profeta Tommaso tommasoprofeta@████████.com; Quinn, Mike Michael.Quinn@████████.gov; Rettenbacher Roland orlando15@████████.at; Richinick, Mary Mjhea@████████.com; Crow, Rod Rblacbird@████████.com; Rollersbroich, Klaus und Manuela rollies@████████.de; Rosenberg, Peter prosenberg@████████.com; Sabine sabineauvergne12@████████.net; Salerno, Mike foursalernos@████████.com; Schmitz, Jim schmitzjim@████████.net; Shirokawa, Bruce bshirokawa@████████.net; Shuster, Ben benshuster@████████.com; Skvortsova Irina Irina_Skvortsova@████████.ru; Stephan Kappellusch francepelle@████████.com; Stevenson, Drew dawstevenson@████████.net; nikvelikiy@████████.com nikvelikiy@████████.com;
Cc: 'William Bordley' William.Bordley@████████.gov ; 'William Aumand, Jr., Maxime' William.Aumand@████████.gov ; Leo.Wisniewski@████████.gov Leo.Wisniewski@████████.gov ; Michael.Carbone@████████.gov Michael.Carbone@████████.gov ; Michael Biermann Michael.Biermann@████████.gov ;
Bcc:
Subject: FW: WRONG PLACE WRONG TIME
Attachments: wrong place wrong time.wmv;

-----Original Message-----

From: TH [mailto:tholman63@████████.net]
Sent: Tuesday, March 15, 2005 3:44 PM
To: TH
Subject: WRONG PLACE WRONG TIME



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

_____)	
REGINALD G. MOORE, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Civ. No. 00-953 (RWR/DAR)
)	
MICHAEL CHERTOFF)	
SECRETARY, U.S.)	
DEPARTMENT OF HOMELAND)	
SECURITY.)	
)	
Defendant.)	
_____)	

NOTICE REGARDING BULKY EXHIBIT ATTACHMENT

Exhibit 6, which is an attachment to Plaintiffs' Notice Regarding Defendant's Additional Violation of Court Order for Consideration in Plaintiffs' Motion for Sanctions (Docket No. 488, Part 2), is in compact disk format only and is being maintained in the case file in the Clerk's Office. The compact disk will be available for public viewing and copying between the hours of 9:00 a.m. to 4:00 p.m., Monday through Friday.

/s/
E. Desmond Hogan (D.C. Bar # 458044)
Melissa N. Henke (D.C. Bar # 483741)
Hogan & Hartson LLP
555 Thirteenth Street, N.W.
Washington, D.C. 20004
(202) 637-5600

/s/
John P. Relman (D.C. Bar # 405500)
Jennifer I. Klar (D.C. Bar # 479629)
Relman & Dane PLLC
1225 Nineteenth Street, N.W., Suite 600
Washington, D.C. 20036
(202) 728-1888

Dated: May 9, 2008

Attorneys for Plaintiffs

Robert Beckwith

From: Robert Beckwith
Sent: 2/25/2003 12:34:51 PM
To: neil hegarty nhegarty@[REDACTED].gov; Danny Dirienzo ddirienzo@[REDACTED].gov; Jim Considine "Jim.Considine"@[REDACTED].us; Gene Kee ekee@[REDACTED].com; Andrew C. Murphy amurphy@[REDACTED].gov; Tim O'Connor Timothy.P.O'Connor@[REDACTED].net; Pete Hoelen pvhclh@[REDACTED].com; Al Richmond albert.r.richmond@[REDACTED].net; Michael Donaghey mdonaghey@[REDACTED].gov; Rich Lyman RLyman@[REDACTED].us; Paul Brady Bluejack50@[REDACTED].com; Jack Morris fatjack520@[REDACTED].com; Patrick McMurray pmcmurray@[REDACTED].gov; Ari Baranoff abaranoff@[REDACTED].gov; Margaret Mannix mmannix@[REDACTED].gov; Daniel Jefferson dxjefferson@[REDACTED].gov;
Cc:
Bcc:
Subject: I Dream of Genie
Attachments: rbeckwith.vcf;

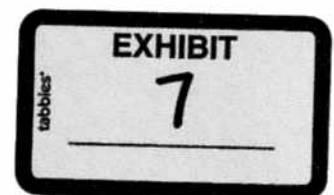
A white guy is walking along a beach when he comes across a lamp partially buried in the sand. He picks up the lamp and gives it a rub.

Two blonde female genies appear, and they tell him he has been granted three wishes. The guy makes his three wishes and the blonde genies disappear.

The next thing the guy knows, he's in a bedroom, in a mansion surrounded by 50 beautiful women. He makes love to all of them and begins to explore the house. Suddenly he feels something soft under his feet, he looks down and the floor is covered in \$100 bills. Then, there is a knock at the door.

He answers the door and standing there are two persons dressed in Ku Klux Klan outfits. They drag him outside to the nearest tree, throw a rope over a limb and hang him by the neck until he is dead. Then the Klansmen walk off.

As they are walking away, they remove their hoods; it's the two blonde genies. One blonde genie says to the other one, "Hey, I can understand the first wish having all these beautiful women in a big mansion to make love to. I can also understand him wanting to be a millionaire. But to be hung like a black man is beyond me"



Rick Gilmore

From: Rick Gilmore
Sent: 5/31/2005 3:29:03 PM
To: conrad everett Conrad.Everett@[REDACTED].gov;
Cc:
Bcc:
Subject: Fw: I just couldnt help myself...

Somkey, please pass this one on to Schwarts aka Steve.

Rick

----- Original Message -----

From: JANET BATCH
To: Mark ; Rick Gilmore
Sent: Tuesday, May 31, 2005 7:41 AM
Subject: Fw: I just couldnt help myself...

----- Original Message -----

From: MDMargenau@[REDACTED].com
Sent: Monday, May 30, 2005 11:55 PM
To: undisclosed-recipients;
Subject: I just couldnt help myself...

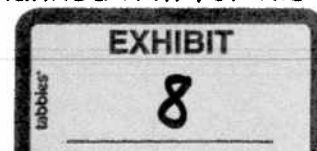
A man goes to a public golf course. He approaches the man behind the counter in the pro shop and says, "I would like 18 holes of golf and a caddy."

The man behind the counter says, "The 18 holes of golf is no problem, but all of the caddies are out on the course. What I will do for you is this. We just got 8 brand new robot golf caddies. If you're willing to take one with you out on the course and if you will come back and tell me how well it works, your round of golf is on me today"

The golfer obviously accepted the man's offer. He approached the first tee, looked at the fairway and said to himself, "I think my driver will do the job.

"The robot caddie turned to the man and said, "No sir. Use your 3 wood. A driver is far too much club for this hole. "

Hesitantly, the golfer pulled out his 3 wood, made good contact with the ball, and the ball landed about 10 feet to the right front of the hole on the green. The golfer, delighted, turned to the robot and thanked him for his assistance.



As the golfer pulled out his putter, he said, "I think this green is gonna break left to right. "

The robot then again spoke up and said, "No sir. I do believe this green will break right to left."

Thinking about the last time the robot corrected his prediction, he decided again to listen to the machine. He made his putt and Birdied the hole thanks to the robot and his advice.

But his luck didn't end there. His entire game was the best game he ever played, thanks to the assistance of the new robot golf caddie.

Upon returning to the clubhouse, the man behind the counter asked, "How was your game?"

"The golfer stated, "It was, by far, the BEST game I ever played Thank you very much for letting me take one of your robots. See you next week."

A week passed, and excited, the golfer returned to the pro shop. Upon entering the pro shop he turned to the man behind the counter and said, "I would like 18 holes of golf and one of those robot golf caddies, please."

The gentleman from behind the counter turned to the man and said, "Well, the 18 holes is no problem. However, we had to get rid of the robots. We had too many complaints. "

Confused, the golfer cried, "COMPLAINTS? Who in the heck could've complained about those robots? They were incredible"

The man sighed and said, "Well, it wasn't their performance. It was that they were shiny silver metal, and the glare from the machine was blinding to other golfers on the fairway"

The golfer said, "So then why didn't you just paint them black? "

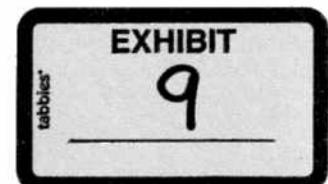
The man nodded sadly and replied, "We did. And then four of 'em didn't show up for work, two filed for welfare, and the other two robbed the pro shop.

Victor Erevia

From: Victor Erevia
Sent: 1/26/2005 2:00:31 PM
To: 'Paul Johnson' Paul.Johnson@[REDACTED].gov; Paul.Haggerty@[REDACTED].gov
Paul.Haggerty@[REDACTED].gov; 'Thomas Kelly' Thomas.Kelly@[REDACTED].gov; Thomas.Mcarthy@[REDACTED].gov
Thomas.Mcarthy@[REDACTED].gov;
Cc:
Bcc:
Subject: FW: Joke

I'm sure you guys have all been guilty of this at one time or another.

Once Upon A Time a man boarded an airplane and took his seat. As he settled in he glanced up and saw the most beautiful woman boarding the plane. He soon realized she was heading straight towards his seat. As fate would have it she took the seat right beside his. Eager to strike up a conversation he blurted out, "Business trip or pleasure." She turned, smiled and said, "Business. I'm going to the Annual Nymphomaniacs of America Convention in Chicago." He swallowed hard. Here was the most gorgeous woman he had ever seen sitting next to him and she was going to a meeting for nymphomaniacs! Struggling to maintain his composure, he calmly asked, "What's your business role at this convention?" "Lecturer," she responded. "I am the lead lecturer where I use information that I have learned from my own personal experiences to debunk some of the popular myths about sexuality." "Really?" he said "and what kind of myths are there?" "Well," she explained, "one popular myth is that African American men are the most well-endowed of all men when in fact it is the Native American Indian who is most likely to possess that trait. Another popular myth is that Frenchmen are the best lovers, when actually it is the men of Jewish descent are the best. I have also discovered that the lover with the absolutely the best stamina is the Southern Redneck." Suddenly, the woman became a little uncomfortable and blushed. "I'm sorry," she said, "I shouldn't really be discussing all this with you. I don't even know your name." "Tonto," the man said, "Tonto Goldstein. But my friends call me "Bubba!"



David O'Connor

From: David O'Connor
Sent: 7/23/2003 2:41:02 PM
To: 'O'Connor, Timothy P.' Timothy.P.O'connor@[REDACTED].net;
Cc:
Bcc:
Subject: RE: Maybe, just maybe, Uncle Bobby was right...

Can I send this to Verden?? He is worthy of trust and confidence.
D.

-----Original Message-----

From: O'Connor, Timothy P. [mailto:Timothy.P.O'connor@[REDACTED].net]
Sent: Wednesday, July 23, 2003 11:24 AM
To: Glynn, Roberta [REDACTED]
Cc: doconnor@[REDACTED].gov
Subject: RE: Maybe, just maybe, Uncle Bobby was right...

Rock of Ages:

Yes, I got the message and saw the ad in the paper but did not attend the sale as I had just put in an Asics order for running shoes thru a guy in Charlotte. But thanks anyways. As for the Centrum I don't know anybody. And besides, that show was so racially biased that I can't believe you'd buy into it. The fact that the big fat talentless black male was chosen over the immensely more talented and gifted skinny white guy was a joke. Reverse racism and political correctness are destroying virtually every aspect of American life. We're completely surrounded by illegal aliens (who even illegally vote in our elections except in Amherst and Northampton where they made it legal for ILLEGAL aliens to vote), suck up our welfare dollars, steal free public educations, commit massive amounts of crimes to include rape and murder, and refuse to learn English (why the @#**^ should I have to choose which language I want to use at the ATM? It wastes my time and disgusts me). Then there's affirmative action and quotas. And Al Sharpton who falsified rape accusations, slandered an honest man's reputation costing him his livelihood and a fortune in legal fees, failed to pay his income tax, and incited a racist anti Jewish campaign which resulted in the fiery death of eight white people when a bunch of mutts burned down a Jewish guy's store in Harlem, can run for President? And I'm not even going to start on partial birth abortions and selling baby parts to heal old people (Are the Nazis back in power doing experiments?). Oh yeah, I forgot, the two lesbians down the street from me with the handicapped plates (who NEVER get a ticket for leaving their cars on the street all night in direct violation of Arlington laws and in spite of the fact they have a two car garage and driveway), with their adopted Korean SON, menorahs in the front window and the cocker spaniel and pug who refuse to shut up, are a typical American family. And I'm the sicko nut because I think they're about as far from what God intended a normal family to look like as giant grasshoppers playing croquet on my front lawn. But I'm the one with the screwed up view of reality.

Anyways, sorry but I don't know anyone at the Centrum, although I do hope you guys have a great time.

If you need anything at the Fleet center, let me know.

And destroy this message, the thought police are everywhere.

Anonymous

-----Original Message-----

From: Glynn, Roberta [REDACTED] [mailto:Roberta.Glynn@[REDACTED].us]
Sent: Wednesday, July 23, 2003 10:59 AM
To: O'Connor, Timothy P.
Subject: RE: Maybe, just maybe, Uncle Bobby was right...

Hey, do you have any friends out at the Worcester Centrum like you have at the Fleet Center? Kerry and I are taking the kids to see American Idols on Friday night for a surprise. The real surprise is our seats are so far back I'm not sure we'll really even see the show!! Let me know. Also, I hope Linda gave you the message last week about the huge tent sale at NB.



She said she saw it in the paper and was expecting my call!
Later, Robby

-----Original Message-----

From: O'Connor, Timothy P. [mailto:Timothy.P.O'connor@[REDACTED].net]
Sent: Wednesday, July 23, 2003 10:48 AM
To: Glynn, Roberta [REDACTED]
Subject: RE: Maybe, just maybe, Uncle Bobby was right...

Keep all that on the down low, it's not exactly street legal.

-----Original Message-----

From: Glynn, Roberta [mailto:Roberta.Glynn@[REDACTED].ma.us]
Sent: Wednesday, July 23, 2003 10:36 AM
To: O'Connor, Timothy P.
Subject: RE: Maybe, just maybe, Uncle Bobby was right...

Hey Iced Tee,
Thanks for the heads up...I'll keep my mouth shut about the info from Uncle Bobby. And ofcourse, absolutely nothing should be leaked to Frank!
I'm thinking that from looking at the e-mail address, David might just have a code name....Dee????
Robby

-----Original Message-----

From: O'Connor, Timothy P. [mailto:Timothy.P.O'connor@[REDACTED].net]
Sent: Friday, July 11, 2003 4:41 PM
To: doconnor@[REDACTED].gov
Cc: Roberta Glynn [REDACTED] (E-mail)
Subject: Maybe, just maybe, Uncle Bobby was right...

Dee:

Just heard on the BBC World Service that eight Corsicans were convicted today of the assassination of a high ranking French government official. I believe Uncle Bobby's personal theory on the JFK killing did not involve Lee Harvey, Jack Ruby, or any of the alleged mutts on the grassy knoll, but rather, a handful of Corsicans from Marseilles via Havana. Hmmmm....perhaps I should have paid a lot more attention to his recollections. Bet there's a reward out there somewhere. Although.. with the Warren Commission coverup (led by Gerry Ford) maybe I'd better just remain silent. Too many people have been silenced already. The government is everywhere and they hear everything...Say nothing to Frank.

I'd better go now, make sure you chew your cabbage twice....

Iced Tee

PS. Rocco, keep your head down.