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July 9, 2008

The Honorable Arlin M. Adams
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Philadelphia, PA 19103-7286

Jo Ann Harris
Scholar in Residence
Pace Law School, 78 North Broadway
White Plains, NY 10603

Robert J. Meyer, Esq.
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1875 K Street, NW
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Middle District of Florida
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Tampa, FL 33202

Bruce C. Schwartz, Esq.
Deputy Assistant Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Larry D. Thompson, Esq.
Senior Vice President, Government Affairs,
General Counsel and Secretary
Pepsico
700 Anderson Hill Road
Purchase, NY 10577

Re: Web page on the misconduct of Independent Counsel attorneys in the
prosecution of *United States of America v. Deborah Gore Dean*,
Criminal No. 92-181-TFH (D.D.C.)

Gentlemen and Professor Harris:

As some of you may know, between December 1994 and January 2000, I submitted a substantial volume of material to the Department of Justice and certain other entities, seeking, among other things, (1) to cause an investigation of the conduct of Independent Counsel attorneys in the prosecution of the referenced case; (2) to cause the removal of certain of those attorneys from positions they subsequently held in the Department of Justice (including (a) Jo Ann Harris from the position of Assistant Attorney General for the Criminal Division, (b) Bruce C. Swartz from the position of Counsel to the Assistant Attorney General for the Criminal Division, (c) Robert E. O'Neill from the position of Assistant United States Attorney for the Middle District of Florida, and (d) Robert J. Meyer from the position of Trial Attorney in the Public Integrity Section of the Criminal Division) on the grounds that their conduct in the case indicated they were unfit to represent the United States; and (3) to cause the successors to Independent Counsel Arlin M. Adams in the continued prosecution of the case (initially Independent Counsel Larry D. Thompson and later the Public Integrity Section of the Criminal Division of the Department of Justice) to acknowledge to the court certain actions Independent Counsel attorneys had previously taken to deceive the jury and the courts both in the prosecution of the case itself and in subsequently responding to allegations of prosecutorial misconduct.

I have given limited attention to that matter since 2000. But I have continued to believe that the publicizing of the nature of Independent Counsel actions in the Dean case is a matter of substantial public importance. Certain recent events have prompted me to renew my attention to the matter at this time. As an initial step in that regard, I have created a web page devoted to the subject. The following is a direct link to the page: <http://www.jpscanlan.com/homepage/prosecutorialmisconduct.html>.

It may also be accessed by means of the tab marked "Prosecutorial Misconduct" on [jpscanlan.com](http://www.jpscanlan.com).

The page is still under construction. But it now provides a substantial introduction to the issues and will soon provide links to a good part of the materials created between 1994 and 2000 and other related materials. It is my intention to take a variety of actions to cause the publicizing of issues addressed in these materials. But regardless of what actions I take in that regard, I intend to keep this page active for many years unless I am able to find a suitable alternative forum that would allow public access comparable that afforded by the current page.

I hope you find that the materials reflect an attempt to be both accurate and fair. But if there is anything in the materials that you believe is either inaccurate or unfair – with regard either to the nature of the described conduct or to your particular role in any matter – I would appreciate your bringing it to my attention. I do recognize that for you to contact me about any matter on the page may raise issues concerning obligations of

Independent Counsel Attorneys

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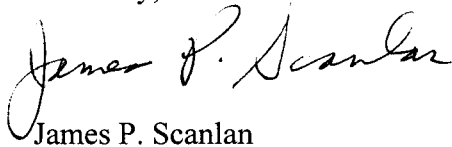
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confidentiality arising from your roles as prosecutors in the case. Thus, before addressing any matter with me, you should probably consult with the Public Integrity Section of the Criminal Division of the Department of Justice, which is the last entity representing the United States in the matter.

Finally, as with the extensive correspondence with the Department of Justice and other entities between 1994 and 2000, it is likely that I will eventually post on the web site significant parts of current correspondence on this matter. Such postings may include this letter.

Contact information is provided on the first page of this letter. But I am often away from the office for extended periods. Thus, e-mail is the most reliable means of contacting me.

Sincerely,

A handwritten signature in black ink that reads "James P. Scanlan". The signature is written in a cursive style with a large initial "J".

James P. Scanlan

cc: William E. Welch, II
Chief, Public Integrity Section
United States Department of Justice
1400 New York Avenue, NW. 12th Floor
Washington, DC 20005