

From: Cole, James (ODAG)
To: Schmalzer, Tracy (SMO); **Attorney General** Phillips, Channing D. (OAG); Wilkinson, Monty (USAEO)
CC: Grindler, Gary (OAG); Goldberg, Stuart (ODAG); O'Neil, David (ODAG)
Sent: 8/30/2011 6:16:50 PM
Subject: RE:

I talked to Fishman. He said that the USAs are concerned that the same thing could happen to them if a case in their district goes bad. I told him that was not the case. He is going to talk to the AGAC tomorrow and tell them he talked to me. He will say that I said:

1. Dennis instigated his resignation without any suggestion from us.
2. We can't go into his reasons for it.
3. We worked with him on timing and the message for the announcement of it.
4. We all agreed it was in the best interest of Dennis and his office.
5. While we did not connect it to Fast & Furious, it was bound to be connected by the press.
6. Ken's reassignment was on a separate track. However, it made sense to have it as a single event instead of series of events.

He will tell them that we can discuss it further at the AGAC meeting next week (although I won't be able to say much more). If this is not satisfactory to the AGAC I said I'd talk to them on the phone before next week.

Paul said that he will have the AGAC members work their phone tree to let the other USAs know this.

[Redacted] DP

[Redacted] DP

Jim

From: Schmalzer, Tracy (SMO)
Sent: Tuesday, August 30, 2011 5:25 PM
To: Cole, James (ODAG); **Attorney General** Phillips, Channing D. (OAG); Wilkinson, Monty (USAEO)
Cc: Grindler, Gary (OAG)
Subject: RE:

[Redacted] DP

[Redacted] DP

[Redacted] DP

[Redacted] DP

From: Cole, James (ODAG)
Sent: Tuesday, August 30, 2011 5:19 PM
To: **Attorney General**; Phillips, Channing D. (OAG); Wilkinson, Monty (USAEO)
Cc: Grindler, Gary (OAG); Schmaler, Tracy (SMO)
Subject: Re:

Fishman wants to talk to me.
Jim

DP

From: **Attorney General**
Sent: Tuesday, August 30, 2011 05:16 PM
To: Phillips, Channing D. (OAG); Wilkinson, Monty (USAEO); Cole, James (ODAG)
Cc: Grindler, Gary (OAG); Schmaler, Tracy (SMO)
Subject: Re:

DP

I'm done

From: Phillips, Channing D. (OAG)
Sent: Tuesday, August 30, 2011 04:52 PM
To: **Attorney General**
Cc: Grindler, Gary (OAG); Schmaler, Tracy (SMO)
Subject:

Mr. AG,

Monty just called to say that Paul Fishman had called him to report that he's heard from about 25 US Attorneys who are upset about how the Dennis Burke resignation was packaged with Ken Melson's transfer. Fishman has a call into the DAG,

DP

DP

Channing