

April 7, 2017

via Electronic Mail

Hon. Charles E. Grassley
Chairman
U.S. Senate Committee on the Judiciary
Washington, DC 20616-6275

Re: Fusion GPS

Dear Chairman Grassley:

We, as counsel for Fusion GPS (“counsel”), are writing in response to your letter of March 24, 2017, to Mr. Glenn Simpson of Fusion GPS (hereinafter “the March 24 letter”). In that letter, you asked Fusion GPS to respond to 13 enumerated requests (most of which contained multiple requests) no later than April 7, 2017. Nothing herein shall constitute a waiver of Fusion GPS’ rights or privileges.

On March 24, 2017, counsel informed your staff that Fusion GPS retained our firm, and that counsel had received the March 24 letter. On March 29, 2017, counsel informed staff that Mr. Simpson was out of town until the week of April 3, 2017, and that counsel would need to discuss the March 24 letter with him, in person, upon his return. Counsel asked staff about the letter, and staff asked that we speak again about the letter on April 3, when additional staff would be present. On April 3, counsel spoke with your staff by phone and informed staff that counsel would be meeting with our client this week to evaluate its rights and privileges, as well as those of third parties. In that call, staff said each question was equally important and did not reduce the scope of the March 24 letter’s request for information and documents.

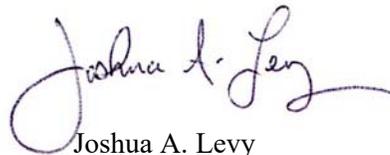
The March 24 letter calls for information and documents protected by the First Amendment rights, attorney-client privilege, attorney work product, and contractual rights (*e.g.*, confidentiality agreements) of Fusion GPS and/or its clients. Thus, so as to preserve those privileges and rights, we will not otherwise be responding to the questions enumerated within the March 24 letter. A brief discussion of those rights and privileges follows:

First Amendment Rights: Those requests seek information about Fusion GPS and its clients, who are American citizens that have been engaged in political activity, free speech and/or freedom of the press. Fusion GPS and its clients will not risk a waiver of First Amendment rights by producing information and documentation otherwise protected by them.

Attorney-Client Privilege and Attorney Work Product: Much of Fusion GPS' work is covered by the attorney-client privilege and/or the attorney work product doctrine, which Fusion GPS lacks the authority to waive.

Confidentiality Agreements: Fusion GPS worked on behalf of its clients subject to confidentiality agreements, which Fusion GPS' clients have not waived.

Sincerely,

A handwritten signature in blue ink that reads "Joshua A. Levy". The signature is fluid and cursive, with a long horizontal stroke at the end.

Joshua A. Levy
Robert F. Muse

cc: Hon. Diane Feinstein
Ranking Member
U.S. Senate Committee on the Judiciary