



# GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

SPECIAL INVESTIGATIVE COMMITTEE OF THE NINETY-FIFTH GENERAL ASSEMBLY

December 18, 2008

**VIA FACSIMILE: (312) 353-8298**

Patrick J. Fitzgerald  
United States Attorney  
Northern District of Illinois  
219 S. Dearborn St., 5th Floor  
Chicago, IL 60604

Re: Illinois House of Representatives Special Investigative Committee

Dear Mr. Fitzgerald:

As you know, the Illinois House of Representatives has convened a Special Investigative Committee (the "Committee") to investigate allegations of misconduct by Governor Rod Blagojevich. The purpose of this letter is both to request certain information from you and to make sure that our inquiry does not interfere with your criminal investigation into the Governor's office.

First, we would request that your office provide us with the following documents:

- 1) Copies of all electronic surveillance applications and supporting affidavits referenced in paragraph 14 of the affidavit of Special Agent Cain in support of the criminal complaint in *United States v. Blagojevich* ("Affidavit").
- 2) The identities of all individuals referenced in the Affidavit who are identified only by a descriptive title and a letter and/or number (e.g. "Lobbyist 1," "Advisor A," etc.).
- 3) The identities of all witnesses who have information about alleged criminal activity of Governor Blagojevich who have been granted immunity or have a cooperation agreement with the government that would allow them to testify before the Committee.
- 4) Documents described in the Affidavit (e.g. the "targeted fundraising list" on page 32).
- 5) Recordings of any oral communications intercepted in the personal office of Rod Blagojevich or the conference room at Friends of Blagojevich, as detailed in paragraph 14a of the Affidavit, and recordings of any wire communications to and from a landline subscribed to the home address of Rod Blagojevich, as detailed in paragraph 14b of the Affidavit.

Second, the Committee has identified the following witnesses it may wish to call, either through subpoena or voluntary appearance, provided that hearing their testimony would not interfere with your ongoing criminal investigation. **We wish to emphasize here that, given that virtually every individual referenced in the Affidavit was identified by a descriptive title and not by name, we cannot and do not know with certainty that the individuals whose testimony we seek are indeed referenced in the Affidavit. Nor do we know, or suggest by their inclusion, that any of the individuals listed below are suspected to have engaged in criminal conduct themselves.**

We would respectfully request guidance from you as to the following categories of witnesses:

**I. ALLEGATIONS CONTAINED IN THE AFFIDAVIT IN SUPPORT OF THE CRIMINAL COMPLAINT**

A. Current and Former Members of the Governor's Staff. While no individual falling under this category (besides Mr. Harris) has been identified by name in the Affidavit, and we do not know with certainty that any person listed below is, in fact, referenced in the Affidavit by descriptive title, the Committee would be interested in any potentially relevant testimony from the following individuals:

- John Harris, former Chief of Staff
- Bob Greenlee, former Deputy Governor
- Louanner Peters, Deputy Governor
- William Quinlan, General Counsel to the Governor
- John Wyma, former Congressional Chief of Staff and lobbyist
- Lon Monk, former Chief of Staff and lobbyist
- Doug Scofield, former spokesman/advisor
- Bradley Tusk, former Deputy Governor
- Sheila Nix, former Deputy Governor
- Jill Hayden, former Director of the Governor's Office of Boards and Commissions
- Joseph Cini, former Director of Intergovernmental Affairs
- Victor Roberson, former Deputy Director of Intergovernmental Affairs
- John Filan, former Director, Office of Management and Budget
- Ginger Ostro, Director, Office of Management and Budget
- Chris Kelly, Special Advisor

B. Individuals who have Pleaded Guilty and Testified with Regard to Allegations Detailed in the Affidavit or Who Have Been Convicted of Allegations Contained in this Affidavit. These individuals, identified by name in the Affidavit, include:

- Ali Ata
- Joseph Cari
- Stuart Levine
- Antoin "Tony" Rezko
- Steven Loren

C. Individuals referenced in the Affidavit by Descriptive Title, either Because Your Office has Provided the Identity of those Individuals to the Committee or Because the Committee, Independently, has Reason to Believe that Certain Individuals Can Be Connected to Certain Descriptive Titles. Please be advised that the Committee would communicate with your office to confirm that the calling of any such witnesses is acceptable.

D. Allegations detailed in paragraphs 59 through 116 of the Affidavit. These paragraphs concern allegations of conduct taking place in and after October, 2008. While no individual listed below has been identified by name in the Affidavit, and we do not know with certainty that any person listed below is, in fact, referenced in the Affidavit by descriptive title, the Committee would be interested in any potentially relevant testimony from the following individuals:

- Patrick Magoon, Children's Memorial
- Nils Larsen, Tribune Company
- Bill Davenport, American Concrete Pavement Association
- William Grams, Illinois Road and Transportation Builders Association
- Jim Stumpf, Arlington Park Race Track
- Steve Brubaker, Harness Horsemen
- Jack Kelly, Maywood/Balmoral
- Ed Duffy, Hawthorne Race Track
- Betsy Mitchell, Thoroughbred Horsemen
- Brian Zander, Fairmont Race track
- All registered lobbyists of the horse racing industry

E. Allegations detailed in paragraphs 31 through 58 of the Affidavit. These paragraphs concern allegations of conduct taking place prior to October, 2008. While no individual listed below has been identified by name in the Affidavit, and we do not know with certainty that any person listed below is, in fact, referenced in the Affidavit by descriptive title, the Committee would be interested in any potentially relevant testimony from the following individuals:

- Jeffrey S. Mark, Executive Secretary, Health Facilities Planning Board
- Thomas Beck, Former Board Member, Health Facilities Planning Board
- David Carvalho, Deputy Director, Health Facilities Planning Board
- Imad Almanaseer, Former Board Member, Health Facilities Planning Board

F. Individuals Identified in a Chicago Tribune Article on April 27, 2008, by Jeffrey Meitrodt, Ray Long, and John Chase Entitled "The Governor's \$25,000 Club". Please be advised that if we are unable to contact these individuals, we would consider eliciting testimony from others who might simply present the results of the Tribune's investigation—for example, one of the reporters. We would appreciate your comment on that issue as well.

## II. WITNESSES RELEVANT TO OTHER ISSUES PURSUED BY THE COMMITTEE.

The following categories of witnesses are unrelated to the Affidavit and criminal complaint filed against Governor Blagojevich. Because of the timing of our Committee hearings, we have already discussed with your office the individuals listed in Categories A, B and D below and understand that you have raised no objection to our calling of these individuals as witnesses.

A. The Governor's Expansion of the FamilyCare Program and Refusal to Recognize the Validity of the Joint Committee on Administrative Rules. The Committee is inquiring into the Governor's expansion of a State program known as FamilyCare without legislative authority or funding authority, as well as the Governor's circumvention of the Joint Committee on Administrative Rules in doing so. The Committee seeks relevant testimony from the following:

- Vicki Thomas, JCAR Executive Director
- Bob Rich, Institute of Government and Policy Affairs

- Claudette Miller, Partner, Ungaretti & Harris
- F. Thomas Hecht, Partner, Ungaretti & Harris
- Larry Blust, Partner, Barnes & Thornburg (Counsel for Governor and DHFS)
- Barry Maram, Director, Department of Healthcare and Family Services
- Tamara Hoffman, Chief of Staff, Department of Healthcare and Family Services
- Andy Morris, University of Illinois School of Law

B. Audits Conducted by the Illinois Auditor General. The Committee is inquiring into three areas that were the subjects of Audit Reports filed by William Holland, the Illinois Auditor General: (i) the Governor’s purchase, and attempted import, of flu vaccines without FDA approval; (ii) the Governor’s “efficiency initiative,” including but not limited to the hiring of consultants and contractors related to that initiative; and (iii) the grant of \$1 million to the Loop Lab School and the pardon of its school administrator. The Committee seeks the testimony of William Holland, the Illinois Auditor General.

C. Fraud in the Governor’s hiring and firing of State workers. The Committee is inquiring into whether the Governor engaged in a pattern of illegally hiring and firing State employees based on improper and illegal criteria. The Committee seeks relevant testimony from the following people, whom the Committee anticipates will testify that they were victims of, not the perpetrators of, illegal hiring practices:


- Dawn DeFraities
- Michael Casey
- Maria Besbekos
- John Hegeler
- Jim Fragakis
- Matt Magalis

D. The Governor’s Compliance with the Freedom of Information Act. The Committee is inquiring into whether the Governor repeatedly and willfully failed to follow the FOIA law, refusing to disclose information that was clearly permitted under the FOIA. The Committee seeks relevant testimony from the following:

- Donald Craven, Donald M. Craven, P.C.
- Terry Mutchler, former Assistant Illinois Attorney General
- Jay Stewart, Executive Director, Better Government Association
- Ron Gidwitz, Americans for Prosperity Illinois
- Paul Orfanedes, Judicial Watch

We may be supplementing this list, but at the present time this would cover our request. Thank you for your prompt attention to this matter. Questions may be directed to David Ellis, Counsel to the Committee, at 217-782-3392.

Sincerely,



Barbara Flynn Currie  
Chair of the Special Investigative Committee



Jim Durkin  
Minority Spokesperson

*Edward Acevedo*

Edward J. Acevedo

*Patricia R. Bellock*

Patricia R. Bellock

*Mike Bost*

Mike Bost

*Roger L. Eddy*

Roger L. Eddy

*Jack D. Franks*

Jack D. Franks

*Julie Hamos*

Julie Hamos

*Constance A. Howard*

Constance A. Howard

*Frank J. Mautino*

Frank J. Mautino

*Jim Sacia*

Jim Sacia

*Arthur L. Turner*

Arthur L. Turner

*Suzanne Bassi*

Suzanne Bassi

*William B. Black*

William B. Black

*Monique D. Davis*

Monique D. Davis

*Mary E. Flowers*

Mary E. Flowers

*John A. Fritchey*

John A. Fritchey

*Gary Hannig*

Gary Hannig

*Lou Lang*

Lou Lang

*Chapin Rose*

Chapin Rose

*Jil Tracy*

Jil Tracy