

From: Layman, James <James.Layman@vermont.gov>

Sent: Thursday, April 14, 2022 3:52 PM

To: Galloway, Anne <agalloway@vtdigger.org>

Cc: Groff, David <david.groff@vermont.gov>

Subject: Records Production from PRA request for documents from state witness interviews

Anne,

Please see attached correspondence from David Groff. You will also receive a link from the State's file sharing system in a minute to download the referenced document production. Please let me know if you have any trouble accessing these files.

James

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**STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001**

April 14, 2022

Via Email
Anne Galloway
VTDigger.org

Re: 3/28/22 Public Records Request re exhibits to FBI Interviews of State Witnesses

Dear Ms. Galloway,

We are in receipt of your public records request dated March 28, 2022, in which you requested “any and all documents referenced in the following Federal Bureau of Investigation and Internal Revenue Service summaries of interviews” of several current or former state officials.

We recently responded to a similar request in the context of the Sutton litigation. In that context, the parties were informed by the U.S. Attorney’s Office (USAO) that the lists of documents in the reports themselves contained errors and listed documents that were not in fact shown to the witnesses. The USAO prepared and provided to counsel for both sides of the Sutton litigation a list of exhibits actually provided to the witnesses. This list prepared by the USAO is enclosed. We in turn collected and produced to Plaintiffs’ counsel those documents from the list provided by the USAO that were in our custody.

Generally, these materials would be excluded from disclosure under the PRA under the relevant to litigation exception. However, given that we have already

produced responsive documents as described above, we are enclosing a production of those documents to you as they now may be considered “ruled discoverable.”

Concerning the USAO document list, we make the following observations about documents not in our possession:

- Documents with Bates numbers beginning in “EJC” did not originate with the State, and we do not have documents with that bates designation. We are not in possession of documents identified in that way. It appears those are documents produced by the law offices of Carol and Scribner in litigation with investors.
- Documents with Bates numbers containing no alphabetic prefix did not originate with the State, and we do not have documents with that bates designation. We are not in possession of documents identified in that way. It appears those may be documents that originated with the USAO.
- The list you provided also contains documents without bates numbers but instead identified with brief description. In many instances the descriptions provided were insufficient to identify the documents.

Enclosed with this letter are copies of all documents in our possession that we understand were actually provided to witnesses in the USAO’s interviews. This set of documents is the same set that we provided to the plaintiffs in the Sutton litigation in response to their similar request.

Sincerely,

/s/ _____

David R. Groff
Assistant Attorney General

cc: Jessica Mishaan

James Candido (10/1/19)

DIGGERPRA-ACCD0638
DIGGERPRA-ACCD0621
DIGGERPRA-ACCD0658
EJC-00018814
EJC-00018802
DIGGERPRA-ACCD0058
DIGGERPRA-ACCD0333
USAO-EXEC00033746 – 33751

Susan Donegan (3/1/2019)

USAO-EXEC00025282 - 25284
Stenger letter to Donegan dated 3/9/15
USAO-DFR00006895
USAO-DFR00129543-129545
USAO-DFR00006895
DFR 000100
Letter from Donegan to Stenger sent via email 3/17/15
USAO-DFR00102319 – 102320
USAO-DFR00102385
ACCD00000648
USAO-EXEC00022521
USAO-EB500034396
USAO-EB500011279

Jim Douglas (6/7/19)

Letter from Douglas to Hon. Kim Moon-soo dated 9/18/09
VRC agenda for Douglas trip to Asia – 10/15-26/09
Associated Press article by David Gram dated 10/23/09
ACCD00000221
USAO-EXEC00005588
ACCD00006961

John Kessler (8/1/18)

ACCD00009490 and ACCD00005190
ACCD00007226 – 7294
USAO-EB500022876
ACCD00009195
ACCD00007371
ACCD00006999
ACCD013503
ACCD00010626
ACCD00005379

Bill Lofy (6/23/21)

USAO-EXEC00029447
USAO-EXEC00021559
USAO-EXEC00027562
USAO-EXEC00029190
USAO-EXEC00028730
USAO-EXEC00028170
USAO-EXEC00028025
USAO-EXEC00027979
USAO-EXEC00027715

Sara London (2/21/19)

USAO-EXEC00024346
USAO-EXEC00025555
USAO-EXEC00025122
USAO-EXEC00023813
USAO-EXEC00005752

Elizabeth Miller (4/19/19)

USAO-EXEC00002365
USAO-EXEC00004539
USAO-EXEC00026784
USAO-EXEC0004301
USAO-EXEC00026926
USAO-EXEC00023236
USAO-EXEC0027133
USAO-EXEC000026119
USAO-EXEC00025122
Stenger letter to Elizabeth Miller dated 3/5/15
USAO-EXEC00025555
USAO-EXEC000013639

Lawrence Miller (7/22/19)

ACCD00008267
ACCD00009274
Lawrence Miller letter to Stenger dated 3/21/12
ACCD00008249
ACCD00007006
0293862
ACCD00007217
ACCD00005190

ACCD00009316
ACCD00005218
USAO-EXEC00034246
ACCD00008092
USAO-EB500000561
ACCD00007226
ACCD00007229
ACCD00007242
ACCD00007249
USAO-EB500004002
USAO-EB500009151
ACCD014065
ACCD00008252
ACCD013945
ACCD013946
ACCD013948
ACCD00007318
ACCD00007197
ACCD00006920
ACCD00008074
ACCD013946
ACCD00007007-7010
USAO-EB500003528
ACCD00008245
USAO-EB500000755
USAO-EB500000780
ACCD013571
ACCD00007005
ACCD00005220
ACCD20010

Patricia Moulton (12/27/18)

ACCD00009417
ACCD00005379
VT-DFR00058242
ACCD00005433
ACCD00005462
USAO-EB500008285
ACCD00005173
ACCD00005189
ACCD013389

ACCD00007031
ACCD013606

Pat Moulton (6/22/21)

FBI FD-302 interview of Becky Fu Von Trapp
USAO-EB500001629
ACCD00010447
6/28/14 Moulton Notes
ACCD0008235
ACCD0008827
ACCD00008828
ACCD016514
USAO-DFR00008697
ACCD015824
USAO-DFR00008739
ACCD00005387
USAD-DFR00009059
ACCD013908
USAO-EB500000568
USAO-EB500000566
ACCD00007382
ACCD00005430
ACCD00005433
ACCD00005453
12/19/14 Moulton Notes
ACCD00005462
ACCD00007050
ACCD00005105
ACCD00007173
ACCD015799
USAO-EB500048484

Michael Pieciak (11/28/18)

USAO-DFR00102016-102018
USAO-DFR00006709-6711
ACCD0005173-5189
USAO-DFR00102319

Brent Raymond (3/4/19)

ACCD00006961
USAO-EB500003659
ACCD00007565
ACCD00006964
ACCD00007226

ACCD00009195
ACCD00009490
ACCD00005218
ACCD00007008
USAO-EB500003540
ACCD00010426
ACCD00005462
ACCD00005105-5108
ACCD00005173